



**Summer Flounder, Scup, and Black Sea Bass Monitoring Committee (MC)  
November 13-14, 2023 Meeting Summary  
Part 2: 2024-2025 Recreational Management Measures  
Hybrid Meeting: Philadelphia, PA and Webinar**

**Monitoring Committee Attendees:** Tracey Bauer (ASMFC staff), Julia Beaty (MAFMC staff), Peter Clarke (NJ F&W), Kiley Dancy (MAFMC staff), Lorena de la Garza (NC DMF), Steve Doctor (MD DNR), Alexa Galvan (VMRC), Emily Keiley (GARFO), Hannah Hart (MAFMC staff), Rachel Sysak (NY DEC), Mark Terceiro (NEFSC), Chelsea Tuohy (ASMFC staff), Corinne Truesdale (RIDEM), Greg Wojcik (CT DEEP), Rich Wong (DE DFW)

**Additional Attendees:** Kim Bastille, Chris Batsavage, Alan Bianchi, Lou Carr-Harris, Greg DiDomenico, James Fletcher, Joe Grist, Jesse Hornstein, Raymond Kane, Elise Koob, Meghan Lapp, Andrew Loftus (MAFMC Contractor), John Maniscalco, Meghna Marjadi, Nichola Meserve, Brandon Muffley, Adam Nowalsky, Will Poston, Eric Reid, Robert Ruhle, Scott Steinback, Wes Townsend, Mike Waine, Kate Wilke

**Summer Flounder 2024-2025 Recreational Measures**

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The MC supported the use of the RDM estimates for summer flounder 2024-2025 harvest under status quo measures. Using the group's previous recommendation for an 80% confidence interval around the RDM median harvest estimate of 8.88 million pounds for 2024-2025 under status quo measures, the 2024-2025 RHL (6.35 million pounds) falls below the lower bound of the confidence interval. In combination with summer flounder stock status, this would result in reduction equivalent to the difference between the harvest estimate and the RHL. The MC confirmed that the 2024-2025 coastwide harvest target would thus be the RHL of 6.35 million pounds, **resulting in a 28% reduction from harvest expected under current measures.**

The MC agreed with the staff recommendation for **continued use of regional conservation equivalency for summer flounder to achieve the harvest target in 2024-2025**, using the same regions as adopted in 2023 and as defined in Addendum XXXII. RDM runs were not available at the time of this meeting to assist the MC with identifying non-preferred coastwide measures under conservation equivalency. Similarly, the MC believed the precautionary default measures could likely remain unchanged for 2024-2025 but wanted to see additional RDM results for coastwide measures to confirm this recommendation. **The MC will identify non-preferred coastwide and precautionary default measures at their follow up meeting on December 7, 2023.**

**Scup 2024-2025 Recreational Measures**

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The MC supported the use of the RDM for estimating scup 2024-2025 harvest under status quo measures, as well as for adjusting the measures. Using the group's previous recommendation for

an 80% confidence interval around the RDM median harvest estimate of 15.29 million pounds for 2024-2025 under status quo measures, the 2024-2025 average scup RHL (12.51 million pounds) falls below the lower bound of the confidence interval. In combination with scup stock status (“very high”), **this results in a required 10% reduction in harvest.** The MC confirmed that the 2024-2025 coastwide harvest target would thus be 13.76 million pounds (10% reduction from the RDM median harvest estimate).

The MC discussed potential removal or modifications to the federal waters January 1 - April 30 closure (resulting in a May 1 - December 31 open season) previously approved by the Council and Board in December 2022. The MC noted there is limited data available to assess the impacts of the federal waters closure given the lack of Marine Recreational Information Program (MRIP) data collected during Wave 1 (January - February) in all states in the management unit except for North Carolina and the minimal MRIP data and intercepts available during Wave 2 (March - April). The group also discussed potential mandatory permit or reporting requirements if the fishery is re-opened during waves 1 and 2, such as implementing a similar system to what is currently in place for the February black sea bass fishery in Virginia. However, it was noted that this Virginia program is specific to black sea bass and a program similar in scope may not be as successful for the scup fishery. For example, the reporting requirements for the Virginia February fishery are largely viewed as something given in return for an opening that was not previously allowed for several years, as opposed to the scup season which was previously open but is now closed.

The MC recommended an analysis of the for-hire vessel trip report (VTR) data for waves 1 and 2, and how we might estimate total recreational harvest based on that information similar to what has been done in the past for other species (i.e., black sea bass prior to the February fishery program that is currently in place). The MC agreed to look at the VTR data analysis at a follow up meeting in December, but noted given the minimal harvest that occurs in waves 1 and 2 in combination with the overall minimal effort in federal waters (less than 5% of total coastwide harvest annually), the removal of the January 1 - April 30 closure in federal waters would have minimal to no impact on overall scup harvest. Therefore, **the MC recommended removing the federal closure for 2024 but maintaining the current 40 fish possession limit and 10 inch minimum size limit. They recommended that the necessary 10% reduction be taken through the state recreational measures setting process** to give states more flexibility in setting measures for 2024-2025.

