



# Atlantic States Marine Fisheries Commission

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## MEMORANDUM

**TO:** Summer Flounder, Scup, and Black Sea Bass Management Board  
**FROM:** Summer Flounder, Scup, and Black Sea Bass Technical Committee  
**DATE:** February 15, 2023  
**SUBJECT:** Proposed 2023 Regional Recreational Management Measures for Scup and Black Sea Bass

### Background

In December, the Summer Flounder, Scup, and Black Sea Bass Management Board (Board) and the Mid-Atlantic Fishery Management Council (Council) met jointly to set recreational measures for 2023. The Percent Change Approach, as implemented under Addendum XXXIV to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP), was used in conjunction with the Recreational Demand Model (RDM) to determine that both scup and black sea bass require a 10% reduction in recreational harvest in 2023.

For black sea bass, the Board and Council opted to proceed with the regional conservation equivalency processes as outlined in Addendum XXXII, as opposed to implementing uniform coastwide measures. Addendum XXXII requires each region (MA-NY, NJ, DE-NC) to implement black sea bass regulations that will collectively achieve but not exceed the recreational harvest limit. Additionally, each region is expected to achieve a cumulative 10% harvest reduction by weight.

For scup, the Board and Council agreed at the December joint meeting to reduce the federal possession limit to 40 fish and shorten the season to May 1 – December 31. Because this did not achieve the full 10% reduction, the Board and Council also agreed that states would further modify state measures through the Commission process to achieve the full 10% coastwide harvest reduction.

### Regional Proposals

The Summer Flounder, Scup, and Black Sea Bass Technical Committee used the RDM to recommend options for 2023 recreational measures for black sea bass and scup which achieve a 10% reduction for both species. There are specific black sea bass and scup measures associated with each option, as the model relies on inputs of measures from both species to calculate estimates of 2023 harvest. Options are organized by region (MA-NY, NJ, DE-NC) for both species. Please note that when final options are selected, some states may make minor adjustments to the season dates to achieve as close to a 10% reduction as possible.

The states from Delaware to North Carolina have proposed to reduce the scup bag limit to 40 fish to match the 2023 federal possession limit, but no additional reductions were taken. The Technical Committee focused on achieving the 10% reduction in scup recreational harvest from the states of New Jersey through Massachusetts because 1) a majority of scup harvest (99%) occurs from these states and any reduction in the states south of Delaware would likely have a negligible effect on coastwide scup harvest; and 2) the RDM's median estimate of harvest in Maryland was always zero due to high PSEs in the MRIP estimates of catch-per-trip, and therefore harvest reductions were unable to be calculated.

Table 1 details the proposed options for black sea bass and scup recreational measures for Massachusetts to New York. The regional percent reduction was not calculated by the RDM for every single possible combination of

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options from each state, but from one set of measures selected by each state. Table 2 provides the percent reductions of scup and black sea bass for the entire northern region (MA-NY) based on the example set of measures selected by each state.

Table 3 details the proposed options and associated percent reduction for each species for New Jersey.

Table 4 details the proposed options and associated percent reduction for each species for the southern region, Delaware through North Carolina (north of Cape Hatteras). Each state may select one of the two options as long as the 10% black sea bass reduction is met by the region.

