

Atlantic States Marine Fisheries Commission

**ADDENDUM XXIII TO THE SUMMER FLOUNDER, SCUP AND
BLACK SEA BASS FISHERY MANAGEMENT PLAN FOR**

Black Sea Bass Recreational Management in 2013



ASMFC Vision Statement:

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.

Approved February 21, 2013

1.0 Introduction

This Addendum is promulgated under the adaptive management/framework procedures of Amendment 12 and Framework 2 that are a part of the Fishery Management Plan (FMP) for Summer Flounder, Scup, and Black Sea Bass. The adaptive management program allows for changes to recreational fishery measures. This Addendum applies only to the black sea bass section of the FMP. The black sea bass fishery is managed cooperatively by the states through the Commission for state waters, and the federal government through the Mid-Atlantic Fishery Management Council (Council) and the NOAA Fisheries for federal waters. The management unit for black sea bass remains unchanged in this Addendum. Specifically, the management unit for black sea bass in US waters is the western Atlantic Ocean from Cape Hatteras, North Carolina northward to the US-Canadian border.

The Summer Flounder, Scup, and Black Sea Bass Management Board (Board) approved the following motion at the October 25, 2012: *Move to initiate an addendum to use management measures other than coastwide measures.* This Addendum establishes regional management for the 2013 recreational black sea bass fishery.

2.0 Statement of the Problem

The black sea bass recreational fishery is managed on a “target quota” basis. Fifty-one percent of the total allowable landings are allocated as a recreational harvest target and forty-nine percent is allocated to the commercial sector. From 1996 to 2010, a uniform coastwide size limit, season, and bag limit has been set by the Commission and Council to constrain the recreational fishery to the annual harvest limit (Table 1). Table 2 shows the individual state regulates for the 2012 fishing year. During the last 15 years, the harvest target was exceeded 5 times, most recently in 2009, 2010, and 2012 when the harvest target was the lowest in the time series. In 2009, the target was exceeded by 1.18 million pounds and by an estimated 1.15 million pounds in 2010. In 2012, the MRIP projected harvest is estimated at 2.99 million pounds, approximately 1.67 million pounds over the harvest target (1.32 million pounds).

The management plan for black sea bass does not provide an opportunity to craft recreational measures by regions or state, it only allows for a coastwide measure. Due to the wide geographic range of this species, the application of coastwide minimum size, possession limit, and season restrictions may not affect every area involved in the fishery the same way. Additionally, black sea bass migrations may result in differences in availability to the recreational fishery in each state. States were concerned that the coastwide regulations disproportionately impacted states within the management unit; therefore, the Board approved Addenda XXI and XXII which respectively allowed for state-by-state measures in 2011 and 2012 for state waters only. The Board continues to have the same concerns for the 2013 fishing season. Therefore, the Board initiated Addendum XXIII to provide the necessary management flexibility to mitigate potential disproportionate impacts on states that can result from coastwide measures for 2012. Addendum XXIII establishes regional management for 2013 black sea bass recreational fishery.

2.1 Fishery Description

Black sea bass are generally considered structure oriented, preferring live-bottom and reef habitats. Within the stock area, distribution changes on a seasonal basis and the extent of the seasonal change varies by location. In the northern end of the range (Massachusetts to New

York), sea bass move offshore crossing the continental shelf, then south along the edge of the shelf (Moser and Shepherd, 2009). By late winter, northern fish may travel as far south as Virginia, however most return to the northern inshore areas by May. Sea bass along the Mid-Atlantic (New Jersey to Maryland) head offshore to the shelf edge during late autumn, traveling in a southeasterly direction. They also return inshore in spring to the general area from which they originated (Moser and Shepherd, 2009). Black sea bass in the southern end of the stock (Virginia and North Carolina) move offshore in late autumn/early winter. Because they are close to the continental shelf, they transit a relatively short distance, due east, to reach over-wintering areas (Moser and Shepherd, 2009). Fisheries also change seasonally with changes in distribution; recreational fisheries generally occur during the period that sea bass are inshore.

An examination of the previous 7 years of recreational harvest data shows there is no systematic pattern in state harvest. In the most recent years the states of Delaware, Massachusetts and New York have seen an increase in harvest (Figures 1); Maryland and Virginia have seen a decline in harvest (Figures 2); and Connecticut, Rhode Island and North Carolina have remained fairly stable (Figures 1 and 2). For the past 3 years the states of Massachusetts, New York and New Jersey make up the majority of the coastwide harvest.

