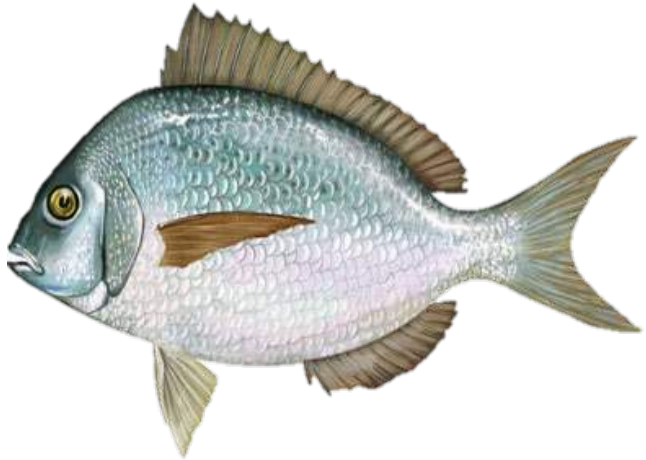
Atlantic States Marine Fisheries COMMISSION

Overview of Draft Addendum XXXVII Scup Commercial Management



Summer Flounder, Scup, and Black Sea Bass Management Board

November 2026

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Draft Addendum Overview

- **Statement of the Problem**
- **Background**
- Status of the Stock
- Status of the Fishery
- **Proposed Management Options – Commercial Quota Period Management**

Background

- Quota system established in 1996 through Addendum I
  - Seasonal nature of the fishery and differences in vessel size could result in uneven access to the annual commercial quota
  - Three quota periods (Winter I, Summer, Winter II)
- Winter I and Winter II – Coastwide quota and possession limits, federally managed
  - Winter I possession limit is reduced once a specified percentage of the quota has been landed
    - These limits can be modified through specifications
  - Unused Winter I quota may be rolled over to Winter II
- Summer – State-by-state quotas, Commission managed

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Background

- Winter I 2026: ~23% overage of the Winter I quota
  - Fishery was closed March 16, 2026
  - Trip limit was not reduced prior to fishery closing due to data management challenges and unusually rapid landings
  - Increased effort may have been the result of increased demand and processing capacity in the frozen seafood market and limited harvest opportunities in other fisheries

- Under current payback provisions, 2027 Winter I quota will be reduced ~1.8 million pounds (7.02 million pounds → 5.22 million pounds)

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Statement of the Problem

- Current management provisions require quota period overages to be repaid through deductions from the corresponding quota period in the following year

- Payback requirements may unnecessarily constrain harvest opportunities and disrupt the fishery when quota period overages do not result in an annual quota overage
  - From 2015-2025 commercial landings did not exceed the annual commercial quota

- Draft Addendum XXXVII considers waiving quota period overage repayments in years where the annual commercial quota is not exceeded

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MAFMC – Framework 20

August 2026 – Mid-Atlantic Fishery Management Council (MAFMC) Approved Framework 20

- Allows Winter I trip limit reduction to be implemented based on *projected* landings rather than requiring NMFS to wait for *actual* landings
- Provides the RA with discretionary authority to not implement the trip limit reduction if it is expected to prevent full harvest of the Winter I quota
- Forgives quota period overages in years where the annual quota is not exceeded (applies to all quota periods)

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Proposed Management Options

Option A – Status Quo

Option B – Would allow landings overages for the Winter I, Summer, and Winter II quota periods to be forgiven if the annual commercial scup quota was not exceeded during the same year

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Option B – Forgive Period Overages

Note from the PDT - If Option B is selected for management, in-season adjustments may occur

Proposed Rule
(Early/Mid Fall)

Winter I and Summer landings overages announced which would represent the maximum overage repayments

Final Rule
(Late Fall/Early Winter)

Projections used to determine if paybacks can be waived. If paybacks needed, will be deducted proportionally from corresponding period.

Spring

Period quotas may be adjusted upward via in-season action. If paybacks were underestimated, overage repayment taken out of following year.