**Table 1.** Proposed recreational management measures for the northern region, from Massachusetts to New York.

| State    | Options       | Black Sea Bass Measures |                    |              |                      | Percent Reduction in Black Sea Bass Harvest | Scup Measures |                    |             |                      | Percent Reduction in Scup Harvest |                             |
|----------|---------------|-------------------------|--------------------|--------------|----------------------|---|---------------|--------------------|-------------|----------------------|-----------------------------------|-----------------------------|
|          |               | Mode                    | Minimum Size Limit | Bag Limit    | Dates of Open Season |   | Mode          | Minimum Size Limit | Bag Limit   | Dates of Open Season |                                   |                             |
| MA       | Option 1      | All                     | 16.5"              | 4            | 5/20 - 9/7           | -10.4                                       | Private       | 10.5"              | 30          | 5/1 - 12/31          | -7.6                              |                             |
|          |               |                         |                    |              |                      |   | Shore         | 9.5"               |             |                      |                                   |                             |
|          |               |                         |                    |              |                      |   | For-hire      | 10.5"              | 40          | 5/1 - 6/30           |                                   |                             |
|          | 30            | 7/1 - 12/31             |                    |              |                      |   |               |                    |             |                      |                                   |                             |
|          | Option 2      | All                     | 16"                | 3            | 5/20 - 9/2           | -10.3                                       | Private       | 10.5"              | 30          | 5/1 - 12/31          |                                   | -7.6                        |
|          |               |                         |                    |              |                      |   | Shore         | 9.5"               |             |                      |                                   |                             |
|          |               |                         |                    |              |                      |   | For-hire      | 10.5"              | 40          | 5/1 - 6/30           |                                   |                             |
|          | 30            | 7/1 - 12/31             |                    |              |                      |   |               |                    |             |                      |                                   |                             |
|          | Option 3      | All                     | 16"                | 4            | 5/20 - 6/30          | -10.3                                       | Private       | 10.5"              | 30          | 5/1 - 12/31          | -7.8                              |                             |
|          |               |                         |                    | 2            | 7/1 - 9/11           |   | Shore         | 9.5"               |             |                      |                                   |                             |
|          |               |                         |                    |              |                      |   | For-hire      | 10.5"              | 40          | 5/1 - 6/30           |                                   |                             |
|          |               |                         |                    | 30           | 7/1 - 12/31          |   |               |                    |             |                      |                                   |                             |
|          | Option 4      | Private/Shore           | 16"                | 3            | 5/20 - 8/31          | -10.3                                       | Private       | 10.5"              | 30          | 5/1 - 12/31          |                                   | -7.6                        |
|          |               | For-hire                |                    | 4            |                      |   | Shore         | 9.5"               |             |                      |                                   |                             |
|          |               |                         |                    |              |                      |   | For-hire      | 10.5"              | 40          | 5/1 - 6/30           |                                   |                             |
|          |               |                         | 30                 | 7/1 - 12/31  |                      |   |               |                    |             |                      |                                   |                             |
|          | Option 5      | Private/Shore           | 16"                | 2            | 5/20 - 10/24         | -10.0                                       | Private       | 10.5"              | 30          | 5/1 - 12/31          | -7.5                              |                             |
|          |               | For-hire                |                    | 4            | 5/20 - 9/4           |   | Shore         | 9.5"               |             |                      |                                   |                             |
| For-hire |               |                         |                    |              | 10.5"                |   | 40            | 5/1 - 6/30         |             |                      |                                   |                             |
|          |               |                         |                    | 30           | 7/1 - 12/31          |   |               |                    |             |                      |                                   |                             |
| Option 6 | Private/Shore | 16"                     | 3                  | 5/20 - 6/30  | -10.1                | Private                                     | 10.5"         | 30                 | 5/1 - 12/31 | -7.5                 |                                   |                             |
|          |               |                         | 1                  | 7/1 - 8/31   |                      | Shore                                       | 9.5"          |                    |             |                      |                                   |                             |
|          |               |                         | 3                  | 9/1 - 10/23  |                      | For-hire                                    | 10.5"         | 40                 | 5/1 - 6/30  |                      |                                   |                             |
|          |               |                         | 4                  | 5/20 - 9/4   |                      |   |               | 30                 | 7/1 - 12/31 |                      |                                   |                             |
|          |               |                         |                    |              |                      |   |               |                    |             |                      |                                   |                             |
| Option 1 | Private/shore | 16.5"                   | 2                  | 5/22 - 8/26  | -10.3                | Shore                                       | 9.5"          | 30                 | 5/1 - 12/31 |                      | -3.1                              |                             |
|          |               |                         | 3                  | 8/27 - 12/31 |                      | Private                                     | 10.5"         |                    |             |                      |                                   |                             |
|          |               |                         | For-hire           | 16"          |                      | 2   | 6/18 - 8/31   | For-hire           | 10.5"       | 30                   |                                   | 5/1 - 8/31,<br>11/1 - 12/31 |
|          | 6             | 9/1 - 12/31             |                    |              |                      | 40  | 9/1 - 10/31   |                    |             |                      |                                   |                             |
|          |               |                         |                    |              |                      |   |               |                    |             |                      |                                   |                             |
|          | Option 2      |                         | 16.5"              | 2            |                      | 5/22 - 8/26                                 | -10.1         | Shore              | 9.5"        | 30                   |                                   | 5/1 - 12/31                 |

