

The **Black Sea Bass** Recreational Fishery: A Management Dilemma

BY PETER HIMCHAK, SUPERVISING FISHERIES BIOLOGIST

The black sea bass is undoubtedly a highly desirable, excellent-tasting and popular sportfish—the complete package for any recreational angler. The 2012 black sea bass recreational fishery was highly successful. Good news for everyone, it would seem. Unfortunately, landings may have been too good...

Black sea bass landings were much higher than projected harvest levels based on the regulatory management strategies implemented. Is this success story actually bad news? Let's hope not. Were so many fish harvested that the stock cannot remain sustainable? Did the black sea bass stock assessment paint an accurate portrait of the biological health of the stock? Were the anglers' on-the-water observations correct that black sea bass *were* highly abundant and the quota was set too low? Are the higher landings a promise of better times to come, or will the bottom fall out on this resource? The questions are easy, the answers are not. What a management dilemma!

Now that your attention is focused on a potential tailspin for the black sea bass recreational fishery, let's review the background process to explain how this potential crisis developed. There is a laundry list of agencies, committees, management tools, laws and steps essential to develop the annual black sea bass recreational quota. Next we'll introduce the players.

WHO'S WHO IN ATLANTIC COAST FISHERIES MANAGEMENT?

The Mid-Atlantic Fishery Management Council manages the coastwide black sea bass resource in the federal waters of the Exclusive Economic Zone, 3–200 nautical miles offshore, under the authority of the Magnuson-Stevens Fisheries Conservation and Management Act. The Atlantic States Marine Fisheries Commission, a compact of all 15 Atlantic coastal states manages black sea bass in states' waters (0–3 nautical miles from shore) under the authority of the Atlantic Coastal Fisheries Cooperative Management Act. The Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission jointly meet in August each year to set the next year's annual specifications, i.e. quotas, size limits, possession limits, seasons, etc., for several species managed under joint fishery management plans—namely summer flounder, scup, black sea bass and bluefish. Under the above-mentioned legal authority, the states essentially get their marching orders for what they can and cannot do with these four fisheries.

USING THE ANNUAL STOCK ASSESSMENT

The first step in the specifications process is setting the quota. Here, our discussion will be limited to the black sea bass resource.

The Mid-Atlantic Fishery Management Council relies on an annual stock assessment update for black sea bass conducted at the National Marine Fisheries Service's Northeast Fisheries Science Center in Woods Hole, Massachusetts. A stock assessment is an indication of the biological

condition of the resource; the assessment then passes into the hands of the Mid-Atlantic Fishery Management Council's Scientific and Statistical Committee. This committee evaluates the quality and thoroughness of the stock assessment, placing the stock assessment in one of four tiers, with tier 1 being the highest quality.

TIER SELECTION IS A CRITICAL STEP

The Scientific and Statistical Committee's tier selection for a stock assessment is based on the probability of overfishing. The Committee must consider all scientific uncertainty to ensure overfishing doesn't occur, the very reason why the Magnuson-Stevens Fisheries Conservation and Management Act exists. Black sea bass is, unfortunately, a tier 4 stock assessment and requires more precaution when setting catch levels.

The Scientific and Statistical Committee calculates an *acceptable biological catch*, in poundage, that cannot be exceeded which also sets the stage for fisheries allocations and eventual harvest quotas. The acceptable biological catch for black sea bass is first divided between the commercial and recreational fisheries, then, discard mortality and research set-aside poundages are deducted to derive a quota for the coming year. For the black sea bass, the *recreational harvest limit* for 2012 was set at 1.32 million pounds. Not much to work with in developing black sea bass recreational fisheries from Massachusetts through North Carolina.

ARE WE OVERWEIGHT?

As recreational catch statistics came in for 2012 from the anglers' "favorite" Marine Recreational Fisheries Statistics Survey (being replaced by the improved Marine Recreational Information Program through



wave 5, with wave 5 equaling the months of September and October, and waves 1 through 4 equaling the previous 8 months), the black sea bass recreational catch was estimated at 2.99 million pounds!

The National Marine Fisheries Service was required under the Magnuson-Stevens Fisheries Conservation and Management Act to enact *accountability measures* and close the Exclusive Economic Zone to recreational black sea bass fishing, effective November 1, 2012. Did the data mean too much success was threatening the sustainability of the black sea bass resource, or were there more fish available for sustainable harvest than originally estimated? With a recreational harvest limit set at 1.85 million pounds for 2013 and payback for overages from one year to the next, what does this mean for the 2013 season and years thereafter?

DECISIONS, DECISIONS

The Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission met December 14, 2012 to determine what type of black sea bass recreational fishery is possible for 2013 and succeeding years. The decisions follow:

- » The black sea bass recreational fishery in the Exclusive Economic Zone and states' waters will run from January 1 through February 28, with a 12.5-inch minimum size and a 15 fish possession limit.
- » The Mid-Atlantic Fishery Management Council will request the Scientific and Statistical Committee reconsider their black sea bass acceptable biological catch recommendation for 2013.
- » An enhanced operational assessment will be conducted for black sea bass, focusing on its current tier 4 status, which constrains the specifications-setting process.
- » The Atlantic States Marine Fisheries Commission will develop a fast track addendum for developing states' waters measures for 2013 that must meet a 32 percent reduction from 2012 levels. Fortunately, the 2013 recreational harvest limit is 1.85 million pounds.
- » If the Atlantic States Marine Fisheries Commission addendum meets the reduction schedule for 2013, the Exclusive Economic Zone coast-wide measures will be a 20 fish possession limit, a 12.5 inch minimum size limit and an open season from January 1 through February 28, May 19 through October 14 and November 1 through December 31.
- » The Mid-Atlantic Fishery Management Council will develop and implement a fast track amendment to consider alternative accountability measures for the 2014 season. Current accountability measures require a pound for pound payback for exceeding recreational harvest limits. *That could mean no recreational harvest for black sea bass in 2014!*

What's in store for 2013 and 2014 remains under development. The Scientific and Statistical Committee met in January 2013 and concluded that the original acceptable biological catch estimate was extremely conservative and recommended an increase of an additional million pounds for the next two years. The Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board then met in February 2013 and —like the Mid-Atlantic Fisheries Management Council had done earlier in the month— approved the higher acceptable biological catch for black sea bass. Additionally, the Atlantic States Marine Fisheries Commission approved Addendum XXIII to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan whereby states in the Southern Region (DE-NC) would remain status quo in 2013 but states in the Northern Region (NJ-MA) would implement recreational management measures to reduce black sea bass recreational harvest by the required 24 percent. Managers are juggling in the air many pieces of scientific data to determine the health of this stock and what future harvest it can support. Hopefully, by the time this article is published, states' waters black sea bass recreational measures will be finalized to include the 24 percent reduction with the Exclusive Economic Zone coastwide measures prevailing — and not a default to more restrictive measures.

Fisheries management is complex. The setting of size, season and possession limits is a sophisticated, scientific and convoluted process. Just be sure that trying to understand the process of setting management measures does not take away any enjoyment from your recreational fishing activities.