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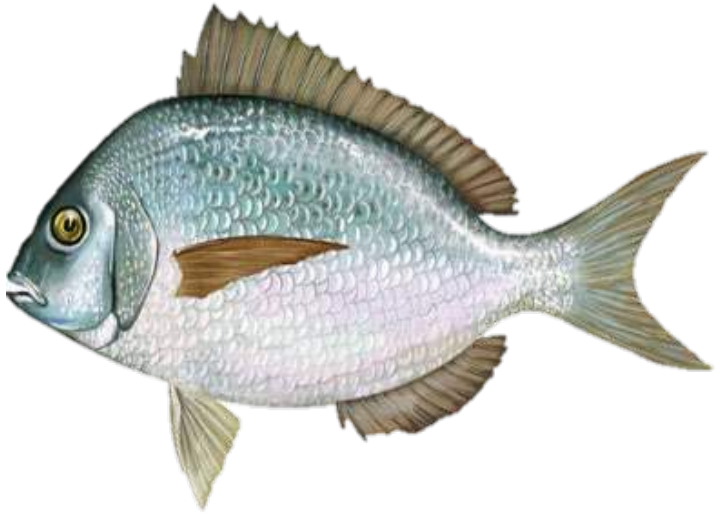
Addendum Timeline

August 2026	Council took final action on Framework 20 & Summer Flounder, Scup, and Black Sea Bass Management Board initiated Draft Addendum XXXVII
November 2026	Summer Flounder, Scup, and Black Sea Bass Board considers approving Draft Addendum XXXVII for Public Comment
December 2026 - January 2027	Public Comment Period
Late-January 2027	Summer Flounder, Scup, and Black Sea Bass Board reviews public comment, selects management options, and final approval
TBD	Final rule published in the Federal Register - Date of implementation

Questions?



Board Action for Consideration: *Consider approving Draft Addendum XXXVII on Scup Commercial Management for public comment.*

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Black Sea Bass State-by-State Commercial Allocation Performance

Summer Flounder, Scup, and Black Sea Bass Management Board

November 12, 2026

Overview

- **Background**
- **Quota Performance Review**
  - Utilization
  - Transfers
- **Next Steps**



John Chisholm, MA DMF

Background

- Commercial state-by-state quota allocations originally implemented in 2003 via **Amendment 13**, extended via **Addendum XIX** in 2007
  - Roughly based on historical landings from 1980-2001
- Modified by **Addendum XXXIII**, which was implemented in 2021.

State	Historical Allocation	Change in Allocation	New Baseline Allocation
ME	0.5%	-0.25%	0.25%
NH	0.5%	-0.25%	0.25%
MA	13.0%	-0.38%	12.62%
RI	11.0%	-0.32%	10.68%
CT	1.0%	2.00%	3.00%
NY	7.0%	1.00%	8.00%
NJ	20.0%	-0.58%	19.42%
DE	5.0%	0.00%	5.00%
MD	11.0%	-0.32%	10.68%
VA	20.0%	-0.58%	19.41%
NC	11.0%	-0.32%	10.68%

Background

- **Addendum XXXIII** was meant to address significant disparities between some states' allocations and current abundance/ distribution of black sea bass
- Increased CT's quota from 1% → 3% and NY's quota from 7% → 8%.
- Established only 75% of quota distributed using baseline allocation, and 25% to be allocated based on regional biomass proportions from most recent stock assessment

State	Historical Allocation	Change in Allocation	New Baseline Allocation
ME	0.5%	-0.25%	0.25%
NH	0.5%	-0.25%	0.25%
MA	13.0%	-0.38%	12.62%
RI	11.0%	-0.32%	10.68%
CT	1.0%	2.00%	3.00%
NY	7.0%	1.00%	8.00%
NJ	20.0%	-0.58%	19.42%
DE	5.0%	0.00%	5.00%
MD	11.0%	-0.32%	10.68%
VA	20.0%	-0.58%	19.41%
NC	11.0%	-0.32%	10.68%