| State    | Options  | Black Sea Bass Measures |                    |            |                      | Percent Reduction in Black Sea Bass Harvest | Scup Measures |                             |             |                             | Percent Reduction in Scup Harvest |
|----------|----------|-------------------------|--------------------|------------|----------------------|---|---------------|-----------------------------|-------------|-----------------------------|-----------------------------------|
|          |          | Mode                    | Minimum Size Limit | Bag Limit  | Dates of Open Season |   | Mode          | Minimum Size Limit          | Bag Limit   | Dates of Open Season        |                                   |
|          |          | Private/shore           |                    | 3          | 8/27 - 11/30         |   | Private       | 10.5"                       |             |                             |                                   |
|          |          | For-hire                |                    | 2          | 6/17 - 8/31          |   | For-hire      | 10.5"                       | 30          | 5/1 - 8/31,<br>11/1 - 12/31 |                                   |
|          |          |                         |                    | 6          | 9/1 - 11/30          |   |               | 40                          | 9/1 - 10/31 |                             |                                   |
|          | Option 3 | Private/shore           | 16.5"              | 2          | 5/22 - 8/31          | -11.7                                       | Shore         | 9.5"                        | 30          | 5/1 - 12/31                 | -3.0                              |
|          |          |                         |                    | 3          | 9/1 - 12/31          |   | Private       | 10.5"                       |             |                             |                                   |
|          |          | For-hire                |                    | 2          | 6/18 - 8/31          |   | For-hire      | 10.5"                       | 30          | 5/1 - 8/31,<br>11/1 - 12/31 |                                   |
|          |          |                         |                    | 6          | 9/1 - 12/31          |   |               | 40                          | 9/1 - 10/31 |                             |                                   |
|          | Option 4 | Private/shore           | 16.5"              | 2          | 5/22 - 8/31          | -11.0                                       | Private/shore | 10.5"                       | 30          | 1/1 - 12/31                 | -14.0                             |
|          |          |                         |                    | 3          | 9/1 - 12/31          |   |               |                             |             |                             |                                   |
|          |          | For-hire                |                    | 2          | 6/18 - 8/31          |   | For-hire      |                             | 30          | 1/1 - 8/31,<br>11/1 - 12/31 |                                   |
|          |          |                         |                    | 6          | 9/1 - 12/31          |   |               |                             | 50          | 9/1 - 10/31                 |                                   |
|          | CT       | Option 1                | Private/shore      | 16.5"      | 5                    | 5/19 - 12/1                                 | -11.9         | Shore                       | 9.5"        | 30                          | 5/1 - 12/31                       |
| For-hire |          |                         | 5                  |            | 5/19 - 8/31          | Private                                     |               | 10.5"                       |             |                             |                                   |
|          |          |                         | 7                  |            | 9/1 - 12/31          | For-hire                                    |               | 10.5"                       | 30          | 5/1 - 8/31,<br>11/1 - 12/31 |                                   |
| Option 2 |          | Private/shore           | 16"                | 2          | 5/19 - 12/1          | -14.5                                       | Shore         | 9.5"                        | 30          | 5/1 - 12/31                 |                                   |
|          |          |                         |                    | 5          | 5/19 - 8/31          |   | Private       | 10.5"                       |             |                             |                                   |
|          |          | For-hire                |                    | 7          | 9/1 - 12/31          |   | For-hire      | 10.5"                       | 30          |                             | 5/1 - 8/31,<br>11/1 - 12/31       |
|          |          |                         |                    |            |                      |   |               | 40                          | 9/1 - 10/31 |                             |                                   |
| Option 3 |          | Private/shore           | 16"                | 5          | 5/19 - 6/23          | -10.1                                       | Shore         | 9.5"                        | 30          | 5/1 - 12/31                 |                                   |
|          |          |                         |                    |            | 7/8 - 12/1           |   | Private       | 10.5"                       |             |                             |                                   |
|          |          | For-hire                |                    | 5          | 5/19 - 8/31          |   | For-hire      | 10.5"                       | 30          |                             | 5/1 - 8/31,<br>11/1 - 12/31       |
|          |          |                         |                    |            | 7                    |   | 9/1 - 12/31   |                             | 40          |                             | 9/1 - 10/31                       |
| Option 4 |          | Private/shore           | 16"                | 5          | 5/19 - 9/30          | -10.1                                       | Shore         | 9.5"                        | 30          | 5/1 - 12/31                 |                                   |
|          |          |                         |                    | 2          | 10/1 - 10/23         |   | Private       | 10.5"                       |             |                             |                                   |
|          |          | For-hire                |                    | 5          | 5/19 - 8/31          |   | For-hire      | 10.5"                       | 30          |                             | 5/1 - 8/31,<br>11/1 - 12/31       |
|          |          |                         |                    |            | 7                    |   | 9/1 - 12/31   |                             | 40          |                             | 9/1 - 10/31                       |
| NY       |          | Option 1                | All                | 16.5"      | 3                    | 6/23 - 8/31                                 | -11.7         | Shore                       | 9.5"        | 30                          | 5/1 - 12/31                       |
|          | 6        |                         |                    |            | 9/1 - 12/31          | Private                                     |               | 10.5"                       |             |                             |                                   |
|          |          | For-hire                |                    |            |                      | 30  |               | 5/1 - 8/31,<br>11/1 - 12/31 |             |                             |                                   |
|          | 40       |                         |                    |            | 9/1 - 10/31          |   |               |                             |             |                             |                                   |
| Option 2 | All      | 16"                     | 3                  | 7/1 - 8/31 | -10.8                | Shore                                       | 9.5"          | 30                          | 5/1 - 12/31 |                             |                                   |
|          |          |                         |                    | 6          |                      | 9/1 - 12/31                                 | Private       |                             |             | 10.5"                       |                                   |
|          |          |                         |                    |            |                      |   | For-hire      | 10.5"                       |             | 30                          | 5/1 - 8/31,<br>11/1 - 12/31       |

