



## Joint MAFMC/ASMFC Webinar

Wednesday, May 6, 2020

The Mid-Atlantic Fishery Management Council (MAFMC) will meet jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Bluefish Management Board and Summer Flounder, Scup, and Black Sea Bass Management Board on May 6, 2020. This meeting will be conducted by webinar.

**Meeting Materials:** MAFMC materials for the joint portion of the meeting will be posted at <https://www.mafmc.org/briefing/may-2020>. Additional meeting details may be posted on the ASMFC's website at <http://www.asmfc.org/home/2020-spring-meeting-webinar>.

**Webinar Registration:** Participants and attendees can register for the May 6<sup>th</sup> webinar at <https://attendee.gotowebinar.com/register/6204543422027821581> (Webinar ID: 918-539-707). **IMPORTANT:** When registering, Council members should place two zeros (00) prior to their names (e.g., 00John Doe). For the best sound quality, we recommend you get a headset (any headphones with a microphone should work, such as headphones you use with your phone). Detailed instructions on joining and participating in the webinar can be found at [http://www.asmfc.org/files/Meetings/2020SpringMeeting/Webinar\\_Instructions.pdf](http://www.asmfc.org/files/Meetings/2020SpringMeeting/Webinar_Instructions.pdf).

**Listen-Only Access:** For those who will not be joining the webinar but would like to listen in to the audio portion only, you can do so by dialing 562.247.8422 (access code: 839-924-158).

**Contact:** This webinar will be hosted by the ASMFC. If you are having issues with the webinar (connecting to or audio related issues), please contact Chris Jacobs at 703.842.0790.

### Agenda

- 10:00 a.m. – 12:00 p.m.      ASMFC Bluefish Management Board and MAFMC (Tab 1)**
1. Welcome/Call to Order (C. Batsavage/M. Luisi)
  2. Board Consent
  3. Review Public Comment Summary on Bluefish Allocation and Rebuilding Amendment Public Information and Scoping Document (D. Colson Leaning, M. Seeley)
    - Public Comment Summary
    - Fishery Management Action Team (FMAT) Report
  4. Provide Guidance to the FMAT on Bluefish Allocation and Rebuilding Draft Amendment (C. Batsavage, M. Luisi) **Possible Action**
  5. Other Business
  6. Public Comment
  7. Adjourn
- 12:00 p.m. – 1:00 p.m.      Lunch**

**1:15 p.m. – 3:15 p.m.**

**ASMFC Summer Flounder, Scup, and Black Sea Bass Management Board and MAFMC (Tab 2)**

1. Welcome/Call to Order (A. Nowalsky, ASMFC/M. Luisi, MAFMC)
2. Board Consent
3. Review Public Comment Summary on Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment Public Information and Scoping Document (D. Colson Leaning/K. Coutre)
  - Public Comment Summary
  - Advisory Panel Report
  - FMAT Report
4. Provide Guidance to the FMAT on Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Draft Amendment (A. Nowalsky/M. Luisi) **Possible Action**
5. Other Business
6. Public Comment
7. Adjourn

The above agenda items may not be taken in the order in which they appear and are subject to change as necessary. Other items may be added, but the Council cannot take action on such items even if the item requires emergency action without additional public notice. Non-emergency matters not contained in this agenda may come before the Council and / or its Committees for discussion, but these matters may not be the subject of formal Council or Committee action during this meeting. Council and Committee actions will be restricted to the issues specifically listed in this agenda. Any issues requiring emergency action under section 305(c) of the Magnuson-Stevens Act that arise after publication of the Federal Register Notice for this meeting may be acted upon provided that the public has been notified of the Council's intent to take final action to address the emergency. The meeting may be closed to discuss employment or other internal administrative matters.



**Mid-Atlantic Fishery Management Council**  
800 North State Street, Suite 201, Dover, DE 19901  
Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org  
Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman  
Christopher M. Moore, Ph.D., Executive Director

## MEMORANDUM

**Date:** April 21, 2020  
**To:** Council and Board  
**From:** Matthew Seeley, Council staff  
**Subject:** Bluefish Allocation and Rebuilding Amendment – Scoping Summary

The Council and Board are developing an amendment to address several issues in the bluefish fishery. The Council and Board held an initial round of scoping hearings in June and July 2018. However, because of the change in stock status, the availability of re-calibrated Marine Recreational Information Program estimates, and the issue of rebuilding being added to the amendment during the October 2019 meeting, the Council conducted supplemental scoping hearings to ask for additional public comment. The Council and Board will review the scoping comment summary document for bluefish as well as the comments and recommendations from the bluefish Fishery Management Action Team (FMAT) on Wednesday, May 6, 2020.

The following briefing materials are enclosed on this topic:

- 1) Cover memo
- 2) FMAT Meeting Summary – Dated April 20, 2020
- 3) Scoping Comment Summary Document – Dated March 2020
- 4) Updated Action Plan – Dated April 2020

Note: The FMAT is requesting the Council/Board offer comments and suggestions to advise on next steps (i.e. drafting alternatives). Specific questions and concerns addressed to the Council/Board are presented in the FMAT summary. The FMAT did recommend that rebuilding options be removed from the Amendment. However, after further review, staff recommends that rebuilding alternatives be included because similar analyses are necessary for other issues within this action, i.e. there are efficiencies associated with keeping the alternatives together. It is important to note that if we determine at a later date that the Amendment with rebuilding could not be completed by the two-year deadline, staff would recommend separation of the rebuilding alternatives from the Amendment and development of a framework action to rebuild the bluefish stock through a separate action.



## **Bluefish FMAT Meeting Bluefish Allocation and Rebuilding Amendment – Webinar Meeting Summary**

**April 2020**

The Bluefish Fishery Management Action Team (FMAT) met on Monday, April 13, 2020 to discuss developments of the Bluefish Allocation and Rebuilding Amendment. This was the first meeting following the supplemental scoping period and discussions at the December 2019 joint Council and Atlantic States Marine Fisheries Commission (ASMFC or Board) meeting.

**FMAT members present:** Ashleigh McCord (GARFO), Cynthia Ferrio (GARFO), Dave Stevenson (GARFO), Matt Cutler (NEFSC), Samantha Werner (NEFSC), Tony Wood (NEFSC), Mike Celestino (NJ DFW), Dustin Colson Leaning (ASMFC Staff), and Matthew Seeley (MAFMC Staff)

**Others present:** Greg DiDomenico (GSSA), Mike Waine (ASA), and Jose Montanez (MAFMC Staff)

### **Discussion**

The FMAT received a presentation on the current status of the Bluefish Allocation and Rebuilding Amendment (Amendment), the scoping comment summary, initial draft alternatives for each issue, and next steps. Following the presentation, the FMAT discussed scoping comments and developed recommendations on the scope of issues to be included in the Amendment. Additionally, the FMAT made recommendations on how to approach developing draft alternatives for each amendment issue.

The following comments and suggestions will inform Amendment development and guide updates to the FMAT Action Plan. The FMAT will pursue drafting alternatives for each amendment issue for approval at the joint June Council/Board meeting. The FMAT spent substantial time discussing how many alternatives should be developed per issue. The FMAT was in consensus that a single alternative for Issue 1 was reasonable but was more conflicted about the remaining issues. The FMAT does not want to develop an unwieldy number of options, however, some issues contain important decision points that could be either resolved to one alternative through FMAT discussions or split into multiple alternatives. Ultimately, stakeholders will have the ability to add, refine, and subtract alternatives, and the FMAT welcomes any guidance the Council/Board might provide.

**FMAT Requested Input – Staff Questions** (Summary of FMAT requested input on each issue, approach, recommendation, and the associated questions).

Issue	Approach	FMAT Recommendation	Staff Questions
1. Fishery Management Plan Goals and Objectives	Revise vs. status quo	Revise (proposed revisions provided in FMAT summary)	Is there an important aspect of the fishery not currently captured by the suggested goals and objectives? Should an objective be removed entirely? Any other recommended revisions?
2. Commercial and Recreational Sector Allocations	Catch versus landings-based allocations	Recommend <i>catch based allocations</i> ; captures the catch-and release aspect of the recreational fishery.	Should both catch and landings-based allocations be further developed?
	Revised percentages based on different data or time series	Keep for further consideration; FMAT recommends using time series of minimum 10 years to capture cyclical nature of fishery.	Which time series should be considered? What other approaches should be developed for consideration? <ul style="list-style-type: none"> <li>• Revised time series</li> <li>• Trigger-based</li> <li>• Socioeconomic</li> </ul>
	Discards	NEFSC-calculated or MRIP.	What approach should be taken when calculating recreational and commercial discards?
3. Commercial Allocations to the States	Catch versus landings-based allocations	Recommend <i>landings-based allocations</i> ; <b>commercial discards are considered negligible</b> . Concerns regarding consistency.	Should both catch and landings-based allocations be further developed?
	Revised percentages based on different data or time series	FMAT recommends updating allocations due to several states consistently underutilizing their quota; longer timeframe recommended.	Which time series should be considered?

4. Quota Transfer Processes	Recreational to commercial transfer	Keep for further development; successful development of new allocations will reduce the need for transfers. Consider provisions that allow transfers in either direction.	Should the ability to transfer from the commercial to the recreational sector also be considered?
	Commercial state-to-state transfer	Keep for further development	Should commercial state-to-state transfers remain in the plan as an option?
5. Rebuilding Plan	5 rebuilding projections listed in Issue 5.	FMAT recommends removal of the rebuilding from the amendment and submitting the plan in a framework/addenda.	Should the rebuilding plan be removed from the amendment? If not, are additional projections needed?
6. Other Issues			
6.1 Sector specific management uncertainty	Sector specific management uncertainty	Keep for further development	Should a policy change be considered for further analysis?
6.2 Recreational sector separation	Separate allocations to for-hire vs. private sectors	FMAT requested further guidance from Council/Board as to which approach should be adopted.	What data should be used? Catch versus landings allocation?
	Separate management measures for for-hire vs. private sectors		Should a policy change (allowance) be considered for further analysis?
	Discards	NEFSC-calculated or MRIP.	What approach should be taken when calculating recreational discards?

## **FMAT Comments/Suggestions on the Scope of Issues for Amendment Development**

### ***Issue 1: Fishery Management Plan (FMP) Goals and Objectives***

The FMAT plans to present the Council/Board with two options for the FMP Goals and Objectives: 1) Status quo/No action and 2) the draft option below with multiple opportunities to revise as needed. Immediately following the proposed FMP Goals and Objectives below are additional comments and recommendations from the FMAT on how to further refine the list.

## **Old Bluefish FMP Goals and Objectives**

**Goal:** Conserve the bluefish resource along the Atlantic coast.

1. Objective: Increase understanding of the stock and of the fishery.
2. Objective: Provide the highest availability of bluefish to U.S. fishermen while maintaining, within limits, traditional uses of bluefish.
3. Objective: Provide for cooperation among the coastal states, the various regional marine fishery management councils, and federal agencies involved along the coast to enhance the management of bluefish throughout its range.
4. Objective: Prevent recruitment overfishing.
5. Objective: Reduce the waste in both the commercial and recreational fisheries.

## **Proposed Draft Bluefish FMP Goals and Objectives**

**Goal:** Conserve the bluefish resource through stakeholder engagement to maintain sustainable recreational fishing and commercial harvest.

1. Ensure the biological sustainability of the bluefish resource in order to maintain a sustainable bluefish fishery.
  - a. Achieve and maintain a sustainable spawning stock biomass and rate of fishing mortality.
  - b. Promote catch and release within the recreational fishery.
2. Maintain effective coordination between the National Marine Fisheries Service, Council, Commission, and member states to support the development and implementation of management measures.
  - a. Promote compliance and effective enforcement of regulations.
  - b. Promote science, monitoring, and data collection that support and enhance effective ecosystem-based management of the bluefish resource under changing environmental conditions.
3. Provide access to the fishery throughout the management unit that reflects constituent preferences.
4. Balance the needs and priorities of different user groups and optimize economic and social benefits from utilization of the bluefish resource.

or

**Goal 1.** Conserve the bluefish resource through stakeholder engagement to maintain sustainable recreational fishing and commercial harvest.

1. Ensure the biological sustainability of the bluefish resource in order to maintain a sustainable bluefish fishery.
  - a) Achieve and maintain a sustainable spawning stock biomass and rate of fishing mortality.
  - b) Promote catch and release within the recreational fishery.

2. Maintain effective coordination between the National Marine Fisheries Service, Council, Commission, and member states to support the development and implementation of management measures.
  - a) Promote compliance and effective enforcement of regulations.
  - b) Promote science, monitoring, and data collection that support and enhance effective ecosystem-based management of the bluefish resource under changing environmental conditions.

**Goal 2.** Provide access to the fishery throughout the management unit that reflects constituent preferences.

**Goal 3.** Balance the needs and priorities of different user groups and optimize economic and social benefits from utilization of the bluefish resource.

- The FMAT would like to receive feedback from the Council/Board on the structure of the FMP Goals and Objectives. Is the current layout of one goal followed by multiple objectives and sub-objectives (or strategies) appropriate?
  - Several FMAT members agreed that the goals should be overarching statements, and objectives and sub-objectives should be specific to how the goals will be achieved.
  - FMAT members were concerned that the sub-objectives are too prescriptive. The sub-objectives should not constrain management to a narrow set of policy options.
- The FMAT will continue to refine the FMP Goal and Objectives once we receive input from the Council and Board.
- Do the objectives adequately embody the overarching goal of “conservation”?
- Under objective 4, the FMAT tried to encompass all user groups from the snapper/bait anglers to the offshore party/charter fleets.
- Objectives 3 and 4 are very similar. The FMAT should consider revising Objective 3 to be a sub-objective or strategy under objective 4.

### ***Issue 2: Commercial and Recreational Sector Allocations***

The FMAT discussed whether allocations should be landings or catch-based and what time series should be used. The current allocations set in Amendment 1 are landings-based and use data from 1981-1989. The FMAT offered the following comments and recommendations:

- The FMAT discussed switching to catch-based landings since the fishery is dominated by the recreational sector.
  1. Identify why landings were initially used and clarify if there are data quality issues.
  2. Communicate which data sources are used for the commercial allocations (landings vs. catch which is subject to change depending on what method is used i.e., CFDEERS to VTR) and recreational allocations (landings vs. catch (both MRIP).
  3. Consider the opportunity costs and possible data consequences of switching from landings to catch data.



- *The FMAT noted that there is still no set approach to how recreational discards are estimated – NEFSC-calculated and MRIP.*
- Many anglers view bluefish as a catch and release species, so incorporating discards into the allocation calculation will capture the recreational nature of the fishery.
- According to the most recent operational stock assessment, commercial discards are considered negligible in the bluefish fishery.
- A lot of fishing goes unaccounted when setting landings-based allocations.
  - Many anglers prefer some aspect of catch-and-release and do not want released fish transferred to the commercial sector.
- Dead discards are counted against the overall quota, so the FMAT discussed including them in the allocation calculations.
- Use the calibrated MRIP estimates to update the recreational time series (Table 1).
  - Generate the same allocation tables in the scoping presentation, but with catch data instead of landings.
  - Use a timeseries including the most recent 10 years (2009-2018) of data.
  - Use a timeseries including the most recent 20 years (1999-2018) of data.
    - Bluefish seem to have cyclical life history patterns, so the FMAT recommends using time series with a minimum of 10 years to capture the shifts in catch (reflecting distribution and availability) over a longer time period.
- The FMAT discussed identifying a standard methodology for how recreational discards are calculated. The standard methodology should be used for both monitoring the fishery as well as in the stock assessment and not revised each year as it has been in recent years.
  - Assessment Scientist: There are challenges in determining what the recreational discard mortality rates are. The Northeast Fisheries Science Center method for calculating discards was accepted through the benchmark stock assessment process but were not ultimately used in management.
- The FMAT recommends commercial discards continue to be considered insignificant. Commercial discards are calculated using the standardized bycatch reporting methodology. These discards still remain insignificant from the last benchmark stock assessment.
  - Assessment Scientist: Since commercial discards are so small relative to the other catch components, the FMAT recommends the common approach of assuming 100% discard mortality.

