



The Commonwealth of Massachusetts

Division of Marine Fisheries

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MEMORANDUM

TO: Marine Fisheries Advisory Commission (MFAC)

FROM: Daniel J. McKiernan, Director *Daniel J. McKiernan*

DATE: September 12, 2025

SUBJECT: **Proposal to Amend Commercial Black Sea Bass Limits for 2026**

Proposal

This memo serves to inform the MFAC that I intend to go out to public hearing later this winter to make minor liberalizations to the commercial black sea bass fishing limits for 2026. The proposal is enumerated below and described in Table 1. This proposal responds to an expected 30% quota increase in 2026 in the context of recent fishery performance.

1. Amend the date whereby commercial closed fishing days are eliminated and trip limits are increased so that it occurs earlier in the season. Under current regulations, on September 15 the Friday and Saturday closed fishing days in the directed pot and hook and line fishery are eliminated thereby allowing commercial fishing seven days per week and trip limits are increased from 500 pounds to 600 pounds for pot fishers and from 250 pounds to 300 pounds for hook fishers should at least 15% of the quota remain available. For 2026, I am proposing that these changes should occur no later than September 1.
2. Eliminate the April 1–April 22 closure during which trawlers are prohibited from landing an incidental catch of up to 100 pounds of black sea bass.

Rationale

Massachusetts' allocated black sea bass quota is expected to increase 30% from 787,216 pounds in 2025 to just over 1 million pounds for 2026/2027.¹ See Background for additional details. To date, the 2025 fishery has landed approximately 63% of its transfer-adjusted quota (525,320 pounds landed out of 837,216 pounds) and we are projecting a quota closure in the late October (Figure 1). Additionally, in the preceding five years, the Commonwealth was allocated between 725,000 and 999,000 pounds of quota of which the fishery took at least 95% each year (Table 2, Figure 2).

Considering the anticipated quota increase for 2026, and the recent performance of the fishery, I do not think substantial liberalizations to the fishery management program are warranted to

¹ MA's 2025 allocated quota of 787,216 pounds was increased by a 50,000-lb pre-season transfer which was sought out by DMF to offset the 15% reduction in quota from 2024 to 2025. The increase from MA's 2025 transfer-adjusted quota to the anticipated 2026/2027 quota is 23%.

ensure quota utilization. Rather, I think it is best to have the existing regulatorily established in-season adjustments to fishing limits occur earlier in the calendar year. Accordingly, the automatic elimination of closed fishing days (Fridays and Saturdays) and the quota-dependent trip limit increase for directed gears could be moved from September 15 to a date certain occurring no later than September 1. This would accommodate additional harvest opportunities, particularly as safe weather windows for small boat fishers become sparser in the fall.

It is my view that this adjustment will likely be sufficient to utilize the available quota assuming there is not substantial variation in participation and availability. Further, this approach would balance the desire to achieve the annual quota with longstanding interest among certain participants to maintain quota into the fall so that the fishery can co-occur with other inshore commercial fisheries (e.g., tautog). Additionally, this proposal is consistent with an informal in-season adjustment request received by DMF late this summer from a major dealer, which I was unable to consider or accommodate given timing and the in-season adjustment process².

That said, given this pending quota increase, I do anticipate DMF and the MFAC will receive pressure to start the commercial season earlier than July 1 to facilitate quota utilization. I do not support moving such an action forward. DMF studies demonstrate that black sea bass begin to spawn in our inshore waters starting in late May with the majority of spawning activity concluding by the end of June and that black sea bass spawning aggregations in Massachusetts waters have grown considerably in the last 15 years (helping to support the increased stock size in the northern Atlantic population). Since 2013, a core component of DMF's black sea bass conservation and management strategy has been to delay the commercial fishery until after the conclusion of this springtime spawning season. This prevents commercial fishing effort on the dense spawning aggregations that occur near-shore. Prior to 2013, DMF allowed commercial fishing during the spawning period and this created derby fishing conditions resulting in high levels of quota consumption, market gluts, user-group conflicts between the recreational and commercial sectors, and significant enforcement and compliance challenges. Given the observed growth of black sea bass spawning aggregations in our waters, these challenges are likely to be even more acute in 2026 than they were previously. Accordingly, I think it is prudent to maintain the current July 1 start of the directed commercial fishery.

