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**Memorandum**

To: Marine Fisheries Advisory Commission (MFAC)  
 From: Daniel McKiernan, Director *Daniel J. McKiernan*  
 Date: March 5, 2026  
 Subject: **Emergency Rulemaking for 2026–2027 Recreational Black Sea Bass Limits**

**Overview**

I intend to use DMF’s emergency rulemaking authority to liberalize the state’s recreational black sea bass measures for 2026–2027 consistent with decisions of the Atlantic States Marine Fisheries Commission (ASMFC) and as informed by public scoping and MFAC input. These measures reduce the size limit by a half-inch and extend the season through October 14 at a 2-fish limit (Table 1). I seek your support for these measures now to ensure continuity from emergency rulemaking to the subsequent final rulemaking that will be necessary over the summer.

**Table 1. Planned measures for recreational black sea bass in 2026–2027, compared to 2025.**

Year	Open Season	Bag Limit	Minimum Size
2025	May 17–September 1	4 fish	16.5”
2026-2027	May 16–August 31	4 fish	16”
	September 1–October 14	2 fish	

**Background and Rationale**

As previewed during the February 2026 MFAC business meeting, there is a 20% coastwide recreational harvest increase allowed for black sea bass this year, which is to be distributed among the three regions as follows: up to a 27% increase to the Massachusetts–New York region, up to a 16.5% increase to the Delaware–North Carolina region, and the remaining increase to the New Jersey region (estimated to be in the 16–18% range). Due to the timeline of these interstate decisions, emergency rulemaking is necessary to ensure we implement measures by mid-May and take full advantage of this opportunity.

The next step in the process was for the regions to develop option(s) for the ASMFC Management Board’s review. The interstate management plan provides direction for this process, specifying that when a regional liberalization is allowed, the proposed options must result in less intra-regional disparity in state measures (meaning not all states within the region will receive the same percent increase). However, the degree to which intra-regional disparity is addressed each management cycle is not defined and was thus subject to interstate negotiations.

Within the Northern Region, each state conducted public scoping prior to negotiations. This was of great benefit to the process, allowing each state to come to the table with an understanding of the public's priorities for increasing access to the resource. In Massachusetts, we held a virtual meeting in January and distributed an online survey to gather public input. The survey and public comment identified an extended season and size limit reduction as priorities for Massachusetts, as well as the high importance of beginning the season the weekend prior to Memorial Day among much of our for-hire industry. Season and size were likewise the priority in the other Northern Region states.

With this public input in mind, the Northern Region states were able to come to consensus on a single set of measures for submission to the ASMFC that is estimated to increase regional harvest by 26.9% (Table 2). While the magnitude of the allowed liberalization was insufficient to align the region's measures and fully address equity, the resulting measures take a significant step towards addressing the disparity of measures within the region (refer to Table 3 for 2025 measures), and we are appreciative of the collaborative nature in which our region undertook this assignment. It was only through this cooperation that Massachusetts was able to select measures that achieve the largest percent increase within the region (nearly 43% compared to 14–30% in the other states). This set of measures was approved by the ASMFC Management Board on March 5.

Throughout the region, the new measures align the season start date at May 16, apply a uniform half-inch reduction (with one exception), and modify bag limits and season dates to increase equity. The overall focus on opening closed days and reducing the minimum size—not just in Massachusetts but throughout the region—will do the most to reduce the region's release rate, and consequently the expected dead discard calculations that reduce harvest opportunities. Specific to Massachusetts, the considerable opening of Wave 5 (Sept/Oct) will provide much improved data to evaluate future regulatory adjustments for the fall fishery. October 14 is the latest date that Columbus Day can occur and it may also be of interest that the tautog limit increases on October 15. Note that regaining the season through October 14 at the 2-fish limit did not come at the expense of a reduced July/August bag limit as previously discussed with the MFAC at the February 2026 business meeting.

Lastly, I want to be clear that these measures are expected to remain in place *exactly* as is for 2027—meaning the fishery will open on a Sunday next year. Note, however, that in 2027, May 16 is six days prior to the for-hire industry requested opening of the Saturday before Memorial Day weekend.

**Table 2. Anticipated 2026-2027 Northern Region Recreational Black Sea Bass Measures**

State	Mode	Open Season	Bag	Size
Massachusetts	All	May 16–August 31	4 fish	16"
		September 1–October 14	2 fish	
Rhode Island	Private/Shore	May 16–December 31	3 fish	16"
Rhode Island	For-Hire	May 16–August 31	4 fish	16"
		September 1–December 31	6 fish	
Connecticut	Private/Shore	May 16–November 25	4 fish	15.5"
Connecticut	For-hire	May 16–August 31	4 fish	16"
		September 1–December 31	6 fish	
New York	All	May 16–August 31	3 fish	16"
		September 1–December 31	6 fish	

**Table 3. 2025 Northern Region Recreational Black Sea Bass Measures**

State	Mode	Open Season	Bag	Size
Massachusetts	All	May 17–September 1	4 fish	16.5"
Rhode Island	Private/Shore	May 22–August 26	2 fish	16.5"
		August 27–December 31	3 fish	
Rhode Island	For-Hire	June 18–August 31	2 fish	16"
		September 1–December 31	6 fish	
Connecticut	Private/Shore	May 17–June 23 & July 8–November 25	5 fish	16"
		May 17–August 31 September 1–December 31	5 fish 7 fish	
New York	All	June 23–August 31	3 fish	16.5"
		September 1–December 31	6 fish	