**Table 1. Landings-based sector allocations.**

<b>Avg Time Series</b>	<b>Amend 1 1981-1989</b>	<b>38 years 1981-2018</b>	<b>20 years 1999-2018</b>	<b>10 years 2009-2018</b>	<b>5 years 2014-2018</b>	<b>3 years 2016-2018</b>	<b>1 year 2018</b>
Recreational	89.73%	86.73%	84.95%	87.26%	86.97%	87.23%	85.76%
Commercial	10.27%	13.27%	15.05%	12.74%	13.03%	12.77%	14.24%

### *Issue 3: Commercial Allocations to the States*

The FMAT's discussion on the commercial allocations to the states focused on the decisions regarding the use of landings or catch-based data and selecting the appropriate time series. The current allocations set in Amendment 1 are landings-based and use data from 1981-1989. The FMAT also acknowledged that this issue needs to be considered along with the transfer provisions that allow for commercial state-to state transfers. The FMAT offered the following comments and recommendations:

- The FMAT discussed maintaining using landings-based data to set the commercial allocations to the states.
  1. Identify why landings were initially used and clarify if there are data quality issues.
  2. Communicate which data sources are used for the commercial allocations (landings vs. catch which is subject to change depending on what method is used i.e., CFDEERS to VTR) and recreational allocations (landings vs. catch (both MRIP).
  3. Consider the opportunity costs and possible data consequences of switching from landings to catch data.
    - Discards are negligible and difficult to estimate in the commercial fishery.
    - Develop alternatives using an updated time series since northern states often exceed their own commercial quota (prior to transfers) and species distribution/availability has shifted in the last three decades (Table 2).
      - Use a timeseries including the most recent 10 years (2009-2018) of data.
      - Use a timeseries including the most recent 20 years (1999-2018) of data.
        - The longer time series ensures historical participation is considered when setting allocations.
        - Bluefish seem to have cyclical life history patterns, so the FMAT recommends using time series with a minimum of 10 years to capture the shifts in catch/landings over a longer time period.
        - The FMAT noted the two allocation issues do not have to have the same time series alternatives (i.e. Allocations for Issue 2 can be catch-based while allocations for Issue 3 can be landings-based). However, clear justification needs to be provided for each allocation decision.
    - Use the state-to-state transfer table in the scoping document as an indicator for how the allocations should change.
      - A representative from the commercial industry drew issue with this suggestion. He thought that it was a dangerous precedent to set, which would incentive states to avoid transfers in the future knowing that allocation decisions are made based on quota transfers.
  - Commercial discards are trivial at the scale of the entire fishery and the FMAT lacks confidence in the accuracy of commercial discard estimates. The FMAT recommends a landings-based approach be taken for setting commercial allocations to the states.
    - While commercial discards are trivial at the scale of the entire fishery, it is presently unknown whether they are trivial at the scale of the commercial fishery,

or whether they can be estimated at the state-specific level. The FMAT has identified this as an area of further investigation.

**Table 2. Landings-based commercial state-to-state allocations.**

<b>State</b>	<b>1994-2018 Avg 25 years</b>	<b>1999-2018 Avg 20 years</b>	<b>2009-2018 Avg 10 years</b>	<b>2014-2018 Avg 5 years</b>	<b>2016-2018 Avg 3 years</b>	<b>2018 Avg 2018</b>
ME	0.09%	0.01%	0.01%	0.00%	0.00%	0.00%
NH	0.66%	0.18%	0.13%	0.04%	0.00%	0.00%
MA	8.74%	8.11%	10.80%	11.25%	10.44%	8.87%
RI	9.20%	8.67%	10.25%	12.49%	13.26%	10.76%
CT	0.97%	0.80%	1.08%	1.22%	1.56%	2.19%
NY	21.53%	20.91%	21.18%	21.45%	21.29%	24.48%
NJ	17.55%	16.26%	14.82%	11.87%	10.14%	2.55%
DE	0.49%	0.40%	0.39%	0.63%	0.33%	0.29%
MD	1.72%	1.63%	1.88%	1.66%	1.34%	1.24%
VA	7.74%	6.95%	5.88%	5.06%	5.16%	4.66%
NC	34.19%	34.43%	29.73%	29.51%	30.35%	34.75%
GA	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
FL	2.99%	3.04%	3.90%	4.84%	6.11%	10.21%
Total	105.85%	101.39%	100.03%	100.02%	100.00%	100.00%

#### ***Issue 4: Quota Transfer Processes***

##### *Recreational to Commercial Transfers*

- The successful development of sector allocations that adequately reflect recent fishing trends will reduce the need for sector transfers.
- The transfer provisions are a very useful tool for adaptive management.
  - If the ability to transfer quota across sectors are removed from the FMP, ensure it is added as a frameworkable action that can be included again in the future.
- Many anglers prefer some aspect of catch-and-release and do not want released fish transferred to the commercial sector.
- The FMAT requests guidance from the Council and Board on whether additional modifications to the transfer process should be considered. As it currently stands, the alternatives may be: “status quo” and “remove the provisions”.
  - Additional modifications may include: 1.) Guidance under what conditions transfers may occur, 2.) The upper limit bound of the transfer (currently up to 10.5 million lbs), and 3.) Guidance on potential to transfer quota from the commercial to recreational sector.
    - From 2009-2018, on average, ~4.6 million pounds of quota has been transferred from the recreational to commercial sector per year. Furthermore, on average, only 17.4% of the transfer was used per year.

### *Commercial State-to-State Transfers*

- The successful development of commercial allocations to the states that reflect recent fishing trends will lead to fewer transfers in the short-term. Yet, transfers will likely be utilized in the long-term because bluefish are a dynamic stock that experience frequent changes in regional distribution and abundance.
- The transfer provisions are a very useful tool for adaptive management.
  - If the ability to transfer quota across states are removed from the FMP, ensure it is added as a frameworkable action that can be included again in the future.
- Each state's quota increases proportionally when quota is transferred across sectors, so the sector-based transfer supplements the state-to-state transfers.

### *Issue 5: Rebuilding Plan*

- The Bluefish Rebuilding Plan needs to be completed by November 2021 (two years after notification). The FMAT discussed whether the rebuilding plan should be removed from the Amendment, as it would offer more time to develop/conduct the necessary alternatives and analyses for the other issues in the Amendment.
  - The FMAT noted that the rebuilding plan may rush amendment development and not leave enough time to sufficiently develop all alternatives.
  - The FMAT supports removing rebuilding to allow more time for the rest of the Amendment.
- The review of scoping comments suggest that fishing pressure caused the change in stock status.
  - The FMAT suggests that fishing is probably not the driver of this stock shift.
    - Changes in the data caused this disruption – the model needs to settle and then things may change over the next few years.
- Projections to run:
  - Catch in 2020 and 2021 of 7,385 with a rebuilding  $f$  that rebuilds the stock in 10 years – constant rebuilding  $f$ 
    - Requires a modification to the Council risk policy because the catches will most likely exceed the catches associated with the  $p^*$  approach.
  - Catch in 2020 and 2021 of 7,385 with a rebuilding  $f$  that rebuilds in 7 years – constant rebuilding  $f$ 
    - Requires a modification to the Council risk policy because the catches will most likely exceed the catches associated with the  $p^*$  approach.
  - Constant harvest strategy that will allow the fishery to be rebuilt in 10 years – highest catch possible equal across all years
  - Run  $p^*$  with catch in 2020 and 2021 of 7,385 until the stock is rebuilt – 100% CV (use the new  $p^*$  approach)
  - Constant harvest of the 7,385 ABC that rebuilds in 4-5 years

### *Issue 6: Other*

- Many of the “other” comments discussed were related to actions that can be addressed through specifications (e.g., regulations with minimum sizes).

- The FMAT recommends the Council/Board offer guidance on sector-specific management uncertainty. Management uncertainty falls under “ABC=ACL” in the flow chart. The Council/Board indicated at a previous meeting that they may want to add a management uncertainty box that can be applied to the recreational and commercial sector, separately.
  - There is no standard across all management groups on how recreational discard projections are estimated, which leads to very different discard projections. The Monitoring Committee (and/or Council/Board) has expressed interest, especially in the most recent specification cycle, in a more targeted sector approach when making recommendations concerning management uncertainty. As it currently stands, any concerns regarding recreational management measures may only be addressed by increasing management uncertainty for both sectors. This has the negative consequence of unjustifiably affecting commercial quotas (Figure 1).
- The FMAT discussed for-hire sector-separation/allowance and requests further discussion and direction from the Council/Board.
  - Some members of the public have asked for for-hire sector separation in the form of a sub-ACL allocation. Others have requested a “for-hire allowance”, which would allow the for-hire sector to maintain separate measures from the recreational fishery without a separate allocation.
  - The FMAT indicated that using a recent time series to estimate a for-hire “allocation” will result in an allocation of less than ~3%.

**Table 3. Summary of landings and catch representing for-hire sector separation/allowance using MRIP calibrated estimates.**

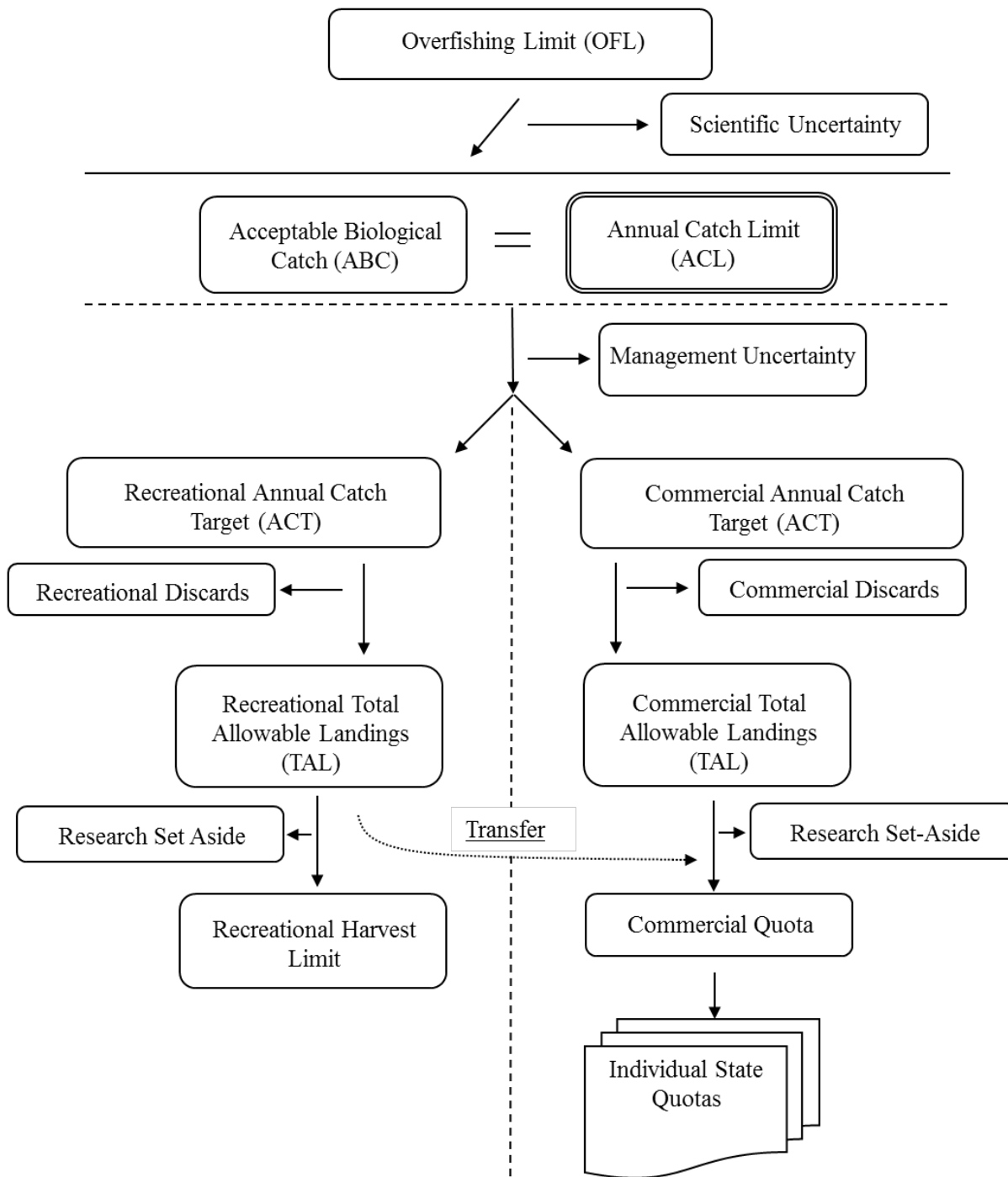
**Landings: A+B1**

<b>Bluefish Time Series</b>	<b>Years</b>	<b>Private/Shore %</b>	<b>For-Hire %</b>
Base Years	1981-1989	86%	14%
5 Most Recent Years	2014-2018	99%	1%
10 Most Recent Years	2009-2018	98%	2%
15 Most Recent Years	2004-2018	98%	2%

**Catch: A+B1+B2**

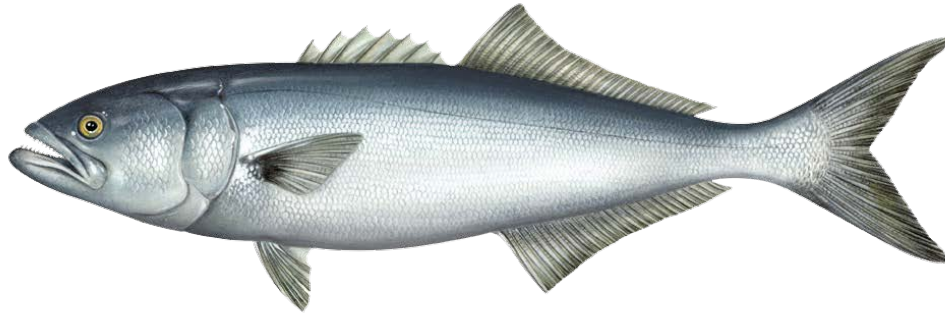
<b>Bluefish Time Series</b>	<b>Years</b>	<b>Private/Shore %</b>	<b>For-Hire %</b>
Base Years	1981-1989	87%	13%
5 Most Recent Years	2014-2018	98%	2%
10 Most Recent Years	2009-2018	98%	2%
15 Most Recent Years	2004-2018	98%	2%

## Atlantic Bluefish Flowchart



**Figure 1. Bluefish flowchart detailing specifications and management measures.**

# Bluefish Allocation and Rebuilding Amendment Scoping Comments Summary



March 2020

Prepared by the Mid-Atlantic Fishery Management Council  
(MAFMC or Council) and the Atlantic States Marine Fisheries  
Commission (ASMFC or Commission)



# TABLE OF CONTENTS

<b>1</b>	<b>Introduction and Comment Summary</b>	<b>2</b>
1.1	Scoping Overview	2
1.2	Summary of Comments	4
1.3	Summary of Public Scoping Hearings	7
<b>2</b>	<b>Scoping Hearing Summaries</b>	<b>11</b>
2.1	Buzzards Bay, MA	11
2.2	Toms River, NJ	13
2.3	Dover, DE	15
2.4	Berlin, MD	17
2.5	Narragansett, RI	18
2.6	Old Lyme, CT	20
2.7	Morehead City, NC	21
2.8	Stony Brook, NY	23
2.9	Merritt Island, FL	26
2.10	Fort Monroe, VA	26
2.11	Internet Webinar	28
<b>3</b>	<b>Written Comments</b>	<b>30</b>

## 1 INTRODUCTION AND COMMENT SUMMARY

### 1.1 SCOPING OVERVIEW

The Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission have proposed to develop a Bluefish Allocation and Rebuilding Amendment. This amendment was initiated in order to review/revise the FMP goals and objectives, commercial/recreational allocations, commercial allocations to the states, the quota transfer processes, develop a rebuilding plan, and any other issues. Additional information and amendment documents are available at: <https://www.mafmc.org/actions/bluefish-allocation-amendment>.

The supplemental scoping process commenced from publication in the Federal Register on February 6, 2020 and continued through March 17, 2020 and included eleven public scoping hearings held from Massachusetts through Florida (Table 1). Scoping is the process of identifying issues, potential impacts, and reasonable alternatives associated with a particular management issue. It provides the first and best opportunity for the public to make suggestions or to raise issues and concerns before development of an amendment begins. No alternatives are set during the scoping process.



**Table 1: Scoping hearing schedule.**

<b>Date</b>	<b>Time</b>	<b>Address</b>
<b>February 13, 2020</b>	7:30-9:00 PM	Massachusetts Maritime Academy, Admiral's Hall, 101 Academy Drive, Buzzards Bay, MA 02532
<b>February 18, 2020</b>	6:00-8:00 PM	Ocean County Administration Building, Room 119, 101 Hooper Avenue, Toms River, New Jersey 08753
<b>February 19, 2020</b>	7:00-8:00 PM	Delaware Dept. of Natural Resources & Environmental Control Auditorium, Richardson & Robbins Building, 89 Kings Highway, Dover, Delaware 19901
<b>February 25, 2020</b>	4:45-6:00 PM	Berlin Library, 13 Harrison Ave. Berlin, MD 21811
<b>February 26, 2020</b>	7:30-9:00 PM	Rhode Island Division of Marine Fisheries, University of Rhode Island Bay Campus, Corless Auditorium, South Ferry Road, Narragansett, Rhode Island 02882
<b>February 26, 2020</b>	8:00-9:00 PM	Connecticut Department of Energy and Environmental Protection Marine Headquarters Boating Education Center (Rear Building), 333 Ferry Road, Old Lyme, CT 06371
<b>February 27, 2020</b>	6:00-7:30 PM	NC Division of Marine Fisheries Central District Office, 5285 Highway 70 West, Morehead City, North Carolina 28557
<b>February 27, 2020</b>	7:30-9:00 PM	Stony Brook University, School of Marine and Atmospheric Sciences (SOMAS), Room 120 Endeavour Hall; Stony Brook, NY 11794
<b>March 2, 2020</b>	6:00-8:00 PM	Merritt Island Service Center Complex, 2575 N. Courtenay Pkwy #205, Merritt Island, FL 32953
<b>March 2, 2020</b>	6:00-7:00 PM	Virginia Marine Resources Commission, 380 Fenwick Road Bldg 96 Fort Monroe, VA 23651
<b>March 4, 2020</b>	6:00-7:30 PM	<b>Internet webinar:</b> <a href="http://mafmc.adobeconnect.com/bf_allocation_rebuilding_scoping/">http://mafmc.adobeconnect.com/bf_allocation_rebuilding_scoping/</a> For audio-only access, dial 800-832-0736 and enter room number 5068609.

