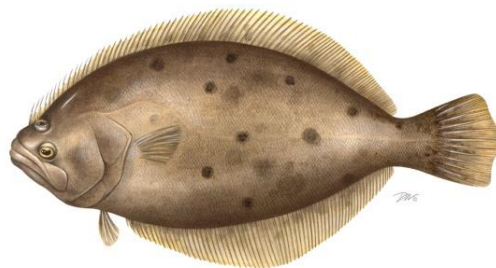


## INTERSTATE FISHERIES MANAGEMENT PROGRAM OVERVIEW

# Summer Flounder

### Species Range

Maine through North Carolina



### Management Unit

Summer Flounder is managed jointly by the Mid-Atlantic Council Demersal Species Committee (EEZ) and the ASMFC Summer Flounder, Scup and Black Sea Bass Management Board (state waters).

### Stock Status

The 2023 management track stock assessment indicates that the stock is not overfished, and overfishing is occurring.

### *Reference Points*

- F Threshold =  $F_{35\%} = 0.451$ 
  - Current (2022) F = 0.464
- Spawning Stock Biomass (SSB) threshold = 54.63 million lbs
- SSB target = 109.26 million lbs
  - Current SSB (2022) = 90.38 million lbs

### *Major Findings*

The 2023 Management Track Stock Assessment includes commercial and recreational fishery catch data, research survey indices of abundance, and the analyses of those data through 2022. The summer flounder stock was not overfished, but was experiencing overfishing in 2022 relative to the new biological reference points. The fishing mortality rate (F) was estimated to be 0.464 in 2022, 103% of the fishing mortality threshold reference point =  $F_{MSY} = F_{35\%} = 0.451$ . SSB was estimated to be 40,994 metric tons (mt) = 90.38 million lbs in 2022, 83% of the biomass target reference point =  $SSB_{MSY} = SSB_{35\%} = 49,561 \text{ mt} = 109.26 \text{ million lbs}$ .

Over the past decade, recruitment has remained below the time series average. Additionally, the assessment noted decreasing mean length and weight at age and decreasing maturity over the past decade. Changes in growth rates, maturity, and recruitment require further analysis to determine potential drivers.

### *Next scheduled stock assessment*

June 2025

### Involved States and Jurisdictions

MA, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, NOAA Fisheries

### **Active Boards/Committee**

ASMFC Summer Flounder, Scup, and Black Sea Bass Management Board; Mid-Atlantic Fishery Management Council Demersal Species Committee; Joint Technical Monitoring Committee (recommends yearly specifications for commercial and recreational measures to joint Management Board); ASMFC Plan Review Team (reviews state compliance reports and completes FMP review); SAW Southern Demersal Working Group (stock assessment committee); Summer Flounder, Scup and Black Sea Bass Advisory Panel

### **Chairs**

Board, Chair – Justin Davis (12/2021); Vice-Chair – Nichola Meserve (8/2023)  
Technical Committee, Chair – Alexa Galvan (01/2022); Vice-Chair – Vacant  
Advisory Panel, Chair – Vacant

### **Staff Lead**

Chelsea Tuohy, [ctuohy@asmfc.org](mailto:ctuohy@asmfc.org)

### **Management Plan History:**

#### **[Fishery Management Plan for Summer Flounder \(October 1982\)](#)**

The Interstate Fishery Management Plan (FMP) for Summer Flounder is adopted in large part to reduce the probability of recruitment failure by protecting juvenile fish.

#### **Amendment 1 (October 1991)**

Establishes an overfishing definition for summer flounder and introduces a mesh requirement to the commercial fishery.

#### **Amendment 2 (August 1992)**

Provides a strategy for reducing fishing mortality to  $F_{MAX}$ , balanced against reasonable impacts on the fishermen. Management measures include a federal (EEZ) moratorium on entry into the commercial fishery, vessel and dealer permitting and reporting requirements, an annual commercial quota, and minimum mesh requirements with an exemption program. Recreational fishery measures include size limits, possession limits, and seasonal closures.