An examination of average state-specific MRIP harvest estimates by 'Area Harvested' (State v. EEZ waters) for the last 3 years indicate that the majority of the black sea bass fishery occurs in state waters in Massachusetts, Rhode Island, Connecticut, and New York (>85%). For the states of Delaware to North Carolina the majority of fishery operates in the waters of the EEZ (NJ and VA >65% and DE, MD and NC >75%).

2.2 Stock Status

The most recent approved benchmark assessment on black sea bass was peer-reviewed and accepted in December 2008 by the DPSWG Peer Review Panel. Documentation associated with this assessment and previous stock assessments, such as reports on stock status, including annual assessment and reference point update reports, Stock Assessment Workshop (SAW) reports, and Stock Assessment Review Committee (SARC) panelist reports, are available online at the NEFSC website: <http://www.nefsc.noaa.gov/saw/>.

Based on the June 2012 update, the stock is not overfished and overfishing is not occurring, relative to the biological reference points. Fishing mortality in 2011 is $F = 0.21$, a decrease from 2010. This point estimate of F in 2011 is below the fishing mortality threshold of $F=0.44$. Estimates for 2011 total biomass remain above the biomass maximum sustainable yield. Spawning stock biomass (SSB) in 2011 is 24.6 million pounds, which 0.6 million pounds above the SSB_{MSY} target (24 million pounds) and a small decrease from the 2010 SSB estimate. Recruitment at age 1 averaged 26.4 million fish during 1968-1999 and in 2000, peaked at 56.0 million fish. Recruitment estimated by the model was relatively constant through the time series with the exception of 1975, 1999, and 2001 year classes. The 2011 year class was 21.0 million fish.

3.0 Management Program

The measures in this addendum are only effective in state waters for 2013. Absent any subsequent action by the Board coastwide measures will implemented in 2014. This Addendum is not intended to implement state allocations and is not intended to set a precedent for state allocations.

The federal FMP does not allow for conservation equivalency and would require an amendment to the plan to make the necessary changes consistent with those proposed in this document; therefore, a single coastwide measure is set in federal waters. Federal permit holders have to follow regulations set by the NOAA Fisheries regardless of where they are fishing: The Council recommended to NOAA Fisheries that the federal measures for the 2013 fishing year be: 12.5 inch TL minimum fish size, 20 fish possession limit, and open seasons from June 1 through September 5 for 2013.

Under the approved measures regions will implement individual recreational black sea bass management programs that utilize minimum size limits, maximum possession limits, and seasonal closures that are designed to achieve a specific harvest reduction/liberalization that, when combined with the other states in the management unit, achieve the required coastwide reduction/liberalization for 2013.

Reduction tables, provided by the Technical Committee, will be used to determine which suite of possession limits, size limits, and closed seasons would constrain recreational landings to the recreational harvest limit for the state/region. Tables would be adjusted for each region to account for past effectiveness of the regulations. Each region would propose a combination of size limit, possession limit, and closed season that would constrain landings to the appropriate level. These regulations will be reviewed by the Technical Committee and approved by the Board. States would not implement measures by mode or area unless the PSE of the mode or area for that region is less than 15%.

Note: The MRIP data used to set state-specific conservation equivalent measures produces more variable results when used on a state-by-state basis. As the coverage area increases, the variability of the data decreases; therefore, adopting regional or coastwide approaches will give more precision to the data.

3.1 2013 Recreational Black Sea Bass Measures

Ad Hoc Regional Measures

Two regions will be established. Each region will implement recreational black sea bass management programs that utilize minimum size limits, maximum possession limits, and seasonal closures that are designed to achieve a specific harvest reduction that, when combined with the other regions in the management unit, achieve the required coastwide reduction for 2013. The northern region will contain the states of Massachusetts through New Jersey and the southern region will contain the states of Delaware through North Carolina (North of Cape Hatteras). All states will agree to the regulations implemented within the region. While not required, states will work to develop consistent regulations to allow for a seamless as possible recreational management program within the region.

Under this option, the states of Massachusetts through New Jersey would reduce their regulations by 32% based on the region performance from 2012. The states of Delaware through North Carolina (North of Cape Hatteras) will set their measures consistent with Federal regulations (12.5 inch TL minimum fish size, 20 fish possession limit, and open seasons from June 1 through

September 5). The regulations of the two regions combined would require a total harvest reduction of 32% in numbers of fish to achieve the 2013 recreational harvest limit (RHL) (2.26 million pounds or 1.23 million fish).

3.2 Addendum Time Frame

The Addendum would expire at the end of 2013. After 2013, measures would revert back to the FMP coastwide measures.