## 1.2 SUMMARY OF COMMENTS

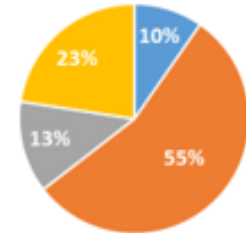
This document summarizes the major themes of written and hearing comments (section 1), in addition to providing detailed scoping hearing summaries (section 2) and copies of all written comments received (section 3). Attendance across all hearings exceeded 208 individuals. Of the 208+ people, 75 individuals provided a total of 132 comments on the issues representing individuals and organizations from almost all states that had a hearing. A total of 141 written comments by 84 individuals were received via email, hand delivered, or mail on a variety of issues.

Table 2 summarizes major themes of the comments, with the corresponding number of comments received on each issue. This list reflects the most commonly raised themes for each general issue, and does not reflect all issues raised in the written comments. See section 3 for the full text of written comments.

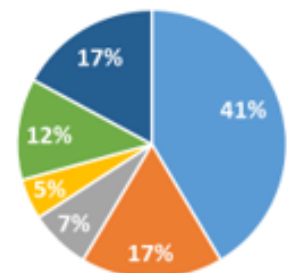
Comments were received on all six issues, however, the most frequently discussed issues (as summarized in Table 2) were “other issues”, followed by the rebuilding plan, the quota transfer processes, the commercial and recreational allocations, the FMP goals and objectives, and the commercial allocations to the states. Trends identified within the comments pertaining to “other issues” are presented in Table 3. For the rebuilding plan, more comments supported a longer plan (up to ten years) rather than being as short as possible. Many individuals reasoned that a longer-term plan would be less disruptive to the current recreational measures than a short rebuilding plan. The public’s view of the transfer of quota from the recreational to the commercial sector was split. The majority of comments coming from the commercial sector approved of the process and the majority of comments coming from the recreational sector opposed it. Most people support state-to-state transfers and appreciate the ability to move quota, but many individuals stated they do not want to see this occur during the rebuilding plan. For sector allocations, many individuals support status quo or utilizing an updated time series. Most individuals would like to see the FMP goals and objectives revised to include an emphasis on environmental conditions and the importance of the snapper fishery. For commercial allocations to the states, comments were split between status quo and adjusting with an updated time series, but most of the northern states indicated they would like to see an increase in their quota (or at least no decrease).

**Table 2: Summary of major written comment themes and number of comments received. Because most commenters addressed multiple issues, numbers do not add to total number of submitted written comments. Note: The percentages in the pie charts may not equal 100% due to rounding.**

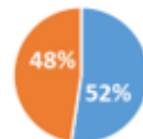
Issue 1: FMP Goals and Objectives	Number of comments
Supports status quo	3
Goals and objectives should be re-evaluated and/or revised	17
Supports maintaining one or more of the current objectives	4
Bait/Snapper fishery is important	7



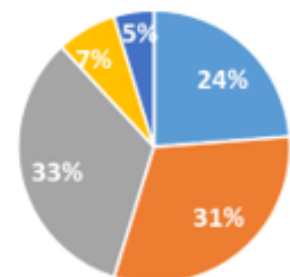
Issue 2: Commercial/Recreational Allocation	Number of comments
Supports status quo	17
Increase commercial allocation	7
Decrease commercial allocation	3
Increase recreational allocation	2
Decrease recreational allocation	0
Use revised MRIP to update allocations/revise time series	5
New allocation suggestion	7



Issue 3: Commercial Allocations to the States	Number of comments
Supports status quo	11
Alter commercial allocations to the states	10

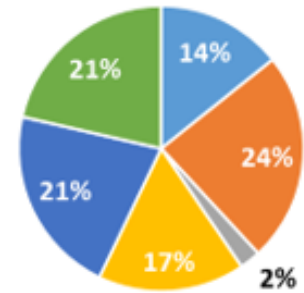


Issue 4: Quota Transfer Processes	Number of comments
Supports status quo transfer from recreational to commercial sector	10
Do not allow transfer from recreational to commercial sector	13
Supports status quo state-to-state transfers	14
Do not allow state-to-state transfers	3
New transfer suggestion	2

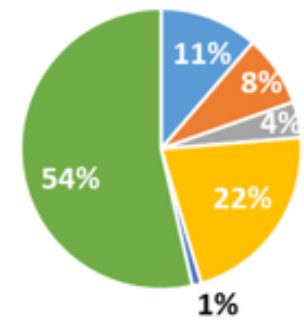


**Table 3 Continued.**

Issue 5: Rebuilding Plan	Number of comments
Stock should be rebuilt quickly	6
Stock should be rebuilt within a long time frame with minimal change to management measures	10
Supports constant harvest under the current ABC	1
Stock is affected by environment/further research is needed	7
Doubts the overfished status/stock status cyclical	9
Other	9



Issue 6: Other Issues	Number of comments
For-hire sector separation or allowance	11
Doubts MRIP data/greater transparency needed	8
Status quo bag limit	4
Increase bag limit	21
Decrease bag limit	1
Other	52



**Table 3: Examples of comments that were provided by more than one individual under Issue 6-6 (Other Issues – “Other”).**

Issue 6: Other Issues – “Other”
Add a minimum size limit
Identify the intrinsic value of fish left in the water
Emphasize the catch-and-release aspect of the fishery
Maximize abundance
Address the discard mortality assumption rates
Ecosystem based management
More research on stock dynamics needed
Close the fishery until it is rebuilt
Georgia DNR – <i>de minimis</i> request
General observations

### 1.3 SUMMARY OF PUBLIC SCOPING HEARINGS

The following section contains brief summaries of attendance and major comment themes at each of the eleven supplemental public scoping hearings (listed by date). For a more detailed record of hearing comments, see section 2.

#### **Buzzards Bay, MA**

Ten individuals provided public comment out of approximately 30 total attendees (some of the attendees did not plan on coming to the bluefish hearing, but stayed after the fluke, scup, black sea bass hearing). The majority of attendees represented the for-hire sector, but there were also several attendees representing the commercial sector. Many commenters expressed frustration with MRIP, citing a lack of transparency in how the estimates are generated and they doubted the credibility of the estimates. For-hire fishermen were supportive of sector separation, whereby the for-hire sector would obtain its own allocation. All those who commented on the rebuilding plan timeline were supportive of selecting the longest timeframe possible in order to prevent any major changes to recreational measures. A few individuals commented on reassessing the state-by-state commercial allocations and updating the percentages using a more recent timeframe.

#### **Toms River, NJ**

Approximately 20 people (including NJ staff) attended the hearing in Toms River, NJ and 14 provided public comments. In addition to their verbal comments, two fishermen provided written comments to Council staff. The attendees were a mix of recreational for-hire fishermen, private anglers, and commercial fishermen. Of those who offered comments, many spoke in favor of maintaining the current 83/17 allocation between the recreational and commercial sectors, respectively, and do support the quota transfer from recreational to commercial, when available.

Many attendees were concerned about the current recreational bag limit, which was recently reduced to 3 fish for private and shore anglers and 5 fish for for-hire anglers. They are concerned that the bag limit is going to continue to decline in the next few years, especially with the implementation of a rebuilding plan. The for-hire captains are very concerned with the implications these reductions will have on their businesses.

Of the commercial fishermen attendees, many did not want to see the state allocations changed because they are concerned New Jersey's allocation will decline. Support for the state-to-state transfers was split amongst attendees. Some fishermen appreciate the flexibility afforded to states in increasing their quota when needed while others feel that quota should not be shifted around the coast since bluefish migrate throughout the coastal waters.

Most attendees were in support of a 10-year rebuilding plan because it will have less of an impact on commercial quotas and recreational measures. If the rebuilding plan is longer, there is the potential to have higher ABCs. However, most anglers would still like to see improved data collection (in reference to MRIP) utilized in the stock assessments. In turn, this data ultimately drives the development of the rebuilding plan.

#### **Dover, DE**

Approximately 19 people (including staff) attended the hearing in Dover, DE and 7 provided public comments. The attendees were a mix of recreational and commercial fishermen. Of those who offered comments, many spoke in favor of maintaining the current 83/17 allocation between the recreational and commercial sectors, respectively. Individuals generally were in favor of status quo for the commercial allocations to the states because they are concerned that they may lose quota if the allocations are revisited. Additionally, most

attendees continue to support the ability to transfer quota from the recreational to commercial sector and the transfer of commercial quota between states.

Many attendees were concerned about the current recreational bag limit, which was recently reduced to 3 fish for private and shore anglers and 5 fish for for-hire anglers. They are concerned that the bag limit is going to continue to decline in the next few years, especially with the implementation of a rebuilding plan. The for-hire captains are very concerned with the implications these reductions will have on their businesses, especially since the number of for-hire vessels on the DE coast has drastically declined in recent years.

Almost all attendees expressed major concerns with the MRIP estimates and feel they should not be used in setting recreational quotas and management measures.

### **Berlin, MD**

Approximately 17 people (including MD staff) attended the hearing in Berlin, MD and 4 provided public comments. There were representatives from the private recreational, for-hire, and commercial sectors. Much of the initial conversation revolved around the MRIP estimates. Most stakeholders in the room did not support the new estimates and think they should be revised (or different data sets used) prior to reallocating quota within the fishery. Stakeholders also questioned the change in stock status and 200,000 mt target that must be reached through the rebuilding plan.

Many anglers indicated that bluefish are caught mostly as bycatch or for bait. There is not much targeted effort since anglers and commercial fishermen prefer to target other (more palatable and lucrative) species. For allocations, commercial fishermen are concerned with losing quota and recreational anglers supported status quo.

Individuals supported revising the FMP goals and objectives to include the importance of environmental conditions and predation on bluefish stock status. Stakeholders noted that bluefish are no longer found in locations where they were once abundant. Many observed that the fish are moving further offshore and into northern waters.

### **Narragansett, RI**

A total of eight people, including three RIDEM staff members, attended the hearing and four attendees provided public comment. The attendees included three for-hire boat Captains, a commercial gillnetter, and a RI based seafood dealer. The specific comments provided are below.

### **Old Lyme, CT**

Approximately 14 people attended the hearing in Old Lyme, CT and 4 offered comments related to the Allocation and Rebuilding Amendment. The party/charter and commercial sectors were well represented at the hearing. However, they did not want to speak much about allocations or rebuilding because most attendees lacked any support whatsoever for the new MRIP estimates. When discussion occurred, stakeholders agreed that since the commercial allocation is so small and CT is already not meeting it, there is not much reason to revise it. Recreationally, anglers do not want to see changes until more accurate data is used.

Often, discussion went to tangential subjects such as the status of striped bass and tautog, local permitting issues, and interest in changing the reporting methodologies.

Many stakeholders emphasized the lack of bait issues, electronic monitoring, and environmental conditions within the FMP goals and objectives. Additionally, general consensus supported status quo allocations due to the lack of confidence in the MRIP estimates.

### **Morehead City, NC**

The MAFMC/ASMFC Bluefish scoping hearing in Morehead City, North Carolina had minimal attendance. Four members of the public attended as well as four North Carolina Division of Marine Fisheries staff (Chris Batsavage, Alan Bianchi, Sargent Ashley Bishop, and Officer Zach Nelson). The public included one commercial fishery representative and three recreational fishery representatives. However, only two of the attendees spoke.

Most of the initial comments were focused on concerns with the current recreational bag limits and the impacts to North Carolina's fishing piers. There was much discussion that the impact to the piers wasn't accounted for and there was also some concern on the estimates generated by MRIP. Attendees felt that the pier component of the fishery wasn't accurately accounted for in MRIP calculations. Attendees were also concerned about discard mortality from future management that will create a large number of discards negating the impact of trying to reduce fishing pressure to rebuild the stock.

The attendees felt only minor modifications were needed for the goals and objectives. The suggested modifications were to include management flexibility and equitable access to bluefish for all user groups. The commercial representative asked about the objective of gaining a better understanding of the stock status and wondered if we have gained any better insight on the stock since the initial FMP. A recreational representative also noted that he felt that the objective of providing the highest availability of bluefish has not been met.

Attendees felt that the current allocation between the recreational and commercial sectors were adequate and that the ability to transfer quota between sectors should remain in place. They felt there was no need to revisit the commercial allocations to the states as long as the flexibility remained to transfer quota between sectors and between the states when necessary.

Attendees did not really have any input on the rebuilding plan time period. They felt it was hard to make any recommendations or to provide input without seeing what types of management measures would need to be put in place to shorten the time frame of the rebuilding plan.

### **Stony Brook, NY**

Approximately 50 people (including NY staff) attended the hearing in Stony Brook, NY and 12 provided public comments (~20 more offered status quo comments by a show of hands – see the comment summary). In addition to their verbal comments, some stakeholders provided written comments to Council staff. The attendees were a mix of recreational for-hire fishermen, private anglers, commercial fishermen, reporters, staff, and other.

Many individuals spoke in favor of maintaining the current sector and commercial state-to-state allocations, while some were hopeful of seeing increases to NY's commercial quota. There was also support for maintaining the commercial state-to-state transfers because NY often benefits, and other states have the option to approve or disapprove of a transfer request. Most stakeholders support the sector-based transfer because it only occurs if available, however a few individuals did not show support because they view the recreational sector as participating in more of a catch and release fishery. They do not want to see their released fish transferred to the commercial sector.

Most for-hire attendees were concerned about the current recreational bag limit, which was recently reduced to 3 fish for private and shore anglers and 5 fish for for-hire anglers. They are concerned that the bag limit is going to continue to decline in the next few years, especially with the implementation of a rebuilding plan. The for-hire captains are very concerned with the implications these reductions will have on their businesses. Other stakeholders also spoke out on the importance of the Council to consider the socioeconomic impacts associated with reductions in quotas and implementation of management measures.

Recommendations were split amongst stakeholders for the rebuilding plan. Many individuals want to stretch the plan to ten years because it will offer the least negative impacts on fishermen throughout the process (higher quotas). However, others want it as short as possible to get out of the rebuilding phase. Overall, most anglers would still like to see improvements to the data (particularly MRIP) utilized in the stock assessments that are ultimately driving the development of the rebuilding plan.

#### **Merritt Island, FL**

Only 3 people (including staff) attended the hearing in Merritt Island, FL. No verbal comments were offered at the hearing, but attendees noted that written comments will be submitted at a later date. Discussion predominantly revolved around the MRIP estimates and their influence on Florida's overall catch. Then, Florida staff indicated that the allocations should be reviewed and noted that Florida often transfers some of their commercial quota to other states.

#### **Fort Monroe, VA**

Only 3 people (excluding staff) attended the hearing in Fort Monroe, VA and 2 offered comments related to the Allocation and Rebuilding Amendment. Both the recreational and commercial sector were represented.

Some discussion during the hearing revolved around stakeholders' opinions of the new MRIP estimates. However, much of the conversation focused on how bluefish migration patterns and habitat preference has changed over time. Both commenters noted that changes in abundance may be due to climate change and/or food availability.

#### **Internet Webinar**

Approximately 26 people (attendees signed on and off throughout) attended the webinar hearing and 8 provided public comments. In addition to their verbal comments, many stakeholders indicated they will be submitting written comments. The attendees were a mix of recreational for-hire fishermen, private anglers, commercial fishermen, state and federal staff, and other organization representatives.

Discussion started around the lack of confidence stakeholders have in the new MRIP estimates. Many stakeholders are concerned that the Council is going through a rebuilding plan using recreational estimates that are considered inaccurate. However, when commenting on the rebuilding plan, most individuals were in favor of a longer rebuilding plan (10 years) that allows for higher ABCs. Additionally, some stakeholders emphasized they would like to see a dynamic rebuilding plan that offers higher quotas as the stock begins to rebuild.

Many for-hire captains are very concerned with how the reductions associated with the 2020 management measures will affect their businesses.

Of the commercial stakeholders, many noted they do not want to see the state allocations changed because they are concerned that their state's allocation will decline. There was strong support for the state-to-state transfers because it offers an extra opportunity to increase quotas.



There was extensive discussion on the transfers. Most comments supported the sector-based transfer (recreational to commercial). However, stakeholders would like to see if it is possible to have a dynamic transfer allowance that can be transferred back and forth between sectors depending on which sector is actually in need of a transfer.