Regarding the 22-day closure in April (April 1–April 22) to trawler bycatch, this is effectively a regulatory oversight. Historically, there has been a bycatch allowance for black sea bass in the state waters small mesh trawl fishery for squid, which begins on April 23. Then, about 10-years ago, DMF adjusted the wintertime season so that it would close on April 1 to prevent directed fishing in April during years when black sea bass arrived early. Unintentionally, this resulted in trawler bycatch being incidentally prohibited during the first 22 days of April.

This oversight should be fixed to allow trawlers to land a 100-pound incidental catch of black sea bass throughout April. Catch during this period would primarily occur in trawl fisheries in federal waters and a bycatch limit should be accommodated to prevent regulatory discarding and encourage the trip to be offloaded in Massachusetts (as opposed to other states where the vessel

² The in-season adjustment process at 322 CMR 6.41 mandates that DMF conduct a two-week comment period and obtain approval of the MFAC. Given the request was not received until August 27, the soonest DMF could implement such a change under this process would be September 19.

may be permitted). I anticipate this will have a negligible impact on landings given the low limit and limited fishing activity. Additionally directed gears (e.g., hooks and pots), I do not have significant concerns about trawlers (and weirs) retaining and landing a low limit of black sea bass during April should the fish arrive early because this practice has not presented the same derby fishing challenges as the directed fishery.

Background

Black sea bass are subject to both a federal (i.e., MAFMC) and interstate (i.e., ASMFC) fishery management plan. These management bodies met jointly in August 2025 to set 2026–2027 specifications (i.e., catch and landings limits and other management measures), taking into consideration the results of the 2025 stock assessment and recommendations of the MAFMC Scientific and Statistical Committee (SSC), the joint MAFMC Monitoring Committee/ASMFC Technical Committee (MC/TC), and the joint MAFMC/ASMFC Advisory Panel.

The black sea bass stock is designated as not overfished nor experiencing overfishing as of 2024, with spawning stock biomass at a very healthy 284% of its biomass target and fishing mortality at 73% of its overfishing threshold. Notably, the SSC deviated from the assessment-projected overfishing limits (OFLs) for 2026/2027 (due to the method's poor track record of predicting biomass declines that have not materialized) and recommended an alternative approach based on the terminal year assessment estimates. Rather than the OFL increasing 5% in 2026 and declining 25% in 2027, the result is a constant OFL across 2026/2027 representing a 28% increase from 2025. After accounting for scientific uncertainty, the FMP's sector allocations, and expected sector-specific dead discards, the resulting coastwide commercial quota and recreational harvest limit for 2026/2027 represent 30% increases from 2025 (Table 3).

The specifications also address coastwide commercial and recreational measures. In August, the management bodies made no changes to the coastwide commercial measures (i.e., commercial minimum fish size, trawl minimum mesh size and bycatch allowance, pot/trap escape vent size, and quota overage buffer). Irrespective of the specifications, Massachusetts' share of the coastwide quota can change after each stock assessment based on the allocation formula that incorporates the regional biomass distribution (north and south of Hudson Canyon). The 52/48 biomass split estimated by the 2025 stock assessment is unchanged from the 2023 stock assessment, and hence MA's allocation remains 13.12% and the coastwide and state commercial quotas increase by the same percentage (i.e., 30%). The management bodies will consider recreational measures for 2026–2027 later in 2025 according to the Recreational Measure Setting Process Framework/Addendum.