Regional Biomass Distribution & Resulting Quotas

		ASAP						WHAM			
		2022		2023		2024		2025		2026	
State	Historical (2003-2021) Allocation	Regional Biomass Distribution (2021)	Final 2022 Allocation	Regional Biomass Distribution (2021)	Final 2023 Allocation	Regional Biomass Distribution (2021)	Final 2024 Allocation	Regional Biomass Distribution (2024)	Final 2025 Allocation	Regional Biomass Distribution (2025)	Final 2026 Allocation
ME	0.5%	85%	0.40%	85%	0.40%	85%	0.40%	52%	0.32%	52%	0.32%
NH	0.5%		0.40%		0.40%		0.40%		0.32%		0.32%
MA	13.0%		15.44%		15.44%		15.44%		13.12%		13.12%
RI	11.0%		13.06%		13.06%		13.06%		11.10%		11.10%
CT	1.0%		3.67%		3.67%		3.67%		3.12%		3.12%
NY	7.0%		9.79%		9.79%		9.79%		8.32%		8.32%
NJ - N	20.0%		19.81%		19.81%		19.81%		19.47%		19.47%
NJ - S		15%		15%		15%		48%		48%	
DE	5.0%		4.09%		4.09%		4.09%		4.83%		4.83%
MD	11.0%		8.73%		8.73%		8.73%		10.32%		10.32%
VA	20.0%		15.88%		15.88%		15.88%		18.76%		18.76%
NC	11.0%		8.73%		8.73%		8.73%		10.32%		10.32%
Total	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**