## 2 SCOPING HEARING SUMMARIES

### 2.1 BUZZARDS BAY, MA

February 13, 2020

<u>Name</u>	<u>Organization/Sector</u>	<u>City, State</u>
Bob DeCosta	OLBACRE CHARTERS	NANTUCKET, MA
Willy Hatch	MACHACA CHARTER	FALMOUTH MA
KEN WHITING	CAPE COD SAVIERS	HARWICH, MA.
Jay Jarvis	CAPE COD SALTIES	Dennis, MA
KEN BAUMANN	FA	FALMOUTH, MA
Keith Roberts	FFA	Falmouth, MA
Kevin Doherty		Plymouth MA
David Vance		New Bedford
BRIAN CURRY	Stoughton Bank/MU	Menemsha MA.
ED BIRZH	Plymouth County Tackle	WAREHAM, MA
Eric Morron	Bowling Hunter CHARTERS	Fairhaven, MA
ERIC GALANTI		Foxboro MA
Jeff Viamani	Bad Influenza Fish	Yarmouthport MA
Jim Ilkovich	Blue Bandit charters	Orleans MA
Stephen White		Dennis MA

#### Issue 1

No comments.

#### Issue 2

No comments.

#### Issue 3

- **Tom Smith** (commercial gillnetter): Commercial state-by-state quotas should be reconsidered given some states routine underutilization, e.g., FL and VA; He thinks that the state by state quotas should be updated to reflect current data, a 10-year average should be used.

#### Issue 4

- **Tom Smith** (commercial gillnetter): Commercial state-to-state transfer ability should be maintained as a management tool.

### Issue 5

- **Pete Kaizer** (Nantucket Charter): He is concerned that the stock is hurting from environmental factors rather than overfishing; he has personally observed the on/offshore movements of bluefish from flights; should work with spotter planes or others to try to get confirmation.
- **Jim** (Charter): Doubts the overfished stock status. Other reasons affect availability to fisheries and surveys that ought to be considered, such as predation on bluefish by tuna. Concerned about a size limit being used as a management tool for rebuilding because this would affect use of bluefish as bait for tuna fishing.
- **Willy Hatch** (charter): Doubt the overfished stock status; bluefish evade trawls so trawl surveys not a good indicator; history of bluefish is cyclical – not a lot of sand eels lately to bring them in close.
- **Tom Smith** (commercial gillnetter): Doubts the overfished stock status; Bluefish are a highly cyclical species, fluctuations in stock size are part of the natural process. Rebuilding should take place over a 10-year period to avoid major changes in quota.
- **Bobby Costa** (Charter): Supports a longer rebuilding plan because he is concerned that measures will be overly restrictive. He is concerned about fishery closures, he doesn't want to see the recreational fishery get closed. Bag limits should not be dropped lower than 5 and 3 fish even if it means a longer rebuilding period; also concerned about closures as a management tool for rebuilding; variable spatial distribution by month. Recommend a tagging study to better know where bluefish go; seal and tuna predation driving fish offshore.
- **Bryan Curry** (Commercial): Socioeconomics need to be considered in setting the rebuilding timeline; longer timeline to minimize impact. A long term look at rebuilding is important to keep measures not overly restrictive. Consistency in measures across years is important to maintaining for-hire activity. Doubt the overfished status; stock migration is cyclical; fish are elsewhere, e.g., chasing bait offshore.
- **Eric Morrow** (Bounty Hunter Charters): There is a lack of trust in the MRIP data. Finds it hard to believe that the stock is actually overfished. People are losing faith in the management. Fish have redistributed offshore, as bluefish cyclically do due to bait or other environmental conditions. Concerned that we will implement a rebuilding plan and suffer from restrictive measures that we later realize was not needed.

### Issue 6

- **Jim** (Charter): He likes the idea of giving the for-hire sector a larger bag limit.
- **Willy Hatch** (charter): Agree with sector separation as a management tool; i.e., higher bag limit for for-hire vessels. Opposed to a size limit; bluefish used as bait for bluefin tuna and mako sharks. Concern that MA quota will close prematurely and those that catch a minimal amount for bait use will be shut out by fall; MA should consider a correction (e.g., lower the trip limit). Rec bag limits should not be reduced lower than they are now.
- **Tom Smith** (commercial gillnetter): Opposed to MA reducing the commercial trip limit for bluefish.
- **Eric Morrow** (Charter): Snapper fishery is critical component of fishery that needs to be preserved in some capacity.
- **Bryan Curry** (Commercial): Supports recreational sector separation between for-hire and private anglers. Bluefish need to be used as bait, we cannot restrict the fishery with a minimum size.
- **Mike Pierdinock** (Charter): For-hire eVTR data needs to be more fully utilized in management.
- **Patrick Cassidy** (Cape Cod on the Fly): Size limit could be tailored to address different segments of the fishery, e.g., bait, snappers.

- **Bobby Costa** (Charter): Doubt MRIP data on MA landings; Nantucket is epicenter of bluefish fishery and personal observations do not support MA rec fishery having taken just under 2,000,000 lbs across 2017-2018.
- **Brian** (Charter): NOAA Fisheries needs to do better outreach about MRIP methods to stakeholders to increase our confidence in the data; frustrated that there is never an MRIP person at these meetings.

## 2.2 TOMS RIVER, NJ

February 18, 2020

Name	Organization/Sector	City, State
ALAN KENTER		MONMOUTH BEACH NJ
Tom Noeten		Manahawick NJ
R Rob Winkel	NI Spoken Federation	Seaside Park, NJ
R Paul Haertel	JCAA	Clifton, NJ
C Robert EISEY	FIVE LURES	Point Pleasant NJ,
Joanne Pellegrino	NOAA	Forked River
For the Eddie YATES	UNITED BOATMEN	Barnegat Lt
For the David Riback	Queen Mary	Pt. Pleasant Bch, NJ.
C Kevin Wark	GSSA	Barnegat Light
R SERGIO RADOSI	NJCAA, ITRF	RIDGEFIELD PARK,
Joe Albanese	HRFA	Fort Lee, NJ
Jessica Daher	NJDEP	NJ
C Richard Lucetti	GSSA	N.J.
Tom Fote	AD MFC NJcan	
C Chris Ranawe	GSSA	B.L. N.J.
C Mike Karch	LSSA	B.L. N.J.
Victor A Hartley	Keyport Princess	Woodbine, NJ
C Tim Kriegsmann	FN Conpromise	Barnegat Light NJ

### Issue 1

- **Sergio Radossi**: Disconnect between fisheries management and what actually occurs. Increase sampling.
- **Rob Winkel**: More stakeholder meetings.
- **Kevin Wark**: Look at the fishery through an environmental perspective. Start thinking about environmental shifts.
- **Tom Fote**: Need a better system of surveying the public through increased funding. Economic impact for a rebuilding plan from 5 to 10 years.
- **Paul Haertel**: Bring the stock to a sustainable level and consider an ecosystem approach.
- **Eddie Yates**: Incorporate the financial impact on the fishermen and associated stakeholders.

### Issue 2

- **Victor Hartley**: Leave the allocations at 83% - 17%. If we are not hitting the allocations now, why change them.
- **Paul Haertel** (NJCAA): If the new MRIP numbers are showing 90% recreational them make the new allocations 90% recreational and 10% commercial.

- **Kevin Wark:** Leave the allocations at 83% - 17%. We got shortchanged in the beginning. Fish are there, but our gear is not effective, especially until the fish move back to shore. We should not be taking fish from anybody. Need to consider what reducing the commercial quota does to a fishery that is not productive for fishermen that have been doing this for a long time.
- **Rob Winkel** (Sportsman Association): Leave the allocations at 83% - 17%. MRIP is driving almost all the issues and needs to be reevaluated. The survey is jaded towards success and the extrapolation causes issues.
- **David Riback:** Leave the allocations at 83% - 17%.
- **Sergio Radossi:** Need to get a handle on the stock before making any adjustments.
- **Eddie Yates:** Need better data. Leave the allocations at 83% - 17% until things improve.

### Issue 3

- **Kevin Wark:** Leave alone the allocations until we understand how this fishery is evolving. Do not want to see us lose our historical participation in the fishery.
- **Chris Rainone:** Leave the allocations alone until we understand how this fishery is evolving.
- **Robert Elsey:** Leave the allocations alone until we understand how this fishery is evolving.
- **Paul Haertel:** Leave the allocations alone until we understand how this fishery is evolving.
- **David Riback:** Leave the allocations alone until we understand how this fishery is evolving.
- **Michael Karch:** Leave the allocations alone until we understand how this fishery is evolving.
- **Rick Luedtke:** Leave the allocations alone until we understand how this fishery is evolving.
- **Tim Kriegsmann:** Leave the allocations alone until we understand how this fishery is evolving.
- **Victor Hartley:** Leave the allocations alone until we understand how this fishery is evolving.

### Issue 4

- **David Riback:** No commercial state to state transfers. Sector transfer can continue as needed.
- **Sergio Radossi:** No transfers at all.
- **Victor Hartley:** Would like to see the ability to transfer quota from the commercial to recreational sector. No commercial state to state transfers; NJ needs to keep all the quota they can.
- **Paul Haertel:** No to both transfers at least until rebuilding has concluded.
- **Joe Albanese:** No to both transfers at least until rebuilding has concluded.
- **Kevin Wark:** Commercial state to state is a useful tool to keep people fishing, but maybe not during rebuilding.
- **Rob Winkel:** Commercial state to state is a useful tool to keep people fishing, but maybe not during rebuilding. Better understand recreational harvest prior to doing sector based transfers.
- **Paul Haertel:** Recreational fishermen have a lot to lose, so do not consider transferring from commercial to recreational.
- **Chris Rainone:** Commercial state to state is a useful tool to keep people fishing, but maybe not during rebuilding.

### Issue 5

- **Kevin Wark:** Stretch it out to 10 years because a lot of this is environmental. We need to see things improve and we do not want to put people and businesses (e.g. party) through a lot of stressors. This offers the fish protection due to availability of vessels. The fish are protecting themselves.

- **David Riback:** Stretch it out to 10 years because a lot of this is environmental. We need to see things improve and we do not want to put people and businesses (e.g. party) through a lot of stressors.
- **Rick Ledtke:** Do a 10-year plan because this is an environmental issue and not due to fishing pressure.
- **Robert Elsey:** Do a 10-year plan because this is an environmental issue and not due to fishing pressure.
- **Paul Haertel:** Do a 10-year plan because this is an environmental issue and not due to fishing pressure. This is going to affect low income families and tourists. We do not want to put measures that are too restrictive.
- **Michael Karch:** Do a 10-year plan because this is an environmental issue and not due to fishing pressure.
- **Sergio Radossi:** Do a 10-year plan because this is an environmental issue and not due to fishing pressure, but really look at the environmental impacts at play.
- **Chris Rainone:** Do a 10-year plan, but this fishery cycles. This may cause issues until we get better data.

**Issue 6**

- **Victor Hartley:** I would like to see for-hire sector have a separate allocation from the private and shore mode within the recreational allocation. But, also be able to use a size limit which will allow us to get more fish. Also, through using the VTRs.
- **Victor Hartley:** I would like to see the ability to transfer quota from the commercial to recreational sector.

**2.3 DOVER, DE**

February 19, 2020

<u>Name</u>	<u>Commercial/Recreational Organization/Sector</u>	<u>City, State</u>
Louis Papp	Recreation	Lewes, DE
Ben M. Smith	REC.	Lewes, DE
Roy Miller	ASMFC Commissioner	Lewes, DE
RICH KINCA		
ANDREW HANSEN	Dover Parks	Milford, DE
Ken Logan	Commercial	Lewes, DE
Charles Toward	Commercial	Dagsboro DE
Sonny Gwin	Comm.	MD.
ROGER WOODBY	COMM.	MILLSBORO
Lauren Murr	Comm.	Millsboro
ERIC BURNLEY	Cape Gazette	Lewes
CHRIS CURRANT	RECREATION	TOWNSEND, DE
Linford Cherbaltier	Recreation	Middletown DE
Dietrich A. Slack	Rec	WYOMING DE
MARTIN KRIS	RECREATIONAL	NEWARK, DE

**Issue 1**

- **Sonny Gwin:** Identify a more effective and efficient way to look at comm and rec discards. How do we reduce waste if discard rate is zero?

- **HD Parsons:** Bring the environment into the goals and objectives. Look at the historical weather data. Look at how fish availability has shifted over time. Rebuilding plan is interesting - catch figures should consider weather patterns such as in 2017/2018, which were extremely wet years.
- **Michael Cerchio:** Include how interactions with other species affects abundance of bluefish and other stocks. How are management plans from other species affecting the mortality rate of species we are trying to recover. Need to address the species food sources because species will shift their target food and may affect population structures.
- **Roger (commercial):** Increasing dolphin populations cause declines in bluefish stocks.

## Issue 2

- **HD Parsons:** weather and temperature and salinity have caused bluefish to decline and we need better data before we change the allocations (status quo).
- **Sonny Gwin:** status quo until we get better data.
- **Michael Cerchio:** status quo

## Issue 3

- **Sonny Gwin:** status quo until we get better data.
- **Michael Cerchio:** status quo

## Issue 4

- **Sonny Gwin:** status quo on both types of transfers until we get better data. Haven't profited from rec transfer but have from state to state commercial transfers when it comes to commercial fish of different species in different scenarios. Provides economic opportunity for fishermen if it shows up.
- **Michael Cerchio:** status quo on both transfers.
- **Lou:** No transfer from the recreational to the commercial sector.
- **Roy Miller:** No sector transfers while the stock is overfished.
- **HD Parsons:** Keep all the transfers status quo.

## Issue 5

- **Eric Burnley:** To think you can set 10-year plan to recover bluefish is ego times infinity. Bluefish will come back when they come back no matter what you do. The only thing you do when you cut limits on bluefish is make it harder for charter boats in Delaware to make a living. Been around a long time and bluefish come in boom/bust cycles. Cutting bag limit just makes it harder for for-hire - waste of time and energy.
- **Michael Cerchio:** Stretch the rebuilding plan as long as possible (10 years) that allows for annual reviews.
- **Martin Kris:** I look at bluefish as a sport fish or bycatch fish. Bluefish are linked closely with predation, prey, and environmental conditions. There is nothing we can do that is going to fix the overfished status. People are not causing the decline.
- **Roy Miller:** If MRIP was not revised, we may not have the overfished status.
- **Roger (commercial):** Increasing dolphin populations are a major cause of the change in bluefish stock status.

**Issue 6**

No comments.

**2.4 BERLIN, MD**

February 25, 2020

<u>Name</u>	<u>Comm / Rec Organization/Sector</u>	<u>City, State</u>
Frank Torkella	REC	Ocean Pines MD
JACOB McFALLS	CP ANGLERS/ACSA	OCEAN PINES MD
Finn McCabe	ACSA / CBSFA	Berlin MD
Merrel Campbell	Southern Ocean Fish	OC MD
Buddy Seigel	ACSA ASMPF	Bulow MD
Steve Doctor	Staff	OC, MD
GEORGE TAPPING		
Wes Tom		
Scott Loney	FISH IN OC / MAFMC	Ocean City, MD
David Treadler	Valerie Marie	Ocean City MD
Jeff Nottelman	Head Boat Rec	Ocean City
Steve Doctor	MD/DNR	OC, MD
Kate Bannard	Charger	OC MD
Edward Smith	F/V Relish	OC MD
ERIC DURELL	MD/DNR	
VICTOR BUNTING	FAST BOAT	OC MD
Lou Sible	ACSA	OC MD

**Issue 1**

- **Finn McCabe:** We need to have better accounting on the recreational side and better grasp the changing environmental conditions (shifting temperatures).
- **Merrel Campbell:** Status quo.
- **Edward Smith:** Need to take into account predations and other ocean factors.

**Issue 2**

- **Merrel Campbell:** We are targeting other fisheries right now and that is why we don't have a lot of people targeting bluefish. Despite lower ever right now, we do not want to see the commercial allocation go down to 10%.
- **Edward Smith:** If things change with the whelk fishery, we then may have to change to bluefish, and we don't want to find that our quota has been taken out from under us. Bluefin and porpoises are eating bluefish. It is not just humans that are affecting the biomass. There is a large biomass of sharks that are not being kept in check.

- **Finn McCabe:** new MRIP is the problem, point of sale of the license, conduct a survey, we need better data before we alter the allocations.
- **Victor Bontino:** What did other states say? I have a party boat in OC and I've started running bluefish trips, not bsb, curious if they are saying other things, are they actually seeing a decline?

**Issue 3**

- **Merrel Campbell:** Status quo allocations.
- **Edward Smith:** Status quo allocations. We often give quota to other states, but we want to keep the allocation status quo as a fall back. I think there is less effort coastwide.
- **Finn McCabe:** Reallocate the states that are regularly giving away a lot of quota.
- **Edward Smith:** I agree with status quo allocations for the states. There have been many years where we have been close to our quota, so we do not want to lose any.