4.0 Compliance

The measures contained in section 3.0 of this Addendum are effective immediately upon its approval (February 21, 2013).

5.0 Tables

Table 1. Recreational Black Sea Bass Specifications and Harvest from 1996-2010

Year	1996	1997	1998	1999	2000	2001	2002	2003
Harvest Limit (mlbs)	--	--	3.15	3.15	3.15	3.15	3.43	3.43
Harvest (mlbs)	4.0	4.3	1.2	1.7	4.0	3.4	4.3	3.3
Size (inches)	9	9	10	10	10	11	11.5	12
Bag[^]	--	--	--	--	--	25	25	25
Open Season	All year	All year	1/1-7/30 and 8/16- 12/31	All year	All year	1/1-2/28 and 5/10- 12/31	All year	1/1-9/1 and 9/16- 11/30

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012
Harvest Limit (mlbs)	4.01	4.13	3.99	2.47	2.11	1.14	1.83	1.84	1.32
Harvest (mlbs)	1.67	1.89	1.99	2.25	1.56	2.32	3.3	1.3	2.99**
Size (inches)	12	12	12	12	12	12.5	12.5	See table 2	See table 2
Bag[^]	25	25	25	25	25	25	25	See table 2	See table 3
Open Season	1/1-9/7 and 9/22- 11/30	All year	All year	All year	All year	All year*	5/22- 10/11 and 11/1- 12/31	See table 2	See table 3

[^] The state of Massachusetts has a more conservative bag limit of 20 fish.

* In 2009 Federal waters were closed on October 5, 2009.

** Projected MRIP harvest for 2012

Table 2. 2012 recreational management measures for black sea bass by state.

State	Minimum Size (inches)	Possession Limit	Open Season
Massachusetts	14	10 fish	May 11-June 24
		20 fish	June 25-October 31
Rhode Island	13	15 fish	June 15-December 31
Connecticut	13	15 fish	June 15-December 31
New York	13	15 fish	June 15-December 31
New Jersey	12.5	25 fish	May 19- September 3, September 23-October 14, and November 1-December 31
Delaware	12.5	25 fish	May 22 to October 14 and November 1 to December 31
Maryland	12.5	25 fish	May 22 to October 14 and November 1 to December 31
PRFC	12.5	25 fish	May 19 to October 14 and November 1 to December 31
Virginia	12.5	25 fish	May 19 to October 14 and November 1 to December 31
North Carolina (North of Cape Hatterass 35° 15'N Latitude)	12.5	25 fish	May 19 to October 14 and November 1 to December 31

Table 3. 2011 recreational management measures for black sea bass by state.

State	Minimum Size (inches)	Possession Limit	Open Season
Massachusetts	14	10 fish	May 22 to October 11
Rhode Island	13	12 fish	July 11- December 31
Connecticut	13	25 fish	July 1 to October 11 and November 1 to December 31
New York	13	10 fish	June 13 to October 1 and November 1 to December 31
New Jersey	12.5	25 fish	May 28 to September 11 and November 1 to December 31
Delaware	12.5	25 fish	May 22 to October 11 and November 1 to December 31
Maryland	12.5	25 fish	May 22 to October 11 and November 1 to December 31
PRFC	12.5	25 fish	May 22 to October 11 and November 1 to December 31
Virginia	12.5	25 fish	May 22 to October 11 and November 1 to December 31
North Carolina (North of Cape Hatterass 35° 15'N Latitude)	12.5	25 fish	July 1 to September 25 and November 1 to December 31

