



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Southeast Regional Office  
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F/SER25:CP

Carolyn Belcher, Ph.D., Chair  
South Atlantic Fishery Management Council  
4055 Faber Place Drive  
Suite 201  
Charleston, South Carolina 29405

Dear Dr. Belcher,

SEDAR 76, the most recent black sea bass assessment was completed in March, revised in May, and peer-reviewed in July 2023. SEDAR 76, and the previous three stock assessments for black sea bass, used a direct estimate of the fishing mortality (F) at the maximum sustainable yield (MSY) [ $F_{MSY}$ ] and the spawning stock biomass (SSB) at MSY [ $SSB_{MSY}$ ]. Based on comparing the  $F_{MSY}$  and  $SSB_{MSY}$  estimates to the existing status determination criteria (SDC) in the Fishery Management Plan (FMP) for the Snapper-Grouper Fishery of the South Atlantic Region (Snapper-Grouper FMP), the assessment supported a determination that the stock is overfished and undergoing overfishing.  $SSB_{2021}$  (81.5 trillion eggs) is less than the minimum stock size threshold (MSST) (255 trillion eggs) and  $F_{2019-2021}$  (0.937) is greater than the maximum fishing mortality threshold (MFMT) (0.43).

After additional review of the assessment at their February 9, 2024 meeting, the South Atlantic Fishery Management Council's (Council) Scientific and Statistical Committee (SSC) concluded that SEDAR 76 did not adequately capture discard mortality of black sea bass in estimating F. Thus, the SSC recommended using  $F_{40\%}$  and  $SSB_{40\%}$  proxies for reference points. The Southeast Fisheries Science Center used the proxy recommendations from the Council's SSC when entering the assessment into the NOAA Fisheries' Species Information System (SIS). Once a stock assessment is entered into SIS it is considered to be based on the best scientific information available (BSIA). Based on these proxies, the black sea bass stock would not be subject to overfishing but would be overfished. However, these proxies ( $F_{40\%}$  and  $SSB_{40\%}$ ) cannot be used to report stock status for black sea bass because they are not included in the Snapper-Grouper FMP.

Amendment 11 to the Snapper-Grouper FMP (Amendment 11) specified the overfished SDC in 1999. The black sea bass stock is overfished if the stock is less than the MSST, where  $MSST = \max(0.5, 1-M) * SSB_{MSY}$ , where M is the natural mortality rate. Alternatively, Amendment 11 specified that a proxy based on  $SSB_{30\%}$  spawning potential ratio (SPR) can be used to determine the overfished status. Amendment 18A to the Snapper-Grouper FMP updated the overfishing SDC in 2012. In years when the stock is assessed, the stock is subject to overfishing if F is greater than the MFMT, where  $MFMT = F_{MSY}$ . In non-assessment years, the stock is subject to overfishing if landings exceed the overfishing limit. Alternatively, a  $F_{MSY}$  proxy based on  $F_{30\%SPR}$  can be used to determine overfishing status, consistent with the MFMT specified in Amendment 11. However, because of the aforementioned SSC recommendations relating to



SEDAR 76, the values from the assessment are inappropriate for evaluating stock status using the existing criteria implemented via Amendment 11.

Scenario D in the [Procedural Guidance for Changing Assessed Stock Status from Known to Unknown](#) specifies that when a new stock assessment deviates from the SDC specified in the FMP and is determined to be BSIA, the agency will maintain the last known stock status based on SDC contained in the FMP until the Council adopts the new SDC into the FMP. NOAA Fisheries will provide a footnote in the stock status table explaining the rationale for the reported status, noting the more recent assessment results will be reported upon incorporation of any new SDC into the FMP. If the new SDC are adopted by the Council and approved by the Secretary of Commerce, a decision memo from the Assistant Administrator for Fisheries would be developed to document the rationale for the change in the black sea bass stock status determinations. Afterwards, a letter would be sent to the Council regarding the change in stock status of black sea bass. This change in status would be reflected in the Report to Congress.

The SSC-recommended reference points based on  $F_{40\%}$  and  $SSB_{40\%}$  represent BSIA. The stock would not be subject to overfishing but would be overfished based on these proxies. However, since these reference points are not included in the SDC as defined in the FMP, the Council should expeditiously amend the FMP to enable appropriate stock status reporting based on the use of 40% SPR MSY-based proxies as part of the SDC. Currently, the only allowable proxy is 30% SPR.

#### Next Steps

NOAA Fisheries will continue to list the black sea bass stock status as not overfished and not subject to overfishing in the Report to Congress, based on results of SEDAR 56, which was completed in 2018. However, NOAA Fisheries will provide a footnote in the stock status table explaining the rationale for the reported status and note the more recent assessment results from SEDAR 76. Results from SEDAR 76 and the SSC illustrate the poor condition of the black sea bass stock, and the need for the Council to take action. Since 2010, stock abundance has sharply declined as a result of lower than average recruitment. It is expected that stock biomass will continue to decline if recruitment remains low. As such, the Council should develop measures to improve stock health and develop a plan to rebuild the black sea bass stock. Also, the Council should consider adopting new SDC so stock status can be reported based on BSIA. Specifically, the Council should consider incorporating flexibility into the FMP for specifying status determination criteria for black sea bass and other snapper-grouper species. By allowing the use of proxies for SDC based on SSC recommendations, delays would be avoided on the adoption stock status determinations from stock assessments that are based on BSIA.

Sincerely,

Andrew J. Strelcheck  
Regional Administrator

Cc: F/SEC – Clay Porch

F/SER2 – Jack McGovern  
F/SER25 – Rick DeVictor, Caroline Potter  
SAFMC – John Carmichael