**Issue 4**

- **Edward Smith:** Status quo for the state-to-state and sector transfers.
- **Merrel Campbell:** Status quo for the state-to-state and sector transfers.
- **Finn McCabe:** Status quo for the sec state-to-state tor transfers but fix the allocations so transfers do not always have to occur.
- **Finn McCabe:** No sector transfers until we fix data issues with MRIP.

**Issue 5**

- **Victor Bontino:** It's hard to comment on this when we don't know what the regulations would be under the plan.
- **Merrel Campbell:** I support constant harvest under the current ABC.

**Issue 6**

- No comments.

2.5 NARRAGANSETT, RI

February 26, 2020

<u>Name</u>	<u>Organization/Sector</u>	<u>City, State</u>
Frank Blant		
John LaFontaine	Fox Seafood Inc.	Narr, RI
Dean Pesnik	F/V Oceanview	Wakefield RI
Paul R. Johnson	Carol J. Chaitas	Wakefield RI
MATTHEW COX	CHARTER CAMERA AND	Wakefield RI



**Issue 1**

No comments.

**Issue 2**

- **Dean Pesante** (F/V Oceana, gill netter): Trend has been that bluefish are moving north and while the northern typically do not have issues harvesting their quota, the southern states do. RI's largest challenge is having a small quota and continually having to seek quota transfers from other states. I suggest re-allocating more quota to the commercial sector (commercial is more accountable through reporting).
- **John LaFountain** (Fox Seafood): Agrees with statements made by Dean Pesante.

**Issue 3**

- **Dean Pesante** (F/V Oceana, gill netter): Suggest re-allocating more quota to the northern states, implementing a minimum size of 18" in the north and 16" in the south (lengths at which 100% of fish are sexually mature), and implement a minimum mesh size for gillnets like RI in all other Atlantic states (could be specific for directed bluefish trips).
- **John LaFountain** (Fox Seafood): Agrees with statements made by Dean Pesante. As a dealer sees the states of NC and VA harvesting a lot of small fish (1.5 to 2 lbs each). Landing 1 million pounds of 1.5-2-pound fish can have a larger impact on the population than landing 1 million pounds of larger fish typical of the northern states. RI has only come in under quota recently due to bad weather. Re-allocate quota to the northern states where the larger, healthier fish are.

**Issue 4**

- **Frank Blount** (The Frances Fleet): Maintain the sector transfers.

**Issue 5**

No comments.

**Issue 6**

- **Paul Johnson** (Carol J charters): Decisions should be made with data that involves hard numbers submitted, not estimates. Should separate for-hire as its own sector.
- **Frank Blount** (The Frances Fleet): I support sector separation. The shore mode is extremely important as 1<sup>st</sup> bluefish experience.

Intentionally left blank

2.6 OLD LYME, CT

February 26, 2020

	Name	Organization/Sector	City, State
P/C	Mike Stepinski	TARTAN II	Niantic CT
	Daniel Andrien	-	Guilford, CT
C	Daniel Emory	DJ Ly	Stonington CT
C	Eddie Emory	Eddie Emory	Stonington CT
	Jared Maden	-final price/SPORT fishing	Groton, CT
C	Amanda Beers	-	Groton CT
C	BUD HARRIS	LANTH CHARLES	Guilford
	Tony Notaro	Luckylock Charters	Clinton
C	ROBERT ROSSELL	out of our shell	Waterford
	Paw White House	-	Niantic, CT
	Jim D'Amico	-	" "
	DAVE Finn	-	-
P/C	Michael Pirri	Flying Gannet	Clinton
P/C	TJ Karbowki	-	-

**Issue 1**

- **TJ Karbowki:** MRIP numbers are made up fake data. Biologically, small (harbor) blues eat small bait, large bluefish eat bunker. Lately, we have had an absence of large bluefish, but the small harbor bluefish follow clouds of bait. This fish disappearance lines up with omega proteins in the Chesapeake Bay. Consider adding issues with bait and aspects of ecosystem-based management to the FMP goals and objectives.
- **Mike Pirri:** Revise the FMP goals and objectives to reflect acquisition of better data.
- **Ed Emory:** The FMP goals and objectives need to emphasize better monitoring and take into consideration movement of bluefish and baitfish.

**Issue 2**

- **TJ Karbowki:** Status quo allocations until new data is used. We need something better than the “new” MRIP numbers.
- **Bud Harris (comm):** Status quo allocations. We do not want to see a reduction in the commercial quota.
- **Mike Pirri:** There has to be tons of dead discards that are killing our stock. How is a reduction in limits going to prevent overfishing? We need to keep managing by weight and not by numbers of fish.

**Issue 3**

- **Ed Emory:** We need better monitoring.
- **Bud Harris (comm):** Status quo on allocations.

**Issue 4**

- **Bud Harris (comm):** Status quo on state to state transfers, as states should give and take.

**Issue 5**

- **Mike Pirri:** Initiate the rebuilding plan by weight and not numbers of fish to include shore estimates of snappers. I support a ten-year rebuilding plan but would like to see the target/threshold lowered because the amount of harvest estimated by MRIP is not occurring. We want to get people out on our for-hire boats, its perception, we are not keeping that many fish.
- **Ed Emory:** We need better monitoring. I support the review of a variety of rebuilding plans (different durations). When we did rebuilding for groundfish we were cut 90%. Giving 3, 5, 7 years is generous, and I want to applaud that.

**Issue 6**

- **TJ Karbowski:** I support separate for hire regulations. On the recreational side you do not know if you should tell the truth. If you day that you had a good day, they are going to tell you that you are overfishing. If you say you had a bad day, they will say you previously overfished. So, these surveys are not accurate.
- **Mike Pirri:** Separate the for-hire sector from private recreational and shore modes.
- **Ed Emory:** It seems as if there is no monitoring on the for-hire sector.

2.7 MOREHEAD CITY, NC

February 27, 2020

<u>Name</u>	<u>Organization/Sector</u>	<u>City, State</u>
Glenn Skinner	NCEA	NC
Danrell Ludlum		NC
Tyler Ludlum		NC
Greg Ludlum		NC

**Issue 1**

- **Glenn Skinner:** Do we have any better understanding of the stock status today then back in 1990? Seems like objectives are sometimes put in place but not accomplished. Need to focus on preventing overfishing while also minimizing waste—especially as the stock is rebuilt. We also need to maintain our flexibility when it comes to transferring quota. Flexibility should be included in the objectives.
- **Greg Ludlum:** Felt we haven’t made access to bluefish equitable to all fishing sectors. Include an objective to provide equity among user groups.

**Issue 2**

- **Glenn Skinner:** As long as we maintain the ability to transfer from quota from the recreational to commercial sectors and from state to state, then there is no need to revisit this. Current allocation in

FMP is pretty close to harvest percentages between commercial and recreational fisheries using revised MRIP estimates.

### **Issue 3**

- **Glenn Skinner:** Recommended to keep the current base years for the use of state by state allocations. Nobody will like the current reductions but as long as we allow the transfer from state to state he was comfortable with how they are now. Maybe revisit allocations after stock is recovered. Seasonal or coast wide allocations won't necessarily prevent fish being caught in one place more than another.

### **Issue 4**

- **Glenn Skinner:** Really likes this flexibility—it allows the Bluefish FMP to account for annual variable distribution of bluefish.

### **Issue 5**

- **Greg Ludlum:** Noted that if we continue to decrease the bag limits then we will adversely impact the fishing piers. Appropriate length of the rebuilding plan will depend on the regulations in place.
- **Glenn Skinner:** He couldn't make any suggestions without knowing what the specific measures would be to shorten the rebuilding period. Need to consider economics and dead discards when setting the length of the rebuilding plan. Need to figure out how to manage the open access recreational fishery to prevent excess waste, which could result in a discard fishery during the rebuilding period, which has happened for other species.

### **Issue 6**

- **Glenn Skinner:** Important to maintain as much flexibility as possible for quota transfers and to minimize waste. Need to consider equitability for the different user groups in the commercial and recreational fisheries.
- **Greg Ludlum:** Keep in mind that fishing piers serve as an access point for fishermen who can't easily use guide boats or the beach, such as the disabled and elderly. Also, keep in mind that piers play a significant role in the community.

Intentionally left blank

## 2.8 STONY BROOK, NY

February 27, 2020

### SIGN-IN SHEET

NAME	AFFILIATION	EMAIL ADDRESS	PHONE
NEIL DELANO	CAPTREE BOATMEN'S ASSC.	NDELANO@AOL.COM	631-560-6925
VINNIE CATALANO		VINCENT.CATALANO@S.ETHENS	516 924 2913
Ken Higgins	Captree Pride Captree Pinnacss	captainkenhiggins@yahoo.com	631-848-2657
Richard Jensen	North Fork CAPTS	NANCYJENSEN@ARTESCOYAKO.COM	631-297-5580
Phil KESS	FISHY BUSINESS CHARTERS	PKESS@OPTONLINE.NET	516-316-6967
ARTHUR KRETSCHMER	LISLA	arthur.f.kretschmer@gmail.com	631 387 2533
Ed Miodynia		EMiodynia@yahoo.com	631-968-5117
John I. Miodynia		Johnimiodynia@gmail.com	631-543-5346
Tom Vincitor		DUCKISLANDMARINE@GMAIL	631 275 4248
Brian Culhane		brianculhane@verizon.net	516 449 7250
Bob Stone			631 804 7833
AL Schaffer			631 236 8778
Greg DiDomenico	GSSA		
Richard Cornell	Fish on fishing	Cornell.Richard60@gmail.com	631-655-5918
Nancy Solomon	LI TRADITIONS		516-767-9803

NAME	AFFILIATION	EMAIL ADDRESS	PHONE
STEVEN CANNIZZO	NY RFHFA	mb1143f@gmail.com	
Anthony Testa	NY RFHFA	nyrfhfa@gmail.com	
Frank Morelli	NY RFHFA	bleefish120@aol.com	
Victor Vecchio	NOAA FISHERIES	victor.vecchio@noaa.gov	
JAMES SCHWABER	NY RFHFA	Fun 4 Fish@aol.com	
PETE LAUDA	NY RFHFA	BLUELOBSTER@NETNET.COM	
JOE LOCASCIO	NY RFHFA	JLocascio321@aol.com	
STEVEN R Withukur	Chamber / MHWBANK	SSabaBEO@aol.com	
JOHN D Iorio	NONE	binay2@optonline.net	
Dan Sullivan	none REC-Fishing		631-585-9770
MARK CUSUMANO	COMMS	MARKCUSUMANO@GMAIL.COM	
JAMIE T. D'AMICO	Miss Montauk	captjamie@MissMontauk.com	
Pau Cicales	-	PDND140@yahoo.com	
Tom Quaresima	Simple LR	SimpleLRcharters@gmail	
Anthony Quaresima	Miss Montauk	anthony.quaresima@yahoo.com	

NAME	AFFILIATION	EMAIL ADDRESS	PHONE
JOSEPH DEFALCO	NOXIO	NANASTUD26@VIAHBB.COM	
John Maniscalco	NYSDEC	john.maniscalco@dec.ny.gov	
CHARLUS WITKE	—	charloswitke@gmail.com	
Bob Danielson	NYSF	surfratt@optonline.net	
Steve Heins	MAFMC NY	steveheins.ifish@gmail.com	
JAMES FOLEY	Huilton LAG	J.FOLEY77@GMAIL.COM	631-521-3366
Pat Augustine		paugustine3@verizon.net	631-928-1524
Ken Hejducsek			
Joe Polito	Laura Lee Fleet		
Robert Anderson	Captree Princess - Captree Side	RRJCP1@AOL.COM	631-4046817
Mark Harrington	Nausday		
Paul Risi	KINGSBOROUGH COLLEGE	PAUL.RISI@KACC-CUNY.EDU	
Mark Woolley	Congressman Zeldin	mark.woolley@mail.house.gov	631-289-1097
Nick Marchetti			
Bryan Sorice	Island Princess	Cptbryson@gmail.com	631-587-6024

<u>Name</u>	<u>Comm/Rec Organization/Sector</u>	<u>City, State</u>
Frank Schwaner	LIBBA	
Ronald DiGostanzo	WHSC	Commoack NY
TOM FARRELL	MSA (MONTAUK SURFERS ASSOCIATION)	Bayport N.Y.
RENZ COLON	COMMERCIAL	ROCKY POINT, NY
Joseph Giffman	LIBBA / REC	Leeds Montauk, NY
Emerson Herbstein	A.S.M.F.C. - Juv. Appl.	

**Issue 1**

- **Jamie** (Miss Montauk): Include aspects of predation into the FMP goals and objectives.
- **Bob Danielson**: Ensure the snapper fishery is available for the kids and focus on ecosystem-based management.
  - Put a min size limit (12") for anyone that needs a rec fishing license – let kids have a bag limit and no size limit.
  - Young of the year bluefish congregate; we need to think about how they are going to survive in polluted water.
- **Fred** (no last name): snapper fishery is critical for kids and tackle/bait shops and should be preserved through the FMP goals and objectives. We need to combine a size limit and reduction in season (wave 6) to get the bag limit up for perception to clients.
- **James Schneider**: Introduction of farmed salmon hurt commercial bluefish. Snappers are only available for 6 weeks. Outreach on proper handling should be added to the FMP goals and objectives.

- **Charles Witek:** Only federal fishery north of Cape Hatteras that is predominantly recreational catch and release. Most fish kept are under 12". Goal 2 of the FMP goals and objectives: highest availability of bluefish - This fishery should be managed as a catch and release fishery. In a release fishery you are managing for abundance and sometimes size. Goal 5 of the FMP goals and objectives: delete recruitment from :recruitment overfishing" because we do not want growth overfishing.
- **John Mlodynia:** Discuss the snappers within the FMP goals and objectives.

## Issue 2

- **Bob Danielson:** Once the quotas are set, let them be.
- **Dan Sullivan:** Recreational fishermen will never meet the 83% because they are releasing fish.
- **Joe Gittleman:** Status quo on allocations. Commercial fishing is driven by sales and they have not come close to the quota. I disagree that recreational bluefishing is a catch and release fishery. On party/charter vessels, fish are treated very poorly and there is a tremendous amount of discard mortality. I have seen gaff and release - they do not survive.
- **James Schneider:** I support status quo allocations. The fishery is completely unutilized. There are only two party boats on long island that target bluefish. This is not an allocation issue. Waste is now a non-issue, and this is not a recreational overfishing activity. The issue is with the environment. Everyone on both sides of Long Island are striper fishing and other fish; there is no recreational pressure on bluefish. It is not like the old days you hear about. Occasionally, some are bled and thrown in a cooler.
- *Prefer status quo (by a show of hands): ~15 individuals.*

## Issue 3

- **James Schneider:** There is not much commercial interest in bluefish anymore. They are not targeted as much and are often bycatch. Pressure for both sectors has gone down because the desire to eat them has gone down. I prefer status quo allocations.
- **Mark Cusumano:** I support reallocation by states with an updated time series, especially since NY often meets the state allocated quota.
- **Al Schaefer (Montauk):** Reallocate quota to make the NY commercial quota higher and avoid the need for transfers.
- *Prefer status quo (by a show of hands): ~15 individuals.*

## Issue 4

- **Bob Danielson:** I support the commercial state-to-state transfers, but do not support the sector transfer. Set a quota and let it be.
- **Dan Sullivan:** I do not support the sector transfer because recreational fishermen are releasing large numbers of fish and do not want to see those released fish transferred to the commercial sector.
- **Charles Witek:** I oppose transfers on an annual basis by sector. The transfer demonstrates a misunderstanding of the use. We are releasing them to maintain abundance, not so another sector could catch them.
- **Mark Cusumano:** Has the recreational sector historically met their RHLs? There have been reductions in quotas in NY, and we rely heavily on the sector transfers. I support status quo commercial state to state transfers.

- *Prefer status quo for both types of transfers (by a show of hands): ~15 individuals.*

**Issue 5**

- **James Schneider:** Rec fishing is not what caused the overarching decline to overfished status.
- **Ken Hejducek:** Bob Danielson: Make the rebuilding plan as short as possible.
- **Bob Danielson:** Make the rebuilding plan as short as possible.
- **Mark** (no last name): We rebuilt seabass and did not see an increase in quotas. So, I am in favor of stretching the rebuilding plan to 10 years.
- **James Schneider:** You need better data before you can initiate a rebuilding plan and to reevaluate if the stock is even overfished.

**Issue 6**

- **Steve Cannizzo:** I would like to see recreational bluefish management measures evolve into a 7, 5, 3-bag limit, similar to that of blueline tilefish. This should be sustainable because the for-hire sector is responsible for <5% of the overall recreational landings (in recent years).

2.9 MERRITT ISLAND, FL

March 2, 2020

<u>Name</u>	<u>Organization/Sector</u>	<u>City, State</u>
Rick RILEY	Rec FSM	SAT BEACH FL
Hannah Hart	Rec.	Titusville, FL.
Jim Estes	FWC	Tallahassee, FL

No comments – Attendees noted that written comments will be submitted.