6.0. Figures

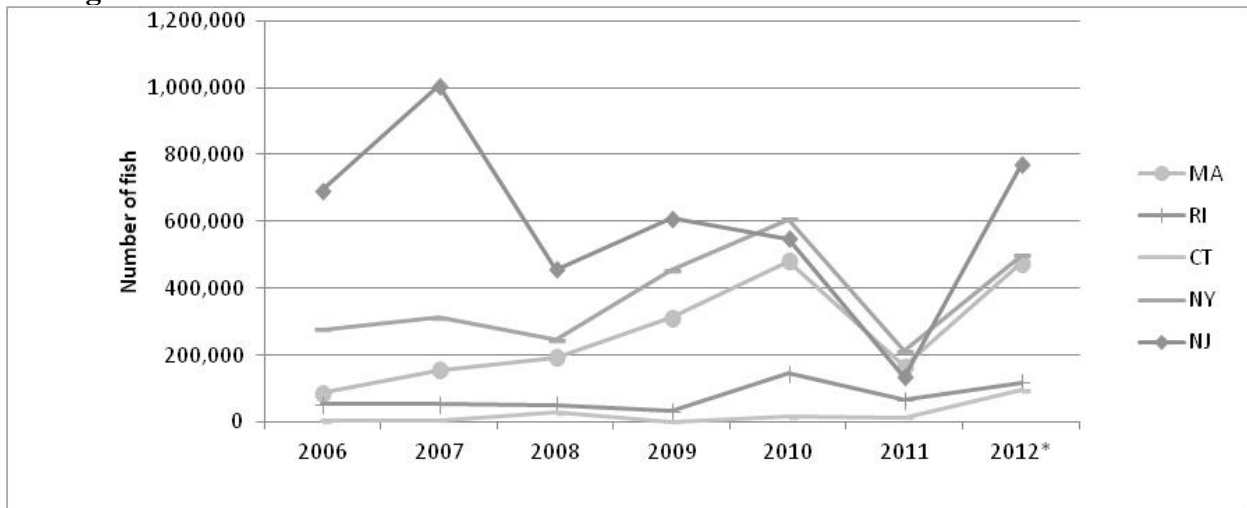


Figure 1. Recreational harvest estimates by state (MA-NJ) from 2006 to 2012. 2012 estimates are preliminary (wave 6 estimates are projected using prior year data).

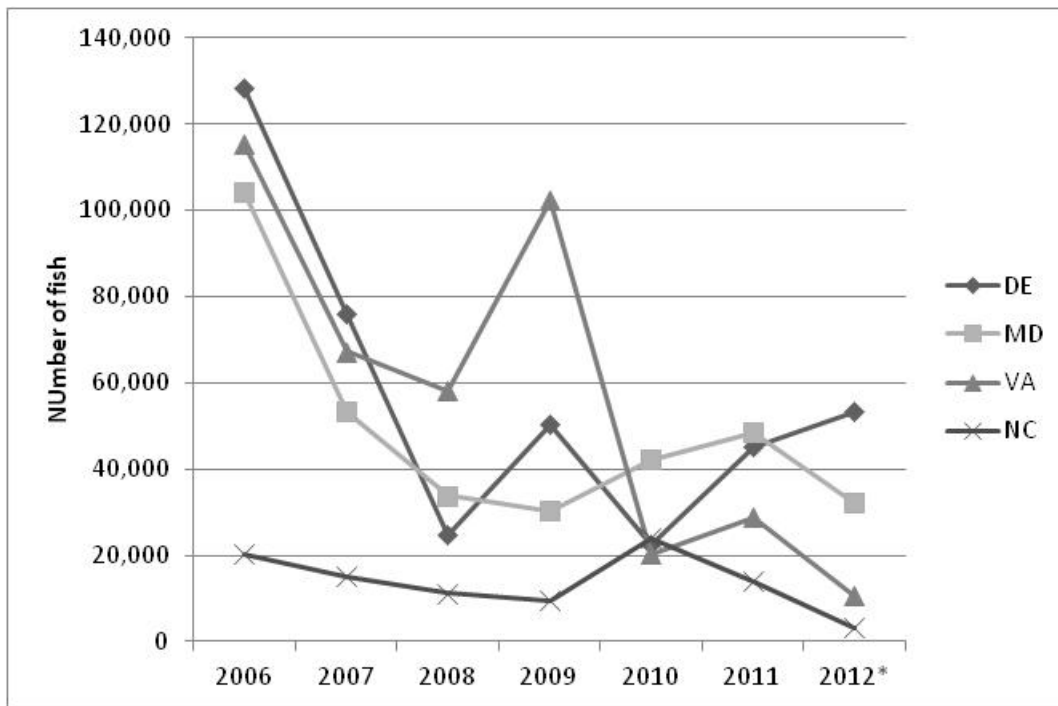


Figure 2. Recreational harvest estimates by state (DE-NC) from 2006 to 2012. 2012 estimates are preliminary (wave 6 estimates are projected using prior year data).

7.0 References

1. Shepherd GR, and J.Nieland. 2010. Black sea bass 2010 stock assessment update. US Dept Commer, Northeast Fish Sci Cent Ref Doc. 10-13; 25 p. Available from: National Marine Fisheries Service, 166 Water Street, Woods Hole, MA 02543-1026, or online at <http://www.nefsc.noaa.gov/nefsc/publications/>
2. Moser, J. and G.R. Shepherd. 2009. Seasonal Distribution and Movement of Black Sea Bass (*Centropristis striata*) in the Northwest Atlantic as Determined from a Mark-Recapture Experiment. *Journal of Northwest Fisheries Science*. 40:17-28.
3. Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division.