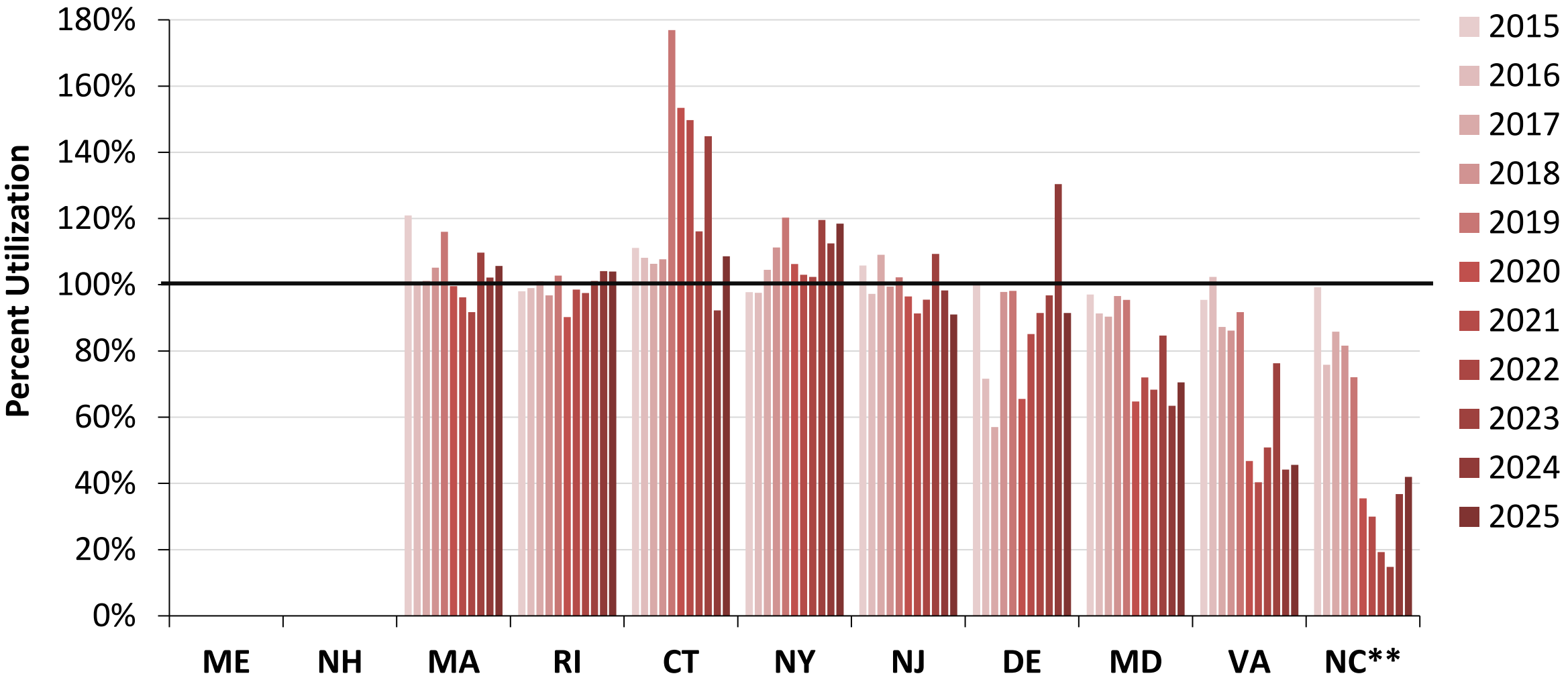
Purpose of Today's Discussion

- Addendum XXXIII states state-by-state commercial quotas will be reviewed by the Commission, with no more than 5 years between reviews.
- Review does not mean a management document is needed but one can be initiated if the Board determines one is warranted.

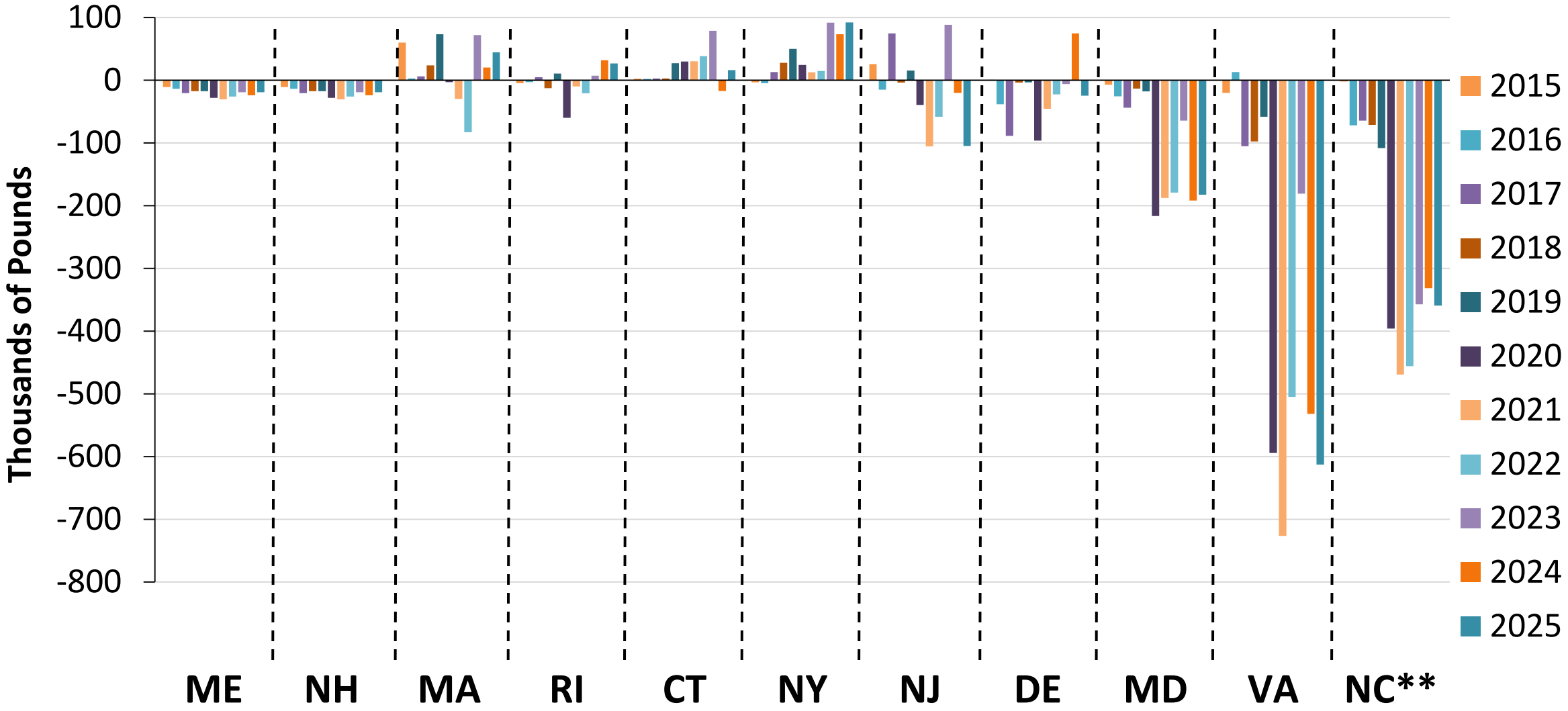
Quota Utilization (not considering transfers)