2.10 FORT MONROE, VA

March 2, 2020

<u>Name</u>	<u>Organization/Sector</u>	<u>City, State</u>
TOM POWERS	RECREATIONAL	Poquoson VA.
Jeff Deem	Rec	
Jim + Kate Dawson	Comm	Chincoteague

**Issue 1**

No comments.

**Issue 2**



- **Tom Powers:** I believe it is reasonable to revisit the allocation if we believe the MRIP data, but I question the MRIP data. I would prefer staff use a 3-year average to make regulatory decisions.

### Issue 3

- **Tom Powers:** I would prefer staff use a 3-year average to make regulatory decisions.
- **Jim Dawson:** There is a large commercial fishery, but often, these fisheries are moving further offshore.

### Issue 4

- **Tom Powers:** I would prefer staff use a 3-year average to make regulatory decisions. Also, the commercial fishery may be happy with 5-6 lb fish, but the recreational fishery wants to catch 20lb fish that make the drags scream. Furthermore, responsible recreational fisherman will keep two fish because bluefish don't keep well. Recreational anglers are conservation minded and they want a quality fishery, not a quantity fishery. When you go for maximum sustainable yield and then transfer quota that the recreational fishery is allocated, but not catching to the commercial sector, you drive down the quality of the fishery which makes more and more recreational fishermen not want to go out.

### Issue 5

- **Tom Powers:** I would prefer staff use a 3-year average to make regulatory decisions.

### Issue 6

- **Tom Powers:** There is something going on with the migration I believe part of it is a food source issue, but that is an ecosystem management issue, and I don't believe they're going to get into that with this fishery. Also, I would suggest when staff look at options for reductions that they look at current years because the fishery is failing and not go back but so far or at least do an analysis comparing 10 years and 3 years to current regulations. So, reductions are meaningful so we can have the fishery recovery better and have then come back in shore and hopefully we can all be happy with that.
- **Jim Dawson:** I believe bluefish migration patterns have changed and that is why we no longer are seeing them in the same abundance. I also feel as though climate change, not food availability, and perhaps something else is driving them or forcing them offshore. I think they have enough food. I'm seeing the small fish inshore, but the big fish are further offshore. They used to come inshore, but do not do that anymore.

Intentionally left blank

## 2.11 INTERNET WEBINAR

March 4, 2020

ATTENDEES - 26	
<ul style="list-style-type: none"> <li>▼ Hosts (1)</li> <li>☎ Matt Seeley )))</li> <li>&gt; Presenters (0)</li> <li>▼ Participants (25)</li> <li>Bart Stolp Guest</li> <li>Brandi Salmon Guest</li> <li>☎ Chris Batsavage Guest</li> <li>☎ Cynthia Ferrio Guest</li> <li>David Dow Guest</li> <li>☎ ge Guest</li> <li>J NY Guest</li> <li>Jake Smuck Guest</li> <li>☎ JAMES FLETCHER Guest</li> </ul>	<ul style="list-style-type: none"> <li>Jesse Bisette Guest</li> <li>☎ Mark Cusumano Guest</li> <li>Mary Guest</li> <li>☎ Maureen Davidson Guest</li> <li>Michelle Duval Guest</li> <li>☎ Mike Waine (ASA) Guest</li> <li>Rusty Hudson Guest</li> <li>☎ Steven Cannizzo (NY RFHFA) Guest</li> <li>Steven Witthuhn Guest</li> <li>TJ Karbowski Guest</li> <li>Tony Friedrich Guest</li> <li>☎ WILLAM GORHAM Guest</li> <li>☎ 12033143765 Guest )))</li> <li>☎ 16313681315 Guest</li> <li>☎ 17183094207 Guest</li> <li>☎ 19198762983 Guest</li> </ul>

### Issue 1

- **James Fletcher:** Please use total discards in the future instead of just dead discards. Understanding the stock – there is a stock of bluefish off Africa. It seems to vary with our stocks. Reduce the waste in the fisheries through the use of barbless hooks.
- **TJ Karbowski:** Add protection for the for-hire sector to the FMP goals and objectives. MRIP needs to be further reviewed.
- **Bill Gorham:** Emphasize that this fishery is very important to the shore fishermen. Ensure these goals and objectives are actually achievable.
- **Bonnie Brady:** Ensure that concerns with MRIP do not negatively affect the commercial sector.

### Issue 2

- **James Fletcher:** We need to switch the allocation quickly to allow stock status to go up.
- **Glen Evans:** We should use a more recent time series.
- **Bonnie Brady:** Need to use data when allocations were set with no management occurred (1981-1989). Data was taken from landings data (1981-1989) when no regulations were involved. I am confused how data with hard TACs on the commercial and recreational end has had suggestions and seasons, but not a hard stop. Then, how could you use landings data when one side (commercial) is held to a hard quota and the other (recreational) is not. In summary, the commercial data has been restricted to a specific quota and then pound for pound paybacks. I do not see how you can use any other time series that includes regulations that restrict fishing.
- **Rusty Hudson (DSF):** We want no allocation percentage shift with the rebuilding plan. Plan on the same percentages, but a different ABC is the obvious answer to me. Do not damage the commercial industry using a census to monitor the commercial catch by using an estimate to monitor the recreational catch.

### Issue 3

- **Mark Cusumano:** Would like to see reallocation occur between the states. New York consistently requests transfers and to avoid this, we would like to see New York have a higher commercial quota.

### Issue 4

- **TJ Karbowski:** Recreational fishermen do not want to fight with commercial fishermen. I propose we allow quota transfers from the commercial to the recreational sector if it is going unused.
- **Bonnie Brady:** We need to switch the allocation quickly to allow stock status to go up. Or, allow transfers to go from sector to sector, quickly. Commercial sector wants to see the transfers continue. This is very important for the state of New York.
- **James Fletcher:** Allow transfers to go from sector to sector.
- **Steve Cannizzo:** We need rollover between the two sectors that allows for back and forth transfers, as necessary. This could be in the form of an allowance (potentially different than sector separation).

### Issue 5

- **TJ Karbowski:** People do not support MRIP and have no confidence in the new estimates. How are you supposed to choose a rebuilding plan option when we cannot believe any of the estimates? Also, I have never been interviewed by MRIP.
- **Steve Cannizzo (NY RFHFA):** I think it is very dangerous to deal with rebuilding plans that are very short. The bluefish stock has the propensity of disappearing for unknown reasons and then randomly coming back. We need to have a high abundance level. I would highly recommend extending the rebuilding plan to 10 years or as long as possible.
- **James Fletcher:** A rebuilding plan of 5, 7, and 10 years does not fit into the cyclical patterns of bluefish. We need better data before we can initiate a rebuilding plan.
- **Mark Cusumano:** Stretch out the rebuilding plan to 10 years. Also, we should have some dynamic options throughout this rebuilding plan. We want to ensure that certain percentages of fish are going to come back to us once the stock is rebuilt. For example, when the stock starts to rebuild, a percentage of quota should be returned to the sectors so we can continue to fish. We need to take a dynamic approach.

### Issue 6

- **TJ Karbowski:** Add for-hire sector separations and/or rollover between the two sectors that allows for back and forth transfers, as necessary. This will create incentive for potential clients. People need to feel that for \$1,000 they are getting what they paid for, but we need to be careful with reporting through apps because there are many ways people can false report and interrupt other individual's ability to access a permit. Many of these issues can not be revised at the current stage because we have no faith in the MRIP numbers. Also, I have conducted thousands of recreational trips and have never been interviewed by MRIP.
- **James Fletcher:** We need electronic reporting (cell phone) on all fisheries in the EEZ. Until we get better data, we need recreational fishermen to report electronically. Also, if we used barbless hooks and had no dead discards there would be no issues here. We need to come at the issues from a different perspective and start to actually make some changes.

- **Steve Cannizzo** (NY RFHFA): Develop a program where anybody who wants to engage in catching bluefish has to dial in and note they are fishing. This could drastically help by honing in on an effort component within the fishery. This could be developed so in individual states can collect better data. Comment related to effort. Most important thing about tonight has to do with MRIP. Additionally, we need sound data for our assessments and MRIP is not currently providing what we need. Lastly, we need rollover between the two sectors that allows for back and forth transfers, as necessary. This could be in the form of an allowance (potentially different than sector separation).
- **Bonnie Brady**: There are ways to understand size by taking a photo through an app. This would be very useful for many of our fisheries.
- **Glen Evans**: No one agrees with the MRIP estimates. Also, reporting through an app would be much more effective than our current approaches to monitoring.

### 3 WRITTEN COMMENTS

All written comments are listed alphabetically by the commenter's or organization's first name. Each comment was provided via the online portal ([www.mafmc.org](http://www.mafmc.org)), email, or mail/hand delivered. Comments are as follows:

---

**From:** Glnn: <cristori@aol.com>  
**Sent:** Tuesday, March 17, 2020 8:26 PM  
**To:** Seeley, Matthew  
**Subject:** Comment relating to Bluefish Scoping Hearing

As a member of the original Mid-Atlantic Council, I fought to add bluefish to the species managed. There wasn't initially much support in those days for managing a species so abundant, but a huge catch by a tuna seiner and reports of a foreign market being a possibility changed perceptions of the fishery. Anglers packed public hearings, and a good management plan went into effect.

A great change occurred after that was accomplished as recreational fishermen who used to keep every bluefish became more aware of conservation. In a relatively short period of time, anglers began releasing many more blues than they kept - and that trend has increased over the years. As a result, anglers were building up a conservation reserve to hopefully ensure good bluefishing in the future even for a species which had been cyclical in the past.

With the market providing relatively low prices for commercial fishermen, there wasn't very much pressure on the fishery. Unfortunately, with anglers not filling their quotas due to all the releases, management started transferring that conservation reserve to commercial fishermen even though there was no provision for that in the plan.

Now bluefish have been declining for years and the market price has been increasing to provide an incentive for catching as many as possible. Party and charter boats have been going out of business, and will be further impacted by the new regulations that will discourage patronage from Pennsylvania fishermen who want a volume of fish.

The transfer of recreational quota to commercials never should have happened, and must be specifically prohibited by amendment to the management plan to be sure it will never happen again. There are many factors involved in the bluefish decline, but it's certain that we could have used the reproductive potential of all those blues that were eliminated needlessly by management that should be practicing conservation of a vital public resource.

Al Ristori  
 Wall, N.J.

---

**THE SALTWATER RECREATIONAL FISHERY IS DYING**

February 18, 2020

The recreational fishery is dying a slow death. Not because of economic or social actions, but because the National Marine fishery Service (NMFS) is gradually decreasing the amount of fish we are allowed to catch. Seasons have been shortened, possession amounts decreased, and fish size increased. The NMFS obviously concerned in protecting and expanding the commercial fishery at the expense of the recreational fishery.

Bluefish possession cut 80%. In 2019, the allowable catch for the recreational sector went from 80 to 66% and commercial went from 20 to 34%. If the fishery is in such dire trouble why not decrease the allowable catch equally?

Black sea bass allowable catch increased 59 percent for the commercial and *no* increase for the recreational side.

Summer flounder quota increased by 49 percent for the commercial and again nothing for the recreational allocation.

Striped bass cut 50%

Attached you will find an article written in 2017 by Captain Bob Bogan from the party boat Gambler that illustrates the economic impact caused by NMFS. More than 50 for hire party boats that carry more than six persons have gone out of business. Also attached is a comparison of the 1997 regulations as compared to 2019.

Alan Kenter

kingofbdock@aol.com

Title: Fishing Community Is in Dire Trouble!!  
 Post by: Capt Bogan on May 30, 2017, 11:05:42 AM  
 Party Fishing Vessel and Charter fishing vessels that carried more than 6 passengers --Businesses that have Gone Under in New Jersey (not replaced) since the Bad Reauthorizations of Magunson-Stevens in 1996 and 2006.

Bayonne--- -Bucky

Perth Amboy--- -Sea Pigeon

Leonardo-----Freddy C

Highlands----- -Crack-a-Dawn

" "----- -Eagle

" "----- -Jersey Girl

" "----- -Ranger

Belmar-----Catherine II

" "----- -Mohawk Explorer

11 "----- -Mohawk IV

" "----- -Eileen

11 "----- -Ginny Lynn

11 "----- - American Eagle

Brielle- ----- -Atlantis

" "----- -Capt Ke!

Point Pleasant-----Norma KII

" "----- -Miss Norma K

" "----- -Deep Adventures III

" 11 ----- -Deep Adventures IV

11 "----- -Sea Devil

" "----- -Cock Robin

Barnegat ----- -White Star

" 11 ----- -Miss LBI

" "----- -Doris Mae

11 "----- -Searcher

11 "----- -Jersey Devil

Atlantic City----- -Capt Applegate

Sea Isle City - ----- -Capt Robbins

11 "----- -Miss Ocean City

Fortesque----- -Angler

Cape May- ----- Mid 90's: 29 party boats----Currently: 3 party boats

During Same Years, new to the industry :

Perth Amboy ----- Sea Hawk (for sale?)

High Lands-----Dorothy B (transferred from NY)

Pt Pleasant-----Voyager

This is a count of more than 50 once viable businesses, that are gone for good (in NJ alone). This is NOT anecdotal information. These were US Coast Guard, federally documented vessels. NMFS wants us off the ocean --they have done a good job. Fisheries management has been hi-jacked by special interest groups that are making money by putting us out of business. They are penalizing fishermen on fish stocks that are rebuilt as high as 300%! Summer flounder biomass stock rose from 35.9 mil lbs in 1995, to 88.9 million lbs by 2014 (more than double) --this was achieved through our sacrifices --not fisheries management (who I've heard get paid \$400 plus per-day, put up in a fancy hotel, all expenses paid, for their time at the meetings.) The Original intent of Magnuson Stevens was good: Increase fish stocks and maintain a viable fishing community through sound fisheries management. This is no longer the case. Fishing communities no longer matter.

Above is only a list of larger recreational for-hire fishing charter and party boat businesses that have disappeared since the Magnuson-Stevens reauthorizations of 1996 and 2006. It does not include family run tackle shops and fishing marinas and boat rental marinas --and all the residual loss of business that has suffered under the inequity of these unfair fish rulings.

And would be improbable to estimate the numbers of a whole generation of lower-income people who have given up -- or not even learned-- saltwater fishing due to the fact that the cost doesn't warrant --no chance of bring home dinner.

Fisheries management has successfully divided and conquered fishermen; from Recreational vs Commercial, private boat vs for-hire boat, State against State, beach fishermen vs boat fishermen. All the while, the enviro-industry (and make no doubt, it is a money making industry) are laughing all the way to the bank. Behind doors, these same people are earnestly working to create Marine Sanctuaries to further restrict our... "Liberty and the pursuit of Happiness", (which was our unalienable right, spoken of in the Declaration of Independence).

If you look at the lobbyist, Marine Fish Conservation Network, for example, you will see a wolf in sheep's skin; Pretending to be concerned about fishing communities. MFCN is on Capitol Hill, lobbying to put a stop to any bill that would introduce common sense flexibility into our fisheries management. 200 organizations are represented and many individuals contribute to the MFCN lobby business, thinking they are helping us, not realizing they are in truth, working against us. Other lobby groups with deep pockets: Environmental Defense Fund, PEW Trust Fund, PETA and many more.

During this same 20 year period, marine estuaries (according to NOAA, 2/3 of all marine life begins in the estuary) continue to be built upon --and polluted into --and beach replenishment continues to ruin marine habitat by stealing sand from underwater hills and ridges and pumping into onto the beaches, only to get washed away during the next storm. (It's a shame that govt continues to use the tax money of hard working people to dump marine habitat onto the beaches, yet access for surf fishermen continues to be diminished.) It seems the enviro-industry has kept most quiet about this because I guess they are okay with replacing fishing communities with condos and sail boats.

The Axe needs to be laid to the root. Magunson Stevens needs to be fixed --returned to its original intent. If our Fisheries Management Council is not going to stand up for our fishing communities, we must do our part by reaching our representatives. Send an email --make a call - use social media: facebook, twitter, ect. Information on how your rep can be reached has never been easier. You do not need to be eloquent, you don't need to be long winded, you only need to let your reps know how the fisheries system is broke and that Magnuson Stevens needs to be fixed before our fishing communities are solely given over to the elite. Support Bill HR 200 and HR 2023.

Our Representatives in NJ and NY have been very quiet on these two bills --They need to wake up. I urge you to rattle their cage.