#### **Amendment 3 (July 1993)**

Revises the mesh requirement exemption program.

#### **Amendment 4 (September 1993)**

Revises the state-specific shares of the coastwide quota allocation in response to a reporting issue in Connecticut.

#### **Amendment 5 (December 1993)**

Allows states to transfer or combine their commercial quota shares.

#### Amendment 6 (May 1994)

Allows properly stowed nets with a cod end mesh size less than that stipulated in the plan to be aboard vessels in the summer flounder fishery.

#### Amendment 7 (May 1995)

Adjusts the stock rebuilding schedule and caps the 1996-1997 commercial quotas at 18.51 million pounds.

#### Amendment 10 (August 1997)

Initially sought to examine the commercial quota management system. The scope was expanded to address a number of federal and state issues in the fishery, but the Board decided to maintain status quo.

#### Amendment 11 (August 1998)

Modifies provisions related to vessel upgrades and replacements, fishing history and permit transfer, establishment of vessel baselines, and voluntary relinquishment of permit eligibility, permit splitting, and permit renewal.

#### Amendment 12 (October 1998)

Revises the overfishing definitions for summer flounder, scup, and black sea bass and addresses the new and revised National Standards relative to existing management measures. Adds a framework adjustment procedure to allow the Board to add or modify management measures through a streamlined public review process via addenda.

#### Addendum III (March 2001)

Established specifications for the 2001 summer flounder recreational fishery. This addendum had no application beyond 2001.

#### Addendum IV (January 2001)

Provides that, upon the recommendation of the relevant monitoring committee and joint consideration with the Council, the Board may set state regulations rather than forward a recommendation to NMFS. The states must then implement the Board's decision.

#### Addendum VIII (December 2003)

Establishes that state-specific targets for recreational landings are derived from the coastwide harvest limit based on each state's proportion of landings reported in 1998.

#### Addendum XIII (August 2004)

Modifies the FMP so that, within a given year, TALs for the summer flounder, scup, and/or black sea bass can be specified for up to three years.

#### Addendum XV (November 2004)

Alters the allocation scheme for commercial quota increases from fishing years 2005 and 2006. For these years, quota increases were to be allocated among states as a bycatch provision.

#### [Addendum XVII \(August 2005\)](#)

Establishes a program to sub-divide the recreational summer flounder coastwide allocations into voluntary regions, as an additional management tool. Also allows multiple years of data to be averaged or combined (i.e. landings-per-angler, length-frequency distributions) in analyses to determine the impacts of proposed recreational management programs. Does not allow averaging of annual harvest estimates.

#### [Addendum XVIII \(February 2006\)](#)

Drastic reductions facing three states compelled the board to stabilize fishing rules as close as possible to 2005 rules. The addendum allowed the three states (NY, CT, and MA) facing large reductions in their harvest targets to capitalize on harvest opportunities foregone by states that chose to maintain their 2005 recreational fishing rules in 2006.

#### [Amendment 16 \(June 2007\)](#)

Standardizes the bycatch reporting methodology with other species under MAFMC and NEFMC management, and establishes standards of precision for bycatch estimation.

#### [Addendum XIX \(August 2007\)](#)

Broadens descriptions of stock status determination criteria to increase flexibility, while maintaining objective and measurable status determination criteria to identify when stocks are overfished. The addendum also establishes acceptable categories of peer-review for stock status determination criteria. When specific peer-review metrics are met and new information is available, the new or revised stock status determination criteria may be incorporated directly into annual management measures.

#### [Amendment 15 \(August 2011\)](#)

Specifies mechanisms to set Annual Catch Limits and Accountability Measures for summer flounder.

#### [Amendment 19 \(June 2013\)](#)

Revises Accountability Measures for the summer flounder recreational fishery.

