



**Summer Flounder, Scup, and Black Sea Bass Monitoring Committee
Webinar Meeting Summary
July 27, 2023**

Monitoring Committee Attendees: Tracey Bauer (ASMFC), Julia Beaty (MAFMC), Peter Clarke (NJ F&W), Kiley Dancy (MAFMC), Lorena de la Garza (NC DMF), Steve Doctor (MD DNR), Alexa Galvan (VMRC), Mark Grant (GARFO), Hannah Hart (MAFMC), Rachel Sysak (NY DEC), Corinne Truesdale (RI DEM), Sam Truesdell (MA DMF), Chelsea Tuohy (ASMFC), Greg Wojcik (CT DEP), Rich Wong (DNREC)

Additional Attendees: Chris Batsavage, Ingrid Braun, Mike Celestino, Kiersten Curti, Laura Deighan, Greg DiDomenico, DJ, Sonny Gwin, Jesse Hornstein, Nichola Meserve, Adam Nowalsky, Will Poston, Will Shoup, Mike Waive, Renee Zobel, unknown number

The Summer Flounder, Scup, and Black Sea Bass Monitoring Committee (MC) met via webinar on Thursday, July 27, 2023 to discuss several topics. The MC reviewed management track assessment information as well as recent fishery performance and management recommendations from the Advisory Panel, the Scientific and Statistical Committee (SSC), and Council staff. The MC recommended 2024-2025 commercial and recreational Annual Catch Limits (ACLs), Annual Catch Targets (ACTs), commercial quotas, and recreational harvest limits (RHLs) for summer flounder and scup, and 2024 limits for black sea bass. In addition, they reviewed commercial management measures for all three species.

Briefing materials considered by the Monitoring Committee are available at:
<https://www.mafmc.org/council-events/2023/july-27/sfsbsb-mon-com>.

Summer Flounder 2024-2025 Specifications

The MC discussed stock status, including why the 2023 management track assessment (MTA) showed the stock to be experiencing overfishing in 2022 despite catch being well below the Overfishing Limit (OFL) in recent years. Projections have been overoptimistic due to the minor retrospective pattern in the assessment that overestimates spawning stock biomass and underestimates fishing mortality, and this most recent model update that included three years of data compounded the effects of the retrospective. In addition, there is now a larger retrospective pattern for recruitment, where recruitment has been overestimated. OFL projections used in the development of recent specifications sampled from the recent, below-average time series of recruitment; however, an overoptimistic 2018 year class estimate was included in this series when projecting limits for 2022-2023, possibly contributing to overoptimistic projections. The MC also discussed recent changes in productivity observed in the summer flounder stock, including declining mean weights at age and ages at maturity, and a recent 12-year period of lower but stable recruitment, could be indicative of a regime shift.

The MC agreed with the staff recommendations for 2024-2025 ACLs, ACTs, and landings limits based on the SSC's Acceptable Biological Catch (ABC) recommendations for both the annually varying and constant approach (Table 1). **The MC preferred the constant approach**

over the varying approach due to increased simplicity and stability over the two years, and a small magnitude of reduction in catch limits between 2023 and 2024.

Under the recently revised commercial/recreational allocations, 55% of the ABC is now allocated as a commercial ACL and 45% as a recreational ACL. **The MC recommends no deductions from the commercial ACL to ACT to account for management uncertainty.** The MC agreed with the rationale in the staff memo, including that the commercial fishery is well controlled with in-season closure authority. Commercial landings have been under the commercial quota since 2018, and commercial catch has been below the commercial ACL by 13% to 24% since catch limits were increased notably in 2019. Although a reduction in catch and landings limits is needed for 2024-2025, the MC did not expect this to lead to overages caused by commercial discards given that commercial dead discards have been stable in recent years and there is not a strong correlation between commercial dead discards and commercial catch, quota, or landings. Discards were below projected levels in 2021 and 2022, and projected 2024-2025 dead discards are similar to observed 2021-2022 levels.

The MC also agreed with the staff recommendation for no deductions from the recreational ACL to ACT to account for management uncertainty. However, they raised some issues regarding recreational management uncertainty that may benefit from further discussion in the future. The MC discussed the need to further explore the relationship between recreational management uncertainty and the Percent Change Approach (and its future replacement). Some MC members noted that there appears to be a disconnect between the consideration of management uncertainty buffers and the revised process for setting recreational management measures. Management uncertainty buffers are intended to prevent overages of the ACL, while the Percent Change Approach by design partially decouples recreational bag, size, and season limits from the RHL and ACL. A reduction from the recreational ACL to ACT to account for management uncertainty ultimately decreases the RHL, which in some cases could modify the resulting percent change needed under the Percent Change Approach. The MC also expressed concern that in general, any buffer that results in a lower target (whether the RHL or a target under the Percent Change Approach) could increase discards in the recreational fishery. This is more of an issue in the recreational fishery compared to the commercial fishery given the lack of meaningful in-season monitoring and ability to respond. Staff noted that these issues could be further considered through the ongoing management action to replace the Percent Change Approach.