State	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
ME	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
NH	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
MA	121%	101%	101%	105%	116%	100%	96%	92%	110%	102%	106%
RI	98%	99%	101%	97%	103%	90%	99%	98%	101%	104%	104%
CT	111%	108%	106%	108%	177%	153%	150%	116%	145%	92%	109%
NY	98%	98%	105%	111%	120%	106%	103%	102%	120%	112%	118%
NJ	106%	97%	109%	99%	102%	96%	91%	95%	109%	98%	91%
DE	101%	72%	57%	98%	98%	66%	85%	91%	97%	130%	91%
MD	97%	91%	90%	97%	95%	65%	72%	68%	85%	63%	70%
VA	95%	102%	87%	86%	92%	47%	40%	51%	76%	44%	46%
NC	99%	76%	86%	82%	72%	35%	30%	19%	15%	37%	42%
Overall Utilization	101%	94%	94%	95%	99%	75%	74%	80%	94%	84%	81%

Quota Utilization (not considering transfers)



Overages and Underages (not considering transfers)



Summary – Number of Quota Transfers

Reason for Transfer	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Total
Safe harbor	2	4	6	3	6	2	1	1	4	2	0	31
Non-safe harbor transfers	0	0	2	0	6	4	5	6	9	8	5	45
Total	2	4	8	3	12	6	6	7	13	10	5	76

Non-safe harbor transfers: transfers to maintain an active fishery in that respective year, prevent mid-season closures, and/or prevent overages, etc.

Quota Transfers – Donations (lbs)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
ME			-18,100		-17,599	-20,000	-29,000	-23,000	-19,100	-20,000	
NH					-16,000	-25,000	-25,000	-25,000	-19,200	-23,000	-15,000
MA								-50,000			
RI											
CT											
NY											
NJ											
DE			-50,000								
MD											
VA					-10,000					-10,000	
NC					-90,000				-345,000	-100,000	-225,000
Total	0	0	-68,100	0	-133,599	-45,000	-54,000	-98,000	-383,300	-153,000	-240,000

Quota Transfers – Received (lbs)

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
ME											
NH											
MA					75,000	15,000			75,000		50,000
RI			18,100		8,800		7,000	25,000	29,300	28,000	50,000
CT					24,799	30,000	47,000	73,000	84,000	25,000	15,000
NY					15,000				75,000	125,000	125,000
NJ			50,000		10,000				120,000		
DE											
MD											
VA											
NC											
Total	0	0	68,100	0	133,599	45,000	54,000	98,000	383,300	153,000	240,000

Next Steps

- **Does the Board wish to modify the black sea bass commercial state-by-state quota allocations?**
  - If so, an addendum can be initiated.
  - If not, the Board will be able to review state-by-state quota allocation performance again in the future



Brian Kelly, MA DMF