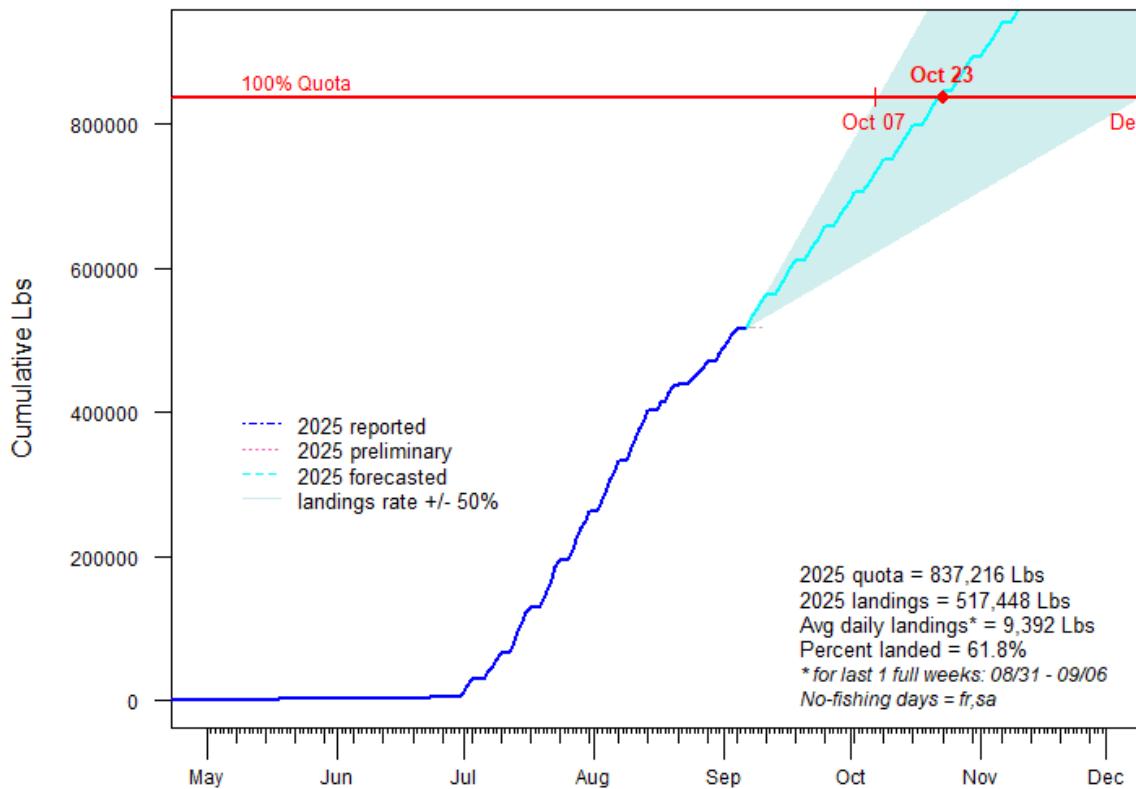


Figure 1. 2025 Black Sea Bass Quota Monitoring. Data Source: SAFIS eDR as of 9/11/2025.