One MC member noted that the Bluefish Monitoring Committee recently developed a tool to assist in their decision making on management uncertainty buffers. This approach consists of a set of qualitative and quantitative categories to be scored and weighted. The categories represent the different components of management uncertainty. The scores and weights are combined to produce a candidate management uncertainty buffer. This is intended as a non-binding guide to assist with decision making. The Bluefish Monitoring Committee did not use this tool for setting management uncertainty for 2024, but agreed to consider it in future years. The Summer Flounder, Scup, and Black Sea bass MC could consider evaluating something similar in the future.

The MC agreed with the staff recommended methodology for projecting dead discards for each sector. Projected dead discards are removed from the sector-specific ACTs to derive the commercial quotas and RHLs. Total expected discards are estimated from the ABC projections received from the Northeast Fisheries Science Center (NEFSC) and apportioned to the commercial and recreational fisheries based on a 3-year moving average proportion of dead discards by sector.

In this case, 2020-2022 dead discard data indicate that 44% of dead discards came from the commercial sector and 56% from the recreational sector.

The resulting commercial quotas and RHLs under the MC recommendations are shown in Table 1. Under the constant limits, the commercial quota would decrease by about 42% between 2023 and 2024 and remain at the same level for 2025, and the RHL would decrease by 40% from 2023 to 2024-2025. Under the annually varying limits, the commercial quota would decrease by about 47% from 2023 to 2024 and would then increase by about 16% from 2024 to 2025. The RHL would decrease by approximately 45% between 2023 and 2024, and then would increase by about 17% from 2024 to 2025.

The MC agreed with the staff recommendation for no changes to the commercial minimum fish size (14-inch total length), commercial gear requirements, and exemption programs for 2024-2025. Staff provided an overview of ongoing work to further evaluate several summer flounder mesh regulation issues, including the mesh size requirements (5.5” diamond or 6.0” square), the Small Mesh Exemption Program, and the flynet exemption. The MC was supportive of this further analysis and Council and Board consideration of these issues later this year. The MC will meet to discuss these issues again later this fall.

Public Comments

One advisor expressed frustration and confusion that overfishing is occurring based on the 2023 MTA when the fishery has been well below its limits. He stated that we are making marginal adjustments based on assessment information, only to learn that these adjustments are within the error of the assessment. He noted that scup is showing the same trend in the opposite direction. These management decisions have real impacts on the fishery, but we do not have a good enough handle on how these adjustments affect the stock.

Another commercial advisor expressed support for examining summer flounder mesh issues, and suggested an on-site visit where industry members and staff can examine the gear in person to get on the same page about these issues. He plans to reach out to set something up and noted that it’s important to get it right if changes are going to be pursued.

Table 1: Monitoring Committee recommendations for 2024-2025 catch and landings limits for summer flounder, under both annually varying and constant ABC approaches, compared to the implemented 2023 limits.

Measure	Current		2024-2025 ANNUAL				2024-2025 AVERAGED (MC Recommendation)		Basis for 2024-2025 Measures
	2023		2024		2025		2024-2025		
	mil lb	mt	mil lb	mt	mil lb	mt	mil lb	mt	
OFL	34.98	15,865	22.98	10,422	24.97	11,325	22.98 (2024) 24.97 (2025)	10,422 (2024) 11,325 (2025)	Stock assessment projections/SSC Recommendations
ABC	33.12	15,021	17.88	8,11	20.75	9,411	19.32	8,761	SSC Recommendations
ABC dead disc.	7.23	3,279	3.89	1,764	4.43	2,010	4.18	1,895	NEFSC projections; (varying or averaged depending on approach)
Com. ACL	18.21	8,262	9.84	4,461	11.41	5,176	10.62	4,819	55% of ABC (revised commercial allocation)
Com. ACT	18.21	8,262	9.84	4,461	11.41	5,176	10.62	4,819	No deduction from ACL for management uncertainty
Expected Com. Dead Disc	2.95	1,336	1.71	774	1.94	882	1.83	831	44% of ABC dead discards portion, based on 2020-2022 average % dead discards by sector
Com. quota	15.27	6,925	8.13	3,687	9.47	4,294	8.79	3,987	Comm. ACT, minus expected comm. dead discards
Rec. ACL	14.90	6,759	8.05	3,650	9.34	4,235	8.69	3,942	45% of ABC (revised recreational allocation)
Rec. ACT	14.90	6,759	8.05	3,650	9.34	4,235	8.69	3,942	No deduction from ACL for management uncertainty
Expected rec. dead disc.	4.28	1,942	2.18	990	2.49	1,128	2.35	1,064	56% of ABC dead discards portion, based on 2020-2022 average % dead discards by sector
RHL	10.62	4,817	5.86	2,660	6.85	3,107	6.35	2,879	Rec. ACT minus expected rec. dead discards

Scup 2024-2025 Specifications

The MC agreed with the staff recommendation for 2024-2025 ACLs, ACTs, and landings limits based on the SSC's ABC recommendations for the varying approach (Table 2). The SSC was unable to recommend a constant ABC approach given the 2025 probability of overfishing (p^*) exceeding 0.50. One MC member noted that in the future it would be beneficial to come up with a modified average approach for scup to maintain consistency over the two years, similar to summer flounder.