| State | Options  | Black Sea Bass Measures |                    |           |                      | Percent Reduction in Black Sea Bass Harvest | Scup Measures |                    |             |                             | Percent Reduction in Scup Harvest |
|-------|----------|-------------------------|--------------------|-----------|----------------------|---|---------------|--------------------|-------------|-----------------------------|-----------------------------------|
|       |          | Mode                    | Minimum Size Limit | Bag Limit | Dates of Open Season |   | Mode          | Minimum Size Limit | Bag Limit   | Dates of Open Season        |                                   |
|       |          |                         |                    |           |                      |   |               | 40                 | 9/1 - 10/31 |                             |                                   |
|       | Option 3 | All                     | 16"                | 2         | 6/28 - 8/31          | -10.8                                       | Shore         | 9.5"               | 30          | 5/1 - 12/31                 | -14.9                             |
|       |          |                         |                    | 6         | 9/1 - 12/31          |   | Private       | 10.5"              |             |                             |                                   |
|       |          |                         |                    |           |                      |   | For-hire      | 10.5"              | 30          | 5/1 - 8/31,<br>11/1 - 12/31 |                                   |
|       |          |                         |                    |           |                      |   |               |                    | 40          | 9/1 - 10/31                 |                                   |

**Table 2.** The percent reduction of black sea bass and scup harvest for the northern region (MA-NY) achieved by the combination of measures that the states selected for this memo, by state and for the region as a whole.

| State                           | Option from Table 1 | Percent Reduction in Black Sea Bass Harvest | Percent Reduction in Scup Harvest |
|---------------------------------|---------------------|---|-----------------------------------|
| MA                              | Option 1            | -10.4                                       | -7.6                              |
| RI                              | Option 2            | -10.1                                       | -3.7                              |
| CT                              | Option 3            | -10.1                                       | -5.0                              |
| NY                              | Option 1            | -11.7                                       | -15.0                             |
| Total Northern Region Reduction |                     | -10.6                                       | -9.7                              |