If you fish, please, "do not go quietly into that good night." (T.Dylan)

## 1997 NJ Fishing Regs \*\* 2019 Fishing Regs in Red

Summer flounder--35.9 mil lbs bio stock in 1995- - -88.9 mil lbs in 2014\* 14.5" no close, 10 fish limit  
 18" May 24-Sept 21 18" Commercial quota increase 50% recreational - none (0% )

Black Sea Bass-stock rebuilt 229%- not over fished-overfishing not occurring\* 9" no close-no limit  
 10 fish May 15-June 22 12.5" Commercial quota increase 59% - recreational - none (0%)  
 2 fish July 1-August 31 12.5"  
 10 fish Oct 8-31 12.5"  
 15 fish Nov 1- Dec 31 13"

Scup ( Porgy ) stock rebuilt 300%  
 No size no close no limit  
 50 fish 9"

Winter Flounder  
 No limit Mar 1-May 31 Sept 15 - Dec 31  
 2 fish March 1- Dec 31 12"

Bluefish  
 10 fish limit No size or close  
 3 fish private, 5 fish charter and private boats

Weakfish  
 14 fish no close 14"  
 1 fish 14" no close

Tautog  
 No limit no close 13"  
 4 fish Jan 1 Feb 28 15"  
 4 fish April 1- April 30 15"  
 1 fish July 17- Nov 15 15"  
 5 fish Nov 1-Dec 31 15"

Cod  
 No limit no close 19"  
 No limit no close 21"

Striped bass  
 2 fish , no close 28"  
 1 fish 28-35" (proposed)

River herring  
 No limit no close no size  
 Closed to recreational fisherman

\* information received from NMFS

---

**From:** Alexander Spindelman <a.spindelman@gmail.com>  
**Sent:** Friday, March 6, 2020 8:08 PM  
**To:** Seeley, Matthew  
**Subject:** Bluefish scoping comments

Hi there, I just wanted to let you know that my fishing club takes regulation and wildlife conservation very serious. I was sent emails telling me about meetings, discussions and decisions all the time. Though I am younger than most anglers, (30 years old), I am old enough to have educated opinions on matters. I LOVE THE NEW BLUEFISH REGULATION. It can not be easy cutting fish quotas especially when people may not like them. But it's commercial fishermen and as well as recreational fishermen who have DESTROYED fishing populations. I have seen gross violations of the laws since I was a child. I hope my children will one day be able to enjoy fishing like I have. Keep doing what is right, not what's popular

---





March 17, 2020

Dr. Christopher Moore, Executive Director  
 Mid-Atlantic Fishery Management Council  
 800 North State Street, Suite 201  
 Dover, DE 19901

Dear Dr. Moore,

The American Sportfishing Association (ASA) appreciates the opportunity to provide comments to the Mid-Atlantic Fishery Management Council on the bluefish allocation and rebuilding amendment to the Bluefish Fishery Management Plan.

ASA is the nation's recreational fishing trade association and represents sportfishing manufacturers, retailers, wholesalers, and angler advocacy groups, as well as the interests of America's 49 million recreational anglers. ASA also safeguards and promotes the social, economic, and conservation values of sportfishing in America, which results in a \$125 billion per year impact on the nation's economy.

As a sportfish, bluefish are a critical component of the Atlantic coast recreational fishery creating significant economic benefits to our industry and bringing considerable value to a diverse angling community. The 2019 operational assessment results concluded that bluefish were overfished, but overfishing is not occurring. These results were based on the inclusion of updated MRIP catch data which ASA, other stakeholders, and state agencies have expressed concern with using without further review and validation.

For example, it is difficult to understand that over the entire time series (1985-2018), bluefish spawning stock biomass (SSB) has never reached the SSB target. ASA of course values the health of the bluefish stock and understands that rebuilding it higher than its current level has measurable benefits to our industry, but it is truly difficult to understand that our rebuilding target is something that we have never achieved in the last 33 years. We recommend that the SSC further discuss this matter to assist the council and stakeholders in providing further input on an adequate rebuilding timeframe for this important sportfish.

ASA also offers the following recommendations on the issues outlined in scoping document.

**Issue 1: Goals**

The MAFMC is correct in managing this species primarily for the recreational sector, defined as the commercial fishery not exceeding 20% of the total catch, and that should remain as a central goal in the FMP. As with all species managed primarily for the recreational sector, bluefish should be managed for maximum practicable abundance.

We also recommend adding objectives to the FMP that better reflect the value of bluefish to the recreational fishery. Being a largely catch-and-release recreational species, many more fish are released than are landed, yet typical fisheries management only assigns value to landed fish. We believe an objective of the FMP should also include the intrinsic value of a recreationally released fish.

**AMERICAN SPORTFISHING ASSOCIATION**

1001 N. Fairfax Street, Suite 501, Alexandria, VA 22314 • 703-519-9691 • Fax: 703-519-1872  
 Web: [www.ASAFishing.org](http://www.ASAFishing.org) • Email: [info@ASAFishing.org](mailto:info@ASAFishing.org)

Additionally, bluefish has been a relatively stable fishery throughout its management history, and we recommend that maintaining that management stability should be an added objective of the FMP.

**Issue 2: Commercial and Recreational Allocations**

Setting allocations using just landings histories (the current scoping document makes no mention of any other allocation factor other than landings histories) ignores the value being generated by a released fish and allocating those released fish to the commercial sector through quota transfers (i.e., Issue 4) punishes the conservation decisions made by thousands of anglers and removes that value added to the fishery for the next season.

Therefore, we recommend setting allocation based on total catch history instead of landings history to account for the released fish. Additionally, ASA recommends the consideration of socio-economic data to help inform allocation decisions.

**Issue 4: Quota Transfers**

The provision to transfer quota from the recreational to commercial sector highlights an issue of the Council not adequately attributing value to the recreational fishery. ASA recommends addressing the needs of the commercial fishery through reconsidering of the commercial state-by-state allocations as opposed to transferring quota from the recreational sector to the commercial sector.

**Issue 5: Rebuilding Plan**

ASA recommends that the council consider various projections to determine the best management alternatives for a rebuilding timeline. Considering our earlier comments on the stock assessment results, ASA recommends including a full suite of rebuilding timeline options as alternatives in the Amendment. We also recommend including various catch projection scenarios in the Draft Amendment so that both stakeholders and the Council can provide input on a preferred rebuilding timeline informed by the projection analysis.

**Issue 6: Other Issues**

The concept of subdividing the recreational allocation of bluefish into separate private/shore mode and for hire mode, known as sector separation, has recently been discussed for potential consideration. We believe that the Council/Commission decided on separate measures between modes for bluefish in 2020 without adequate public input or a demonstrated need. We oppose further exploration of sector separation for this fishery.

Sincerely,



Michael Waine  
Atlantic Fisheries Policy Director  
American Sportfishing Association

**From:** Anthony Testa <anthony@avscons.com>  
**Sent:** Monday, March 2, 2020 12:24 PM  
**To:** Seeley, Matthew  
**Cc:** Beaty, Julia; Leaning, Dustin Colson  
**Subject:** Scoping comments Bluefish, Scup, Summer Flounder and Black Sea Bass

Good afternoon Matt

First I want to thank you for excellent presentation at the meeting last week at Stony Brook. I did not write down the other presenter that did the summer flounder, scup and sea bass part of the meeting but wanted to get the thank you to her as well. I attend most of these meetings and this one was very well done. I do not have her email so if you could please send this to her it would greatly be appreciated.

My comments:

I am a recreational fisherman and board member of the NYRFHFA and have been fishing off Long Island for just about 50 years and have seen the ups and downs of fishing stocks including times when regulations did not exist. Few points for my opinion:

- 1) There has to be regulations that are fair and equitable for both the fish and people that fish! It is my opinion that the regulations in place and what is being discussed for the future is only hurting the fish and the people that fish for them. This applies to both recreational and commercial fisherman. I understand that your following past laws and procedures but it is time to revisit these laws and procedures as they are failing terribly and doing much more harm than good. I base this opinion on my many years of fishing and adapting to fish and bait migration patterns, disruption to the ecosystem that these fish call home and other problems that are both environmental and due to not education people on how to better take care of the fishing resources and waters. I speak to many people about the problems if fishing regulations and 9 out of 10 times the people have either no idea or the wrong information about how to correctly help if the fish management process.
- 2) Second and also very important is the MRIP data used for the assessment of the fish stocks. I can tell you first hand that since Hurricane Sandy fishing off the south shore of long island has changed a lot. These changes are having me run my boat to totally different areas to find the fish we are trying to catch and the fish are not really where they used to be. This does not show that there are no more fish but that due to the changes listed in my point #1 the people that fish have to adapt as well. I keep a log book and have not really found a measurable decline in my catches but find myself fishing in areas that no other boats fish because they just don't understand that fishing patterns change. The MRIP data is most troubling as this is the main problem we are facing and if not fixed there is a high percentage of failure in the fishery management efforts.
- 3) I believe that 10% of the people that fish catch 90% of the fish. This is a very important statement as if you ask the average person that really does not know how to fish how fishing is they will say it is terrible and there are no fish. I see this just about every time we come back to the dock. These "weekend warriors" that are out there are fishing right next to me and they cannot catch. Why is that? It is because they don't understand or adapt to fishing conditions. It would be a very good idea to reach out to some of the captains that really have a handle on what's going on and use that info in your work. At the meeting at Stony Brook there were some of the top guys both recreationally, commercially and for hire captains at the meeting and although comments were made, they often get ignored.
- 4) NYRFHFA: This group was started 2 years ago to fight for fair and equitable fishing regulations. We assembled a board of the top captains so we could try and work together with the powers that be to put a plan together that works for all. We want the fish stocks to be as strong as possible but cannot make any headway with this due to the process and current laws in place. Our group stands ready to help with any and all of our knowledge and

experience so all can benefit from the best plan for our goal. Too much time is wasted at these meetings just kicking the can down the street with no positive impact on the problems.

In closing I want to stress again that in order to fix this problem we should start over from scratch and come up with a more sensible approach to fishery management as we owe it to the fish and the people that fish for them. Fishing regulations are without question needed for all but these regulations have to work and in my opinion are not and if not will make things much worse than they seem to be right now.

Thank you  
Capt. Anthony Testa

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, January 28, 2020 1:58 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Arnold Ulrich

**Email:** kavester@aol.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** The proposed regulation changes for Bluefish (3-fish bag limit for private anglers and a 5-fish bag limit for charter and party boats) is not sensible in that the states would not be able to manage and enforce the regulation. It's just not realistic.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---



## American Saltwater Guides Association

Chris Moore, PhD, Executive Director  
Mid-Atlantic Fishery Management Council  
North State Street, Suite 201  
Dover, DE 19901

Dear Dr. Moore:

Peter Jenkins,  
Chairman

### Board:

ME, Capt. Kyle Schaefer,  
Soul Fly Outfitters

NH, Capt. Peter,  
Whalen, Shoals Fly  
Fishing and Light Tackle

MA, Capt. Jamie, Boyle  
Boylermaker Charters

RI, Capt. Dave Monti, No  
Fluke Fishing

CT, Capt. Ian Devlin,  
Devlin Fishing

NY, Capt. Paul Dixon, To  
The Point Charters

NJ, Capt. Geno Quigley,  
Shore Catch Charters

DE, Tyler O'Neill,  
Norvise

VA, Capt. Chris  
Newsome, Bay Fly  
Fishing

NC, Capt. Tom Roller,  
Waterdog Guide Service

Washington, DC, Rich  
Farino, District Angling

Capt John McMurray,  
President

Tony Friedrich,  
VP/Policy Director

The American Saltwater Guides Association appreciates the opportunity to comment on the Bluefish Allocation and Rebuilding Amendment to the Bluefish Fishery Management Plan. This process provides us all the chance to recover the bluefish stock back to abundant levels. As you know, the fishery is dominated by the recreational sector and trends indicate that the species is a favorite of catch and release fishermen.

### Issue 1: Fisheries Management Plan Goals and Objectives

We have only one comment on Issue 1. In goal two, the term "greatest availability" needs clarification. Recreational fishermen used to keep almost all bluefish. Today, they release a large majority. Furthermore, the recreational allocation for bluefish is set at 83%. This is a recreational fishery and must be managed as such.

Under these conditions, "greatest availability" should be maximizing opportunity for recreational anglers. That opportunity is increased with abundance. That abundance drives our business. The more fish in the water, the more trips will be taken. Bluefish need to be managed for abundance and that should be the definition of "greatest availability".

### Issue 2: Recreational and Commercial Allocation

Prior to the recalibration of MRIP, the allocation discussion arose because managers saw that recreational anglers weren't using their portion of the quota. The preliminary plan was to look at shifting some of the quota to the commercial sector. Once MRIP was recalibrated and the full recreational effort was shown, this was no longer an issue. However, it is a real problem that the council viewed the trend of releasing fish as "not using their quota".

The economic impact of bluefish is not decreased by anglers choosing to release them. In fact, it is most likely increasing the value of the fish. Recreational anglers are not releasing fish so that commercial fisherman can harvest them. They are releasing them in the hopes of catching them again. Yet, they came close to losing allocation because they are being conservation minded.

For those of us that lived through the 80's and 90's, we saw the incredible waste from bluefish harvest. Large fish were frequently seen roasting in the sun on boats only to be thrown in dumpsters at the harbor. Is that a better use of the resources than catch and release? Does that drive the economy and sell plugs and lures for the tackle shops?



## American Saltwater Guides Association

Chris Moore, PhD, Executive Director  
 Mid-Atlantic Fishery Management Council  
 North State Street, Suite 201  
 Dover, DE 19901

Peter Jenkins,  
 Chairman

### Board:

ME, Capt. Kyle Schaefer,  
 Soul Fly Outfitters

NH, Capt. Peter,  
 Whalen, Shoals Fly  
 Fishing and Light Tackle

MA, Capt. Jamie, Boyle  
 Boylermaker Charters

RI, Capt. Dave Monti, No  
 Fluke Fishing

CT, Capt. Ian Devlin,  
 Devlin Fishing

NY, Capt. Paul Dixon, To  
 The Point Charters

NJ, Capt. Geno Quigley,  
 Shore Catch Charters

DE, Tyler O'Neill,  
 Norvise

VA, Capt. Chris  
 Newsome, Bay Fly  
 Fishing

NC, Capt. Tom Roller,  
 Waterdog Guide Service

Washington, DC, Rich  
 Farino, District Angling

Capt John McMurray,  
 President

Tony Friedrich,  
 VP/Policy Director

This is a serious issue for all fisheries. Managers need to understand that catch and release is not a waste. It is actually a very responsible use of the resource. The Magnuson-Stevens Act lists catch and release fishing as a sound management practice for promoting fishing in the United States. Reallocation of bluefish to the commercial sector because recreational anglers are practicing catch and release goes against this federal law.

### Issue 4: Quota Transfers

Please refer to our comments in Issue 2. The recreational sector is using their quota is they are choosing to release the fish. Taking quota away from recreational anglers for choosing to catch and release is the opposite of what managers should be doing.

### Issue 5: Rebuilding Plan

We need to ensure that bluefish are rebuilt within ten years. The reductions for the 2020 season are appreciated.

Bluefish are widely dispersed and travel great distances. We need one uniform regulation for the entire fishery. We can not allow special concessions for one state. As per Magnuson-Stevens, the stock will do best when managed as a coastwide unit.

Consistent regulations will bring bluefish back in the shortest possible timeframe. That is what is best for all stakeholders up and down the coast.

### Issue 6: Other Issues

We are seeing a dramatic decline in trips taken which can be directly correlated to lack of abundance. The same trend playing out in striped bass fishery. Abundance drives participation and that participation drives the economy.

As previously stated, this a recreational dominated fishery that is primarily catch and release. Bluefish are not highly prized as food but they are readily pursued by shore bound anglers for catch and release angling.



## American Saltwater Guides Association

Chris Moore, PhD, Executive Director  
 Mid-Atlantic Fishery Management Council  
 North State Street, Suite 201  
 Dover, DE 19901

Peter Jenkins,  
 Chairman

Board:

ME, Capt. Kyle Schaefer,  
 Soul Fly Outfitters

NH, Capt. Peter,  
 Whalen, Shoals Fly  
 Fishing and Light Tackle

MA, Capt. Jamie, Boyle  
 Boylermaker Charters

RI, Capt. Dave Monti, No  
 Fluke Fishing

CT, Capt. Ian Devlin,  
 Devlin Fishing

NY, Capt. Paul Dixon, To  
 The Point Charters

NJ, Capt. Geno Quigley,  
 Shore Catch Charters

DE, Tyler O'Neill,  
 Norvise

VA, Capt. Chris  
 Newsome, Bay Fly  
 Fishing

NC, Capt. Tom Roffer,  
 Waterdog Guide Service

Washington, DC, Rich  
 Farino, District Angling

Capt John McMurray,  
 President

Tony Friedrich,  
 VP/Policy Director

We have a rare opportunity to manage bluefish for abundance. This actually what the law directs us to do. MSA tells us to manage fisheries for the maximum benefit of the nation. The maximum benefit would be realized by having a well stratified population that represents all age classes and an abundant number of fish in the water to drive angler participation.

The council can achieve this goal by setting optimal yield well below maximum sustainable yield. This would not have a negative impact on commercial fisheries. As we have seen in the past, bluefish prices can fall substantially when the supply side is overwhelmed. By having a reasonable commercial limit, we are increasing the value of each individual fish. Lowering optimal yield would stabilize prices on the commercial side while benefiting the economy of the recreational side. The final issue that needs to be addressed is that commercial discards are ignored. Science tells us that the commercial fleet experiences discard mortality.

Since the quota is being lowered, we can expect commercial discards to rise. Incidental harvest will occur, and those fish will be dead discards as most of these fish are landed via gill nets. Ignoring the discards is not acceptable. We are trying to rebuild this stock and assigning a zero to that column is nothing more than inputting bad data. If we are truly interested in using the best available science, we need to account for dead fish.