Under the recently revised commercial/recreational allocations, 65% of the ABC is now allocated as a commercial ACL and 35% as a recreational ACL. **The MC recommends no deductions from the commercial or recreational ACLs to ACTs to account for management uncertainty.** The MC agreed with the rationale in the staff memo, including that the commercial fishery is well controlled, with in-season closure authority, and has not exceeded the quota in the past 10 years. However, the MC noted that there have been recreational overages since 2019, and in 2022 the recreational ACL overage contributed to a likely OFL overage. The MC expressed that in the future, if these trends continue, considerations to a recreational management uncertainty buffer may be warranted; however, given the current magnitude of scup biomass, a buffer was not recommended for 2024-2025.

The MC agreed with the staff recommendation to maintain the current method of projecting dead discards for each sector. The current method of projecting dead discards is the same method described above under summer flounder. Under this approach, using the most recent 3 years of discard data available, 2020-2022, 77.3% of total projected discards in each year would be subtracted from the commercial ACT and 22.7% from the recreational ACT, resulting in the 2024 and 2025 commercial quotas and RHLs shown in Table 2.

The MC recommended no changes to commercial measures which can be modified through specifications (Winter I and II possession limits, commercial minimum fish size, and commercial gear requirements) for 2024. The MC agreed because there is no new information, no changes are needed at this time.

Commercial Scup Discards Report and Gear Restricted Area (GRA) Analysis

The MC reviewed the analysis of commercial scup discards and the GRAs and agreed with the staff recommendations to:

1. Request the SSC review the report and provide input on potential future analysis or modeling approaches that could examine the predictability of scup bycatch using environmental data or any other alternative approaches to reduce scup discards.
2. For the 2024 Implementation Plan, pending SSC feedback, identify research to examine if scup bycatch/discards can be predicted using environmental data.
3. For the 2024 Implementation Plan, include a Framework Action to consider GRA modifications or other measures to further reduce scup discards (working in tandem with the identified research).

The MC expressed particular interest in the recommendation to examine scup bycatch using environmental data, and the MC recommended possibly combining this research with age data to offer a more comprehensive approach.

Table 2: Monitoring Committee recommended 2024-2025 scup catch and landings limits under the varying ABC approach compared with currently implemented 2023 limits.

Measure	2023		2024		2025		Basis for 2024-2025 Measures
	mil lbs.	mt	mil lbs.	mt	mil lbs.	mt	
OFL	30.09	13,649	44.74	20,295	40.58	18,408	Assessment projections
ABC	29.67	13,458	43.82	19,876	39.74	18,028	SSC Recommendation
ABC discards	6.39	2,900	9.49	4,304	9.10	4,129	Assessment projections
Commercial ACL	19.29	8,750	28.48	12,919	25.83	11,718	65% of ABC
Commercial ACT	19.29	8,749	28.48	12,919	25.83	11,718	No deduction from ACL for management uncertainty
Projected commercial discards	5.28	2,394	7.33	3,327	7.04	3,192	77.3% of ABC discards (avg. % of dead discards from commercial fishery, 2020-2022)
Commercial quota	14.01	6,355	21.15	9,592	18.80	8,526	Com. ACT minus projected com. discards
Recreational ACL	10.39	4,713	15.34	6,957	13.91	6,310	35% of ABC
Recreational ACT	10.39	4,713	15.34	6,957	13.91	6,310	No deduction from ACL for management uncertainty
Projected recreational discards	1.12	506	2.15	977	2.07	937	22.7% of the ABC discards (avg. % of dead discards from rec. fishery, 2020-2022)
RHL	9.27	4,205	13.18	5,980	11.84	5,373	Rec. ACT minus projected rec. discards

Black Sea Bass 2024 Specifications

The MC agreed with all staff recommendations for 2024 specifications, including the catch and landings limits shown in Table 3. They also recommended no changes to the commercial management measures for 2024.

The MC supported the staff recommendations for 2024 ACLs, ACTs, and the commercial quota. Under the revised commercial/recreational allocations, 45% of the ABC is now allocated as a commercial ACL and 55% as a recreational ACL. The MC agreed with their previous rationale, and the rationale summarized in the [staff memo](#), for setting the commercial and recreational ACTs equal to the ACLs, with no management uncertainty buffers.