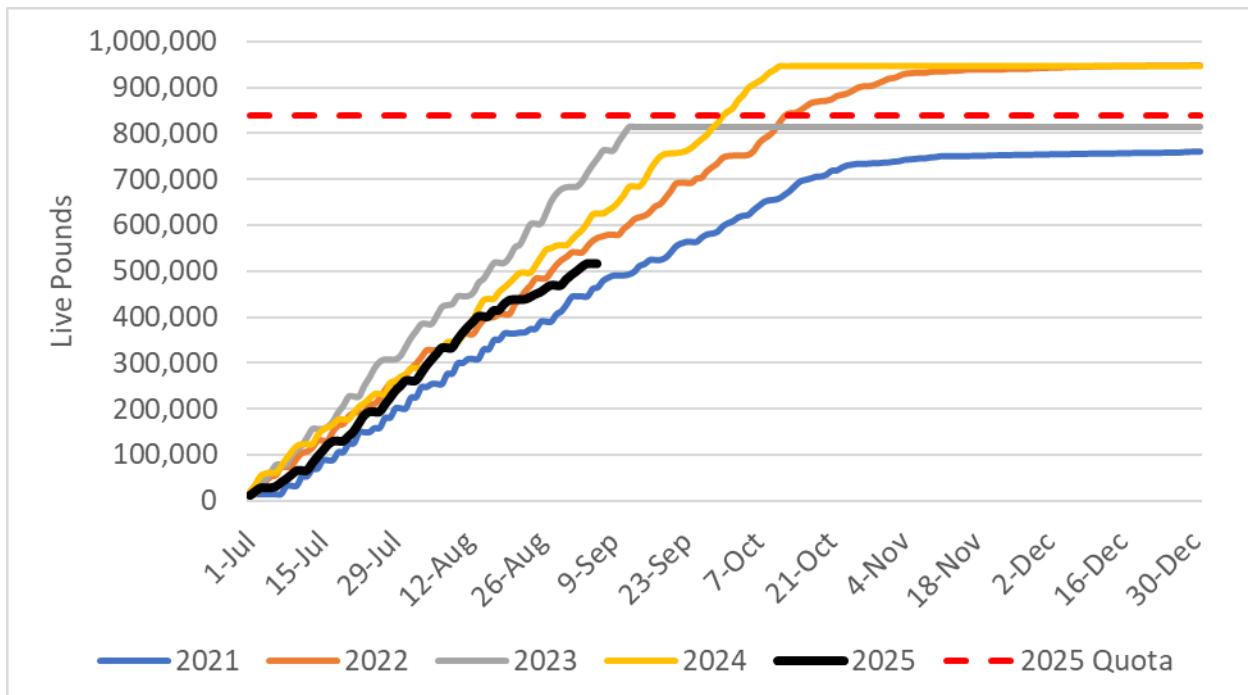


Figure 2. Running Totals of Black Sea Bass Landings, 2021 - 2025. 2025 data displayed through 9/6/2025. Data Source: SAFIS eDR as of 9/11/2025.

Table 1. Proposed Massachusetts 2026 commercial black sea bass fishing limits, with changes from 2025.

Gear Type	Season	Trip Limit (lbs)	Open Fishing Days	Minimum Size
All	January 1 – March 31	100	Sun - Sat	12”
Weirs	April 1 – December 31	N/A*	Sun – Sat	12”
Trawls	April 1 April 23 – December 31	100	Sun – Sat	12”
Pots	July 1 – August 31 September 14	500	Sun – Thur	12”
Pots	September 1 September 14 – December 31	600 if \geq 15% of quota remains; 500 otherwise	Sun – Sat	12”
Hooks (and Other Gears)	July 1 – August 31 September 14	250	Sun – Thur	12”
Hooks (and Other Gears)	September 1 September 14 – December 31	300 if \geq 15% of quota remains; 200 otherwise	Sun – Sat	12”

* Weirs are not subject to a daily trip but rather their annual landings are capped at 24,000 pounds.

Table 2. Landings and Quota Utilization By Year, 2020–2024

Year	Landings (lbs)	Allocated Quota (lbs)	Transfer Adjusted Quota (lbs)	Percent of Transfer-Adjusted Quota Landed	Quota Closure
2020	722,428	725,400	743,565	97.2% ¹	November 6
2021	761,289	791,700	791,700	96.2%	N/A
2022	948,182	998,901	948,901	99.9% ²	N/A
2023	813,102	741,071	816,071	99.6% ³	September 13
2024	946,571	926,338	926,338	102.2% ⁴	October 12

¹ In 2020, MA received a 15,000-lb transfer to mitigate for a potential quota overage. Had this transfer not occurred, the percent of quota landed would have been 99.6%.

² In 2022, MA donated 50,000 lb of unused quota after the end of the season. Had this transfer not occurred, the percent of quota landed would have been 94.9%.

³ In 2023, MA received a 75,000-lb transfer to mitigate for a quota overage. Had the transfer not occurred, the percent of quota landed would have been 109.7%.

⁴ Payback for this overage was not required because the coastwide quota was not exceeded.

Table 3. Expected 2026/2027 black sea bass specifications (and their basis), compared to the 2025 specifications, in millions of pounds.

	2025	2026/2027	Basis
OFL	17.01	21.79	SSC derived
ABC	16.66	21.34	Derived by SSC
Com ACL	7.50	9.60	ABC x 45% (per FMP)
Com ACT	7.50	9.60	Com ACL – Com management uncertainty: 0%
Com Quota	6.00	7.83	Com ACT – Com discards
Rec ACL	9.16	11.74	ABC x 55% (per FMP)
Rec ACT	9.16	11.74	Rec ACL – Rec management uncertainty: 0%
RHL	6.27	8.14	Rec ACT – Rec discards