Given the required 10% reduction and the discussion described above related to the recommendation to remove the federal waters closure, **the MC agreed with the staff recommendation for continued use of the current federal water measures, with the exception of the January 1 - April 30 closure, and adjustments to state waters measures made through the Commission process to achieve the full 10% reductions required for 2024-2025.**

## **Black Sea Bass 2024 Recreational Measures**

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**The MC recommended continued use of conservation equivalency** to waive federal waters black sea bass measures in favor of state waters measures in 2024.

The MC discussed the requirements of the Percent Change Approach given that the 2024 black sea bass RHL differs from the 2023 RHL due only to three additional years of catch data without

updated stock status information. They agreed that the Percent Change Approach requirements in this situation are not clear. The framework/addenda which implemented the Percent Change Approach did not contemplate a situation where the RHL would change without a stock assessment update. When the framework/addenda were finalized, it was assumed that management track stock assessments would be available every other year. The Percent Change Approach intends to set identical recreational measures across two years to provide some stability; however, measures were set for just 2023 with the intent of setting 2024-2025 measures in response to an anticipated 2023 management track assessment. However, the management track assessment was later delayed to 2024.

The MC discussed that the 2024 RHL is only about 5% lower than the 2023 RHL. Therefore, if the 2023 and 2024 RHLs had both been available for setting identical measures across 2023-2024, use of the average of the two RHLs under the Percent Change Approach would have resulted in the same 10% reduction as was implemented for 2023. This reduction would have been used to set identical measures in 2023 and 2024. It would not have required a 10% reduction in 2023 and an additional 10% reduction in 2024. In short, the same measures implemented for 2023 would also have applied to 2024.

One MC member noted that there is no status quo option for stocks in the “very high” biomass category (i.e., at least 150% of the target level) under the Percent Change Approach. They said they would feel comfortable leaving black sea bass with status quo measures in 2024 given the high biomass. Another MC member agreed it is problematic that the Percent Change Approach does not include a status quo outcome for stocks in the very high biomass category under any of the three categories of expected harvest compared to the upcoming RHL(s).

The MC discussed whether status quo measures in 2024 would increase the likelihood of an additional reduction being needed for 2025, and alternatively if a 10% reduction in 2024 would prevent the need for an additional reduction in 2025 or even allow for a liberalization. They ultimately agreed it is not possible to predict outcomes for 2025 given the changes to the stock assessment which will take place over the next several months (e.g., transition to a new modeling framework, inclusion of several new years of data, and likely changes to the biological reference points). It is not possible to predict if the Percent Change Approach biomass category will change or how the outcome of the RDM will change after the assessment is updated. Therefore, the MC decided not to base their 2024 recommendations on any anticipated outcomes beyond 2024. Measures for 2025 and beyond will be set based on an updated stock assessment using the most recent information available.

The MC also noted that if a status quo approach is not used for 2024, the likely outcome would be changes in measures for 2022, 2023, 2024, 2025, and potentially also 2026 (given that an additional management track assessment may occur in 2025 to get black sea bass back on the same cycle as summer flounder and scup). Frequent changes in measures can lead to frustration and non-compliance among anglers, especially when the measures are restricted each time, as would be the case for black sea bass through at least 2024. Stability in measures, even if it means less frequent but larger restrictions, rather than frequent but smaller restrictions, can have benefits in terms of angler buy-in and compliance.

In light of these considerations, the MC agreed it would be appropriate to treat 2024 as the second year of a two-year cycle with 2023, despite the fact that this was not the intent when the 2023

measures were set. The MC agreed this would align with the goals of the Percent Change Approach to provide some stability in measures and to update measures in sync with the timing of updated stock assessment information.

One MC member noted that although biomass remains very high, the most recent stock assessment suggests it is declining. Therefore, status quo measures in 2024 may result in less harvest than 2023 due to reduced availability. Another MC member noted that the final 2023 harvest estimates may be lower than the preliminary wave 1-4 data suggest due to poor weather in the fall. In addition, the trawl survey in Maryland suggests recent strong recruitment.

Given all these considerations, but with greatest emphasis on the lack of updated stock assessment information, **the MC recommended that recreational black sea bass measures be left unchanged in 2024.**

The MC also briefly discussed the Virginia February recreational black sea bass fishery and expressed no concerns with continuation of this fishery in 2024.

#### ***Public Comment***

One member of the public asked if the Monitoring Committee would discuss management uncertainty and what would happen if the ongoing research track stock assessment determines that the stock is overfished. Staff responded that management uncertainty impacts the RHL. The 2024 RHL was set in August 2023; therefore, the Monitoring Committee would not revisit the management uncertainty discussions as part of their 2024 recreational management measures discussions. Similarly, the research track assessment is not intended to be used in management. The research track will inform a management track assessment in 2024 which will be used to set measures for 2025. Changes in stock status shown in the management track assessment will impact the Percent Change bin for setting 2025 measures.