The MC discussed concerns with the process for calculating projected recreational dead discards for deriving the RHL from the ACT and subsequently setting recreational bag, size, and season limits based on the RHL.

One MC member preferred that projected recreational dead discards be calculated using the same method as the commercial fishery, which assumes that catch will be equal to the ACL. All other MC members were not opposed to maintaining the method used for the 2023 RHL, as recommended by staff.

One MC member noted that based on Table 5 in the [staff memo](#), it appears that recreational dead discards were a smaller percentage of total recreational dead catch under the “old” MRIP units compared to the “new” MRIP units. Other MC members were not aware of any potential explanations for this difference.

The method used to project recreational dead discards to derive the RHL was modified in 2021 and again in 2023. The 2021-2022 method, which is the same as that currently used for the commercial fishery, appears to have not accurately predicted discards. Recreational dead discard estimates exceeded the projected amounts by 280% in 2021 and 78% in 2022. It is not possible to evaluate the performance of the 2023 method given currently available data. The Recreational Demand Model, used to develop 2023 recreational measures in each state, can provide some information; however, this model is not intended as a proxy for the official dead discard estimates from the NEFSC and it does not yet incorporate any MRIP data for 2023. Staff noted that the RDM predicted 3.12 million pounds of recreational dead discards in 2023 under the implemented measures. This is higher than the projected 2023 discard amount of 2.59 million pounds, but within the range of the MRIP discard estimates for 2020-2022, which ranged from 3.06 to 3.59 million pounds. One MC member expressed concern with the limited ability to evaluate the performance of the method used to project the 2023 recreational dead discards given currently available data.

One MC member noted that constraining recreational discards continues to be an issue and the MC’s main tool to address this is to increase the projected recreational discards, thus further reducing the RHL. This can require restricting the recreational bag, size, and season limits, which some MC members believed exacerbates the problem by creating more discards. For this reason, some MC members were concerned about allocating a higher proportion of the recreational ACL to dead discards and supported keeping the projected recreational discards as low as possible; however, they agreed that this needs further discussion and did not oppose maintaining the 2023 method for calculating 2024 projected discards.

One MC member noted that the revised commercial/recreational allocations are likely still not capturing the recent catch proportions in each sector, with recreational catches still being higher than their allocated proportion. This MC member was not necessarily recommending further changes to the commercial/recreational allocations and clarified over email after the meeting that it will be beneficial to examine how well the revised allocations capture the fishery harvest patterns in the next few years.

After the meeting, MC members discussed state waters trawl survey catches over email. The 2023 Massachusetts spring survey shows a slight decline in the stratified mean number per tow. The 2023 Rhode Island spring survey shows an increase in the mean number per tow compared with previous years. Partial year data through June 2023 for New York shows signs of good recruitment. The New Jersey trawl survey showed high abundance of black sea bass in 2018 and 2022. The Delaware survey suggests high black sea bass recruitment in two of the past three years. Catch in the Maryland survey suggests an abundance of age 1 black sea bass this year.

Public Comments

One AP member said the MC should be concerned about the continued recreational overages. Given declining biomass for all three stocks, this advisor said it would be better to focus on preventing overages as opposed to focusing on concerns with the commercial/recreational allocations, which were recently revised through an amendment.

Table 3: Monitoring Committee recommended 2024 black sea bass catch and landings compared with currently implemented 2023 limits.

Measure	2023		2024		Basis
	mil lb	mt	mil lb	mt	
OFL	17.01	7,716	No change from 2023		SSC recommendation based on 2021 management track assessment projections and Council risk policy
ABC	16.66	7,557			
Com. ACL	7.50	3,401	No change from 2023		45% of ABC (commercial allocation)
Com. ACT	7.50	3,401			Equal to the ACL; no deduction for management uncertainty
Projected com. dead discards	2.70	1,224	1.50	680	3-year average proportion of commercial dead catch that was discarded applied to the commercial ACL (i.e., 36% based on 2017-2019 for 2023 and 20% based on 2020-2022 for 2024)
Com. quota	4.80	2,177	6.00	2,721	Com. ACT minus projected com. dead discards
Rec. ACL	9.16	4,156	No change from 2023 recommended		55% of ABC (recreational allocation)
Rec. ACT	9.16	4,156			Equal to the ACL; no deduction for management uncertainty
Projected rec. dead discards	2.59	1,175	2.89	1,311	The avg. of discards estimated using the same method as the commercial fishery (see above) and the straight 3 year avg. of rec. dead discards (uses 2017-2019 data for 2023 and 2020-2022 for 2024)
RHL	6.57	2,981	6.27	2,845	Rec. ACT minus projected rec. dead discards