#### [Addendum XXV \(February 2014\)](#)

Establishes the adaptive regional management approach for the 2014 fishing year. This approach sets management measures by region to increase equity in recreational harvest opportunities along the coast, and to allow a more flexible management program. Regions are Massachusetts and Rhode Island (as separate state 'regions'); Connecticut through New Jersey; Delaware through Virginia; and North Carolina. All states within each region must have the same possession limit, size limit, and season length, approved by the Board, which will not exceed the harvest limit.

#### [Addendum XXVI \(February 2015\)](#)

Approved the continuation of adaptive regional management for the 2015 recreational fisheries. Regions are Massachusetts and Rhode Island (as separate state 'regions'); Connecticut through New Jersey; Delaware through Virginia; and North Carolina.

#### [Addendum XXVII \(February 2016\)](#)

Approved the continuation of adaptive regional management for the 2016 recreational fisheries, with changes to the regions as follows: Regions are Massachusetts and Rhode Island (as separate state 'regions'); Connecticut through New York; New Jersey/ Delaware Bay Region; Delaware through Virginia; and North Carolina. The approval of the New Jersey Delaware Bay region will allow New Jersey to pursue, through its regulatory process, the following management measures for New Jersey waters west of the COLREGS line in the Delaware Bay: a 17-inch minimum size, 4 fish possession limit, and a 128 day season. For New Jersey anglers east of the COLREGS line and north along the New Jersey coast, the state will seek to maintain 2015 management measures in 2016, namely, an 18-inch minimum size, 5 fish possession limit, and a 128 day season. The latter measures are consistent with those of New York and Connecticut. Management measures for the remaining states remain unchanged from 2015. The adaptive regional management approach for summer flounder has been approved for the 2016 fishing year only.

#### [Addendum XXVIII \(February 2017\)](#)

Approved the continuation of adaptive regional management for the 2017 recreational fisheries. The Addendum requires an one-inch increase in size limit and reduces possession limits to stay within the 2017 recreational harvest limit (RHL). These measures are broadly applied across all states to reduce harvest and provide for more coastwide consistency in regulations. The summer flounder regions are continued from 2016 (Addendum XXVII).

Addenda XXV through XXVIII address the concern that summer flounder management measures under state-by-state conservation equivalency were not providing recreational fishermen along the coast with equitable harvest opportunities to the resource. The adaptive regional management approach was designed to respond to changes in resource availability and effort in the fishery.

#### [Addendum XXXI \(December 2018\)](#)

Coupled with the Council's complementary Framework Document, this Addendum adds to the suite of tools available for managing summer flounder, scup and black sea bass, and enhances the compatibility of state and federal regulations. The Commission recommended NOAA Fisheries implement transit provisions in Block Island Sound, allowing non-federally permitted recreational and commercial vessels to transit federal waters while in possession of summer flounder, scup, and black sea bass legally harvested from state waters.

The Council's Framework also allows for the use of maximum sizes in addition to minimum sizes, commonly referred to as slot limits, to control catch in the summer flounder and black sea bass recreational fisheries.

### [Addendum XXXII \(December 2018\)](#)

This Addendum establishes a new process for developing recreational management measures for summer flounder and black sea bass by which measures will be set on an annual basis through a specifications process, rather than addenda. The Board will approve measures in early spring each year, based on technical committee analysis of stock status, resource availability, and harvest estimates. Public input on specifications will be gathered by states through their individual public comment processes. Standards and guiding principles established in the Addendum will structure the development of recreational measures on a regional basis for each species.

### [Amendment 21 \(December 2020\)](#)

Revises the management program's goals and objectives specific to summer flounder and implements new summer flounder state-specific commercial allocations. The new state commercial allocations are based upon a 9.55 million pound trigger point. When the annual coastwide commercial quota is at or below 9.55 million pounds, the formula for allocating the quota to the states remains status quo, i.e., the same state-specific percentages that have been in effect since 1993. When the annual coastwide quota exceeds 9.55 million pounds, additional quota above 9.55 million pounds is distributed as follows: 0.333% to the states of Maine, New Hampshire and Delaware and 12.375% to the remaining states. As a result, state allocations will vary over time based on overall stock status and the resulting coastwide commercial quotas.

