

Fact Sheet: Revised Commercial and Recreational Allocations of Summer Flounder, Scup, and Black Sea Bass



Summary of Proposed Changes

In December 2021, the Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (Commission) approved a joint amendment to revise the allocations of summer flounder, scup, and black sea bass to the commercial and recreational sectors. These changes are intended to better reflect current information about the historic proportions of catch and landings from the commercial and recreational sectors. The revised allocations are summarized in the table below. For all three species, these changes shift allocation from the commercial to the recreational sector.

	Original Allocations	Revised Allocations
Summer Flounder*	60% Commercial; 40% Recreational Landings-based	55% Commercial; 45% Recreational Catch-based
Scup	78% Commercial; 22% Recreational Catch-based	65% Commercial; 35% Recreational Catch-based
Black Sea Bass*	49% Commercial; 51% Recreational Landings-based	45% Commercial; 55% Recreational Catch-based

* The current and revised allocations for summer flounder and black sea bass are not directly comparable due to the transition from landings-based to catch-based allocations (see Additional Information on p. 3 for details).

The amendment has been submitted to NOAA Fisheries for approval and rulemaking. If approved, the revised allocations are expected to take effect on January 1, 2023.

Rationale for Revised Allocations

Why are changes to the commercial and recreational allocations needed?

The original allocations were set in the mid-1990s and have not been revised since that time. These allocations were based on historical proportions of catch or landings from each sector. Recent changes in the methodology used to collect recreational fishing data have resulted in much higher recreational catch estimates throughout the time series compared to previous estimates. Some changes have also been made to commercial catch data since the allocations were established. As a result of these changes, the original allocation percentages no longer reflect the current understanding of the recent and historic proportions of catch and landings from the two sectors. In addition, the Council's allocation review policy requires that allocations be reviewed at least every 10 years.

How were the revised allocations determined?

The revised commercial and recreational allocations are based on updated data from the same base years used to set the original allocations (summer flounder: 1981-1989; scup: 1988-1992; black sea bass: 1983-1992). This approach uses the best scientific information currently available while accounting for fishery characteristics in years prior to influence by the commercial/recreational allocations. The allocations for all three species will now be catch-based. Previously, scup had a catch-based allocation and summer flounder and black sea bass had landings-based allocations (see p. 3 for details).

Why weren't the revised allocations based on more recent timeframes?

When the original allocations for these species were developed, the base years were selected because they represented periods of relatively unrestricted fishing effort and, therefore, could serve as a proxy for each sector's level of effort and interest in the fishery prior to implementation of management controls. The Council and Commission considered allocation options based on more recent timeframes, but these options raised concerns about fairness due to differences in how well the commercial and recreational sectors have been held to their respective limits in past years.

Potential Impacts

How will the revised allocations affect each sector's future limits?

For all three species, these changes result in a shift in allocation from the commercial to the recreational sector. The tables below show how each sector's recent landings compare to the actual limits for 2022 and examples of limits which may have been implemented if the revised allocations had been in place in 2022. These are provided for comparison purposes only. Revised allocations are not expected to be implemented until 2023. The commercial quota and recreational harvest limit (RHL) for 2023 will not be determined until later in 2022.

Table 1: Recent commercial landings compared to the actual 2022 commercial quotas and example commercial quotas under the revised allocations. All values are in millions of pounds.

Species	Avg. 2019-2021 Commercial Landings	Actual 2022 Commercial Quota (Original Allocations)	Example 2022 Quota (Revised Allocations)
Summer Flounder	9.51	15.53	15.14
Scup	13.43	20.38	15.18
Black Sea Bass	4.09	6.47	5.05

Table 2: Recent recreational landings compared to the actual 2022 RHLs and example RHLs under the revised allocations. All values are in millions of pounds.

Species	Avg. 2019-2021 Recreational Landings	Actual 2022 RHL (Original Allocations)	Example 2022 RHL (Revised Allocations)
Summer Flounder	8.93	10.36	11.12
Scup	14.44	6.08	9.86
Black Sea Bass	9.74	6.74	8.19

It is not possible to precisely predict future commercial quotas and RHLs, as these limits are derived from the overall Acceptable Biological Catch limit (ABC) for each species and will vary depending on stock size, expected dead discards from each sector, and other factors. The following questions provide an approximation of likely near-term impacts, assuming future ABCs remain similar to recent years.

Will the revised allocations require a reduction in commercial landings?

Not necessarily. Commercial landings of all three species have been below the commercial quotas in recent years. The commercial quota has not been fully harvested for scup since 2007, for summer flounder since 2018, or for black sea bass since 2019. While the revised allocations will result in lower commercial quotas than would have been set under the original allocations, recent landings suggest that, in the near term, commercial landings may not need to be reduced below recent levels.

Will these changes allow for increased recreational harvest or less restrictive management measures?

The revised allocations will result in higher RHLs than would have been set under the original allocations, but the impact of these increases on management measures will vary by species. Under the current management process, the Council and Commission compare recent recreational landings to the RHL for the upcoming year to determine whether changes to the recreational management measures (bag limit, size limit, season) are warranted. The goal is to set measures that will achieve, without exceeding, the RHL.

For **summer flounder**, recreational landings have been close to or below the RHL for three of the last four years. The RHL for 2022 is a 25% increase compared to 2021 and is the highest RHL in over a decade. This increase allowed for less restrictive management measures to be implemented for 2022. It is possible that higher RHLs resulting from the revised allocations could allow for management measures to remain similar to 2022 or be further relaxed.

For **scup** and **black sea bass**, the recreational sector has significantly exceeded the RHLs in recent years, meaning that recreational harvest of these species may not be allowed to increase in the near term, even with higher RHLs. This will depend, in part, on the effectiveness of the more restrictive management measures that were implemented in 2022 for scup and black sea bass.

Additional Information

Why are summer flounder and black sea bass changing from landings-based to catch-based allocations?

This change is intended to simplify the specifications process and decrease the influence of dead discards from one sector on the other sector's catch and landings limits. The main difference between catch- and landings-based allocations is the step in the process at which dead discards are accounted for. With a [landings-based allocation](#), projected dead discards from both sectors are combined and subtracted from the entire ABC before the allocation percentages are applied. With a [catch-based allocation](#), the ABC is divided between the sectors based on the allocation percentages, and then each sector's projected dead discards are subtracted to produce commercial quotas and RHLs. A catch-based allocation does not change the way the fisheries are managed aside from the process of setting annual catch and landings limits for each sector.

Why has recreational data changed so much in recent years?

Recreational catch and harvest data are estimated by NOAA Fisheries' [Marine Recreational Information Program \(MRIP\)](#). In July 2018, MRIP released revised time series of catch and harvest estimates based on adjustments for a revised angler intercept methodology and a new [effort estimation methodology](#), including a transition from a telephone-based effort survey to a mail-based effort survey. These changes affected the entire time series of recreational data going back to 1981. In general, the revised recreational fishing effort estimates are higher — and in some cases substantially higher — than the previous estimates because the new methodology is designed to more accurately measure fishing activity, not because there was a sudden rise in fishing effort.

For additional information, visit the Council's [Recreational Fishing Data web page](#).

What are the next steps for this action?

The Council has submitted the amendment for review by NOAA Fisheries. As part of the rulemaking process, NOAA Fisheries will publish a proposed rule with a public comment period. Once a final rule has published, NOAA Fisheries will issue a fishery bulletin alerting constituents to any regulatory changes being implemented.

Additional information and updates related to this action can be found on the Council's website at <https://www.mafmc.org/actions/sfsbsb-allocation-amendment>.