**Table 3.** Proposed recreational management measures for New Jersey, and associated percent reduction.

| State | Options  | Black Sea Bass Measures |                    |           |                      | Percent Reduction in Black Sea Bass Harvest | Scup Measures |                    |           |                      | Percent Reduction in Scup Harvest |
|-------|----------|-------------------------|--------------------|-----------|----------------------|---|---------------|--------------------|-----------|----------------------|-----------------------------------|
|       |          | Mode                    | Minimum Size Limit | Bag Limit | Dates of Open Season |   | Mode          | Minimum Size Limit | Bag Limit | Dates of Open Season |                                   |
| NJ    | Option 1 | All                     | 12.5"              | 10        | 5/17 - 6/19          | -10.6                                       | All           | 10"                | 30        | 8/1 - 12/31          | -10.3                             |
|       |          |                         |                    | 1         | 7/1 - 8/31           |   |               |                    |           |                      |                                   |
|       |          |                         |                    | 10        | 10/1 - 10/31         |   |               |                    |           |                      |                                   |
|       |          |                         |                    | 15        | 11/1 - 12/31         |   |               |                    |           |                      |                                   |
|       | Option 2 | All                     | 12.5"              | 10        | 5/17 - 6/19          | -10.6                                       | All           | 10"                | 30        | 1/1 - 10/15          | -12.6                             |
|       |          |                         |                    | 1         | 7/1 - 8/31           |   |               |                    |           |                      |                                   |
|       |          |                         |                    | 10        | 10/1 - 10/31         |   |               |                    |           |                      |                                   |
|       |          |                         |                    | 15        | 11/1 - 12/31         |   |               |                    |           |                      |                                   |
|       | Option 3 | All                     | 12.5"              | 10        | 5/17 - 6/19          | -10.3                                       | All           | 10"                | 30        | 8/1 - 12/31          | -12.6                             |
|       |          |                         |                    | 2         | 7/1 - 8/7            |   |               |                    |           |                      |                                   |
|       |          |                         |                    | 10        | 10/1 - 10/31         |   |               |                    |           |                      |                                   |
|       |          |                         |                    | 15        | 11/1 - 12/31         |   |               |                    |           |                      |                                   |
|       | Option 4 | All                     | 12.5"              | 10        | 5/17 - 6/19          | -10.9                                       | All           | 10"                | 30        | 8/1 - 12/31          | -10.1                             |
|       |          |                         |                    | 2         | 7/20 - 8/31          |   |               |                    |           |                      |                                   |
|       |          |                         |                    | 10        | 10/1 - 10/31         |   |               |                    |           |                      |                                   |
|       |          |                         |                    | 15        | 11/1 - 12/31         |   |               |                    |           |                      |                                   |

**Table 4.** Proposed recreational management measures for the southern region, from Delaware to North Carolina (north of Cape Hatteras), and associated percent reduction.

| State | Options  | Black Sea Bass Measures |                    |           |                               | Percent Reduction in Black Sea Bass Harvest | Scup Measures |                    |               |                      | Percent Reduction in Scup Harvest |
|-------|----------|-------------------------|--------------------|-----------|-------------------------------|---|---------------|--------------------|---------------|----------------------|-----------------------------------|
|       |          | Mode                    | Minimum Size Limit | Bag Limit | Dates of Open Season          |   | Mode          | Minimum Size Limit | Bag Limit     | Dates of Open Season |                                   |
| DE-NC | Option 1 | All                     | 13"                | 15        | 5/15 - 7/15,<br>7/27 - 12/31  | -10.8                                       | All           | 9"                 | 40 (30 in VA) | 1/1 - 12/31          | 1.0                               |
|       | Option 2 | All                     | 13"                | 15        | 5/15 - 9/30,<br>10/10 - 12/31 | -11.5                                       | All           | 9"                 | 40 (30 in VA) | 1/1 - 12/31          | 0.5                               |