### [Amendment 22 \(December 2021\)](#)

This amendment made changes to the commercial and recreational sector allocations for summer flounder, scup, and black sea bass. The commercial and recreational sector allocations for summer flounder were revised from 60% commercial and 40% recreational (landings-based) to 55% commercial and 45% recreational (catch-based) to better reflect the current understanding of the historic proportions of catch and landings from these two sectors. The previous allocations were revised to use the same "base years" (the time periods used to set the current allocations), but updated with new data, including the revised estimates of recreational catch from the Marine Recreational Information Program (MRIP) and changes made to commercial catch data.

### [Addendum XXXIV \(June 2022\)](#)

Addendum XXXIV and a Council Framework modified the process for setting recreational measures and made minor modifications to the recreational accountability measures. The new process will give greater consideration to stock status when determining whether recreational measures should be restricted, liberalized, or remain unchanged for the upcoming two years. The new process is intended for use starting in 2023 and will sunset no later than the end of 2025 with a goal of implementing an improved process by the beginning of 2026.

### **Quota Management**

Acceptable biological catch (ABC) is divided into a state-by-state commercial quota (55% of ABC) and recreational harvest limit (45% of ABC). Coastwide commercial management

measures include minimum fish and mesh sizes. Commercial catch is controlled by state-by-state quotas (see table below). When quotas are reached, the fishery is closed. Recreational bag/size limits and seasons are determined through an adaptive regional management approach.

State	Allocation of baseline quota ≤ 9.55 mil lb	Allocation of <u>additional</u> quota beyond 9.55 mil lb	Revised state quota
ME	0.04756%	0.333%	Dependent on total annual coastwide quota; state percent shares vary with amount of "additional" quota in a given year
NH	0.00046%	0.333%	
MA	6.82046%	12.375%	
RI	15.68298%	12.375%	
CT	2.25708%	12.375%	
NY	7.64699%	12.375%	
NJ	16.72499%	12.375%	
DE	0.01779%	0.333%	
MD	2.03910%	12.375%	
VA	21.31676%	12.375%	
NC	27.44584%	12.375%	
<b>Total</b>	100%	100%	100%

**Annual Events:**

- December: Final commercial allocation memo sent to the Board, depending on the release of final landings data.
- TC meets in December/January (before Winter Meeting Week) to evaluate previous year’s recreational harvest by state and evaluate estimates of next year’s recreational harvest\*. TC members will work individually or regionally, with calls as needed, to make recommendations on how management measures should be adjusted to achieve but not exceed the recreational harvest limit.
- February-March: The Board approves state/regional proposals of recreational management measures.\*
- April-May: This year’s state/regional recreational measures approved by the Board are communicated to the NOAA Greater Atlantic Regional Office for their consideration in setting state management measures.
- Compliance reports are due June 1. Prior to next Board Meeting, the PRT reviews the FMP Review which includes any compliance issues.
- Monitoring Committee meets in July to outline recommendations for the upcoming year’s fishing regulations including any proposed changes to the minimum fish size, mesh size, escape vent sizes, or other compliance criteria for the commercial fishery, as well as to recommend changes to the quota to account for management uncertainty. The Monitoring Committee forwards recommendations to the Board and Council.\*

- Board and Council meet jointly at the MAFMC August meeting to adopt an ABC, commercial quota, recreational harvest limit, and to set commercial specifications.
- Monitoring Committee meets in November to develop recommendations for the upcoming year's recreational measures, including minimum fish size, season, and possession limit. The Monitoring Committee forwards recommendations to the Board and Council.\*
- Board and Council meet jointly at the MAFMC December meeting to set recreational specifications.

\* With the adoption of Addendum XXXIV, this process now may only occur every two years, after the completion of a management track assessment that provides updated information on specifications. In interim years, the Council and Board review the catch and landings limits compared to the management measures. They may revise the measures in interim years if new data such as a research track stock assessment or other technical reports suggest the measures are not performing as expected or if a change is needed for other reasons.