We sincerely appreciate the opportunity to comment on this portion of the bluefish management process.

Respectfully,

*Tony Friedrich*

**Tony Friedrich**  
 VP/Policy Director

---

From: o <[bk1492@aol.com](mailto:bk1492@aol.com)>  
 Date: Sun, Feb 9, 2020 at 4:35 PM  
 Subject: Fwd: PUBLIC comment ON FEDERAL REGISTER  
 To: <[nmfs.garbluefishamend@noaa.gov](mailto:nmfs.garbluefishamend@noaa.gov)>, <[INFORMATION@sierraclub.org](mailto:INFORMATION@sierraclub.org)>, <[CONTACT@thedodo.com](mailto:CONTACT@thedodo.com)>, <[SCOOPS@huffpost.com](mailto:SCOOPS@huffpost.com)>, <[INFO@godscreaturesministry.org](mailto:INFO@godscreaturesministry.org)>, <[INFO@lohv.org](mailto:INFO@lohv.org)>, <[INFO@pewtrusts.org](mailto:INFO@pewtrusts.org)>

THE QUOTA FOR LAS TYEARS SHOUDL BE CUT BY 50% AND THAT SHOULD BE THE QUOTA FOR THE COMING PERIOD.

I SEE THAT YOU HAVE SCHEDULED ONE OR TWOHOUR MEETINGS ALL OVER THE SEABOARD WHICH IS COSTING TAXPAYERS HUGE SUMS IN TERMS OF HOTELS, MEALS AND TRAVEL COSTS.WHY NOT JUST CHANGE THIS TO AN INTERNET MEETING IN THOSE SITES AND ALLOW PUBLIC COMMENT. THIS INCESSANT UP AND DOWN THE COAST FOR A ONE HOUR MEETING THAT COSTS THE TAXPAYERS FOR MEALS, HOTELS AND TRAVEL IS INCESSANTLY COSTLY. WHENYOU SPEND SO MUCH, YOU TRY TOMAKE IT UP BY KILLING MORE FISH.I FIND THAT OFFENSIVE. LETS CUT THE COSTS AND MOVE THESE MEETINGS TO INTERNET MEETEINGS THAT ALL CAN JOIN. THIS COMMENT IS FOR THE PUBLIC RECORD. WE ARE IN 2020. HAVING MEETINGS IN 1935 STYLE DOESNT MAKE SENSE NOT HWNE IT COSTS SO MUCH FOR HOTELS, MEALS AND TRAVEL THESE DAYS.THIS COMMENTN IS FOR THE PUBLICRECORD. PLEASE RECEIPT. B KER [BK1492@AOL.COM](mailto:BK1492@AOL.COM)

---

**From:** Squarespace <[no-reply@squarespace.info](mailto:no-reply@squarespace.info)>  
**Sent:** Friday, January 31, 2020 6:15 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** barbara sachau

**Email:** [bsachau@gmail.com](mailto:bsachau@gmail.com)

**How would you describe your primary role in the fishery?:** Other

**Primary state(s) you land bluefish in::**

**Gear type(s) used::**

**Comments:** quota to be caught should be zero. the fact is the takings are overfishing and sustainability has been lost. all those fish belong to every citizens of the usa, nnot to the profiteers. it is time to consider the allocation to all the citizens of this country and stop the overexploitation of this species of fish. we are sick of fish stocks being exploited. look at the cod. ut the quota to zero

(Sent via [Mid-Atlantic Fishery Management Council](#))

---



---

**From:** Brian B <bassatnite@hotmail.com>  
**Sent:** Tuesday, February 25, 2020 4:53 PM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Scoping Comments

Hi Mr. Seeley,  
Who or what is causing the population decline of bluefish? That's what should be addressed. I fish over 50 days from surf and boat per year, and caught none from the surf along Robert Moses beach, but did have about a dozen days from June thru August where I took 1 - 3 blues in the Great South Bay, avg 3-5lb. Many fisherman I know release blues. How much is taken commercially? The commercials are prone to misrepresent in order to make \$\$\$\$.

Sincerely,  
Captain Brian Bishop  
Bayshore, NY

---

**From:** Brian Marks <bkm072@gmail.com>  
**Sent:** Wednesday, January 29, 2020 1:53 PM  
**To:** Seeley, Matthew  
**Subject:** bluefish

where are the bluefish?why no answer to that simple question. but to cut all size bluefish from15 to 3 is insane that is an 80% reduction we are down to a handful of party boats in sheepshead bay a few will close with these regs. see how many bait and marine fuel stores have also closed. so \$200 in gas \$100 in bait and now 3 snappers with the kids I guess you guys will be happy when we all give up and play golf. do you really care about the impact on the recreational sector? I read cuts cuts cuts but how about some answers on blues and fluke and why the amazing amount of pory seabags and sea robin. it would be better to make some constructive statements and facts and stop killing our fishery and sport. never hear about the big time commercial poachers. its easier going after the law abiding fisherman but honestly how many of those will be left????

---

**From:** Brian Marks <bkm072@gmail.com>  
**Sent:** Saturday, February 29, 2020 8:47 AM  
**To:** Seeley, Matthew  
**Subject:** rec fisherman less bait stores hardly any marine fuel hardly any party boats left in sheepshead bay

continue your assault on us THAT WILL BE YOR LEGACY HOW ABOUT SOME COMMON SENSE. 15 blues to 3 real good for the poachers

---

1075 Tooker Avenue  
West Babylon, NY 11704  
February 27, 2020

Chris Moore, PhD, Executive Director  
Mid-Atlantic Fishery Management Council  
North State Street, Suite 201  
Dover, DE 19901

Dear Dr. Moore:

I am taking this opportunity to comment on the *Bluefish Allocation and Rebuilding Amendment to the Bluefish Fishery Management Plan* (the "Amendment"). The Amendment process provides the Mid-Atlantic Fishery Management Council (the "Council") with an opportunity not only to rebuild the bluefish resource to a healthy level of abundance, but also to pioneer a new approach to the management of federal fisheries that are dominated by the recreational sector and include a significant catch-and-release component.

#### ISSUE 1: FMP GOALS AND OBJECTIVES

The goals and objectives of the Bluefish Fishery Management Plan (the "Management Plan") largely remain valid, although in two cases need to be tweaked to reflect the evolving nature of the fishery.

**With respect to Goal 2, the language should make it clear that "greatest availability" refers to maximizing the abundance of fish that remain alive in the water, rather than maximizing landings.**

Bluefish is primarily a recreational fishery. The Management Plan allocates 83 percent of bluefish landings to the recreational sector.<sup>1</sup> The recent operational stock assessment<sup>2</sup> (the "Operational Assessment") revealed that recreational fishermen have exceeded that allocation in almost every year since it was established in 1998, meaning that anglers are accounting for an even greater part of the landings than previously believed. However, despite such high landings, anglers choose to release far more bluefish than they retain. In 1985, bluefish anglers kept more than 80 percent of the fish that they caught, but by the turn of the century, catch-and-release dominated the fishery; nearly 65 percent of the bluefish caught between 2010 and 2019 were returned to the water.<sup>3</sup>

It is thus clear that anglers are more concerned with catching bluefish than with keeping them. That being the case, and given the fact that anglers dominate the bluefish fishery, this fishery goal should

<sup>1</sup> Mid-Atlantic Fishery Management Council, *Amendment 1 to the Bluefish Fishery Management Plan*, 1998, p. 5

<sup>2</sup> Northeast Fisheries Science Center, *Operational Assessment of the Black Sea Bass, Scup, Bluefish, and Monkfish Stocks, Updated through 2018, 2019*, p. 54.

<sup>3</sup> Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division, February 24, 2020.

define “greatest availability” as maximizing the abundance of fish, and thus angler encounters, as opposed to maximizing harvest.

## II

**With respect to Goal 5, the word “recruitment” should be deleted, as growth overfishing is undesirable in a predominantly recreational, catch-and-release fishery**

Recruitment overfishing, which inevitably leads to a decline in stock abundance, is always unacceptable. However, growth overfishing, which sees the loss of the older, larger fish in a population, can be acceptable in a predominantly commercial fishery, if it allows larger annual harvests that do not exceed the maximum sustainable yield for the stock in question.

Recreational fisheries, and particularly recreational catch-and-release fisheries, are different. Most of the anglers participating in such fisheries are not seeking yield, but instead a quality fishing experience, with “quality” defined as frequent encounters with the target species, including occasional encounters with larger fish. Large bluefish are particularly prized for their hard fight, their willingness to attack artificial lures and, when the population is healthy, their availability to the shored-based anglers that constitute the single largest component of the fishery.

That being the case, avoiding recruitment overfishing is not enough. Growth overfishing should be prevented as well.

### ISSUE 2: COMMERCIAL AND RECREATIONAL ALLOCATIONS

When this issue was originally raised, the Council believed that anglers did not land their entire annual allocation, and contemplated permanently reallocating some portion of the chronically unharvested recreational fish to the commercial sector. The Operational Assessment informed the Council that recreational landings were much higher than previously believed, and thus removed any justification for such reallocation. However, the original premise for a possible reallocation, that anglers didn’t utilize the bluefish that they did not harvest, was false, and should be addressed in the Amendment.

Repeating a comment made in response to Issue 1, anglers release most of the bluefish that they catch. Most anglers fish for bluefish not so to kill them and utilize them as food, but because they enjoy catching and, at least in most cases, releasing them. Such fish are “utilized” by anglers when they are caught, fought and subsequently returned to the water; they do not have to be killed to be used. Furthermore, anglers return bluefish to the water in the hope that such fish will survive to be caught again, hopefully on multiple occasions. They do not release them solely so that they could be caught and killed by the commercial sector, pursuant to the reallocation contemplated by the initial scoping documents for the Amendment, that were released in 2018.

In fact, any such reallocation would tend to discourage anglers from releasing their fish, and encourage the sort of waste that was common prior to the 1990s, when anglers would keep most of the bluefish that they caught, then try, often unsuccessfully, to give them away upon returning to the dock. In those days, bluefish commonly ended up dumped in the bay, discarded in dockside dumpsters, or were used

to fertilize gardens. Recognizing catch and release as a legitimate use of the bluefish resource, and not as a justification for reallocating fish to the commercial sector, reinforces the goal of reducing waste in the fishery. It is also in accord with one of the explicitly stated purposes of the Magnuson-Stevens Fishery Conservation and Management Act<sup>4</sup> ("Magnuson-Stevens") which is "to promote domestic commercial and recreational fishing under sound conservation and management principles, **including the promotion of catch and release programs** in recreational fishing. [emphasis added]"<sup>5</sup> Reallocation of bluefish from the recreational to the commercial sector, because anglers chose to release rather than land some portion of their allocation, would thus be contrary to a stated purpose of Magnuson-Stevens.

#### ISSUE 5: REBUILDING PLAN

The Operational Assessment demonstrated that the bluefish stock is overfished, and thus triggered the need, pursuant to Magnuson-Stevens, to rebuild the stock. In doing so, there currently appears to be no biological reason why the stock cannot be rebuilt to the target within ten years, and there is no compelling biological, social or economic argument for compressing the rebuilding program into a shorter time period. Given that the bluefish fishery has different characteristics in different states, and even in different waters within the same state, a bag limit is probably the most equitable way to limit harvest. If a bag limit is not, in itself, adequate to constrain fishing mortality to a rate that would permit timely rebuilding, a size limit should be the next management measure considered, despite its impact on the so-called "snapper" fishery for young of the year bluefish.

Because bluefish is a species that engages in long coastwise migrations, and a single fish can potentially travel from New England into southeastern waters, the Council should seek to adopt a single, consistent approach to rebuild the stock. Such approach is consistent with National Standard 3, which directs, in part, that "To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range."<sup>6</sup> Permitting multiple management approaches, which would have disparate impacts on various components of the stock, would conflict with such National Standard.

#### ISSUE 6: OTHER ISSUES

**Optimum yield should be set well below maximum sustainable yield, in order to maximize abundance, increase the number of older, larger fish in the population, and so maximize recreational opportunity**

Magnuson-Stevens states that

The term 'optimum,' with respect to yield from a fishery, means the amount of fish which will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems; is prescribed as such on the basis of maximum sustainable yield from the fishery, **as reduced** by any relevant economic, social, or ecological factor; and

<sup>4</sup> 16 U.S.C. 1801 *et seq.*

<sup>5</sup> 16 U.S.C. 1801(b)(3)

<sup>6</sup> 16 U.S.C. 1851(a)(3)

in the case of an overfished fishery, provides for rebuilding at a level consistent with producing the maximum sustainable yield in such fishery. [emphasis added; internal numbering omitted]<sup>7</sup>

As noted earlier in these comments, a predominantly recreational fishery such as bluefish, where the majority of fish caught are released, should be managed for primarily for recreational opportunity, not food production. That is particularly true given the fact that, at least when bluefish are abundant, they command a relatively low market price,<sup>8</sup> suggesting that they are not a highly prized food fish. And as noted earlier, recreational fishermen, especially those participating in a primarily catch and release fishery, are primarily motivated by the opportunity to encounter bluefish, and at least occasionally by the opportunity to encounter large bluefish, rather than by the opportunity to harvest bluefish. That is a “social factor” that fully justifies reducing the optimum yield from the bluefish fishery well below maximum sustainable yield, as the lower target fishing mortality rate associated with such optimum yield is more likely to increase both abundance and the number of older, larger fish in the population.

There are also “economic factors” militating in favor of setting the optimum yield well below maximum sustainable yield. Bluefish, as noted in the previous paragraph, do not command high market prices. And when fish are present in an area, anglers will be able to fill the current 3-fish bag limit (which will be dropped even lower in 2021 if anglers harvest appreciably more bluefish in 2020 than they did in 2018 and pound-for-pound paybacks are imposed, something that is arguably likely given that 2019 landings exceeded those of 2018 by nearly 20 percent<sup>9</sup>) with a relatively limited expenditure of time and effort. On the other hand, catch and release fishing can be conducted for a much longer period while having the same impact on fishing mortality. Using the currently accepted 15% release mortality rate,<sup>10</sup> an angler who would have to catch and release 20 bluefish to cause the same level of fishing mortality as the angler who catches and retains only three; given the current level of bluefish abundance, catching and releasing 20 fish would probably require multiple trips, and a correspondingly high economic contribution

Managing for abundance, with a lower optimum yield, would also have a positive economic impact because abundance tends to drive angling effort. While the overall trend in directed bluefish trips has only been mildly negative in the period 2010-2019, with trips peaking at slightly under 7.9 million in 2012 and slowly declining to slightly over 5.4 million in 2019 (up from a time series low of 4.3 million the year before), it is far more marked in some regions and some sectors of the recreational fishery. In the North Atlantic, directed bluefish trips have steadily declined from 2.27 million in 2010 to just 0.84 million in 2019, presumably because the bluefish range is contracting in response to decreasing

<sup>7</sup> 16 U.S.C. 1802(33)

<sup>8</sup> See Mid-Atlantic Fishery Management Council, “Bluefish Fishery Performance Report,” June 2018, p. 3, which indicates that bluefish prices fell as low as \$0.20 to 0.25 per pound in New York when large fish were seasonally abundant, but rose to \$0.50 to \$0.60 per pound later in the year; but see Mid-Atlantic Fishery Management Council, “Bluefish Fishery Performance Report,” August 2019, which saw scarcity cause New York prices to rise as high as \$0.70 to \$0.90 per pound, and New Jersey and Virginia prices to rise as high as \$1.75 per pound.

<sup>9</sup> Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division, February 23, 2020.

<sup>10</sup> Mid-Atlantic Fishery Management Council, “Bluefish Monitoring Committee Meeting Summary,” September 18, 2019, p. 2

abundance. But the most dramatic decline in effort came in the party boat fishery, which saw anglers take over 100,000 directed trips as recently as 2014, when party boat effort peaked, and then quickly exit the fishery as abundance declined, taking less than 7,300 trips in 2018 and 6,200 in 2019, a 94 percent reduction in effort over only six years.<sup>11</sup> Given that more angling trips generate more economic activity, reducing optimum yield well below maximum sustainable yield would certainly be justified as a result of economic factors.

## II

### The Council should revisit its estimates of commercial and recreational discards

When the Council set bluefish specifications at its October 2019 meeting, it assumed that there were no discards in the commercial bluefish fishery,<sup>12</sup> and that discard mortality in the recreational fishery would be 4.03 million pounds.<sup>13</sup> There is good reason to believe that both assumptions are inaccurate.

At least half of the commercial bluefish landings can be attributed to the gill net fishery; another 9 percent is taken in trawls,<sup>14</sup> gear types that can lead to high levels of discard mortality. When such gear types are combined with the trip limits in place in many states,<sup>15</sup> discard mortality is inevitable. The most recent benchmark stock assessment chose to disregard such discard mortality, which it estimated as ranging between 1.5 and 10.7 percent of landings in any given year, believing that “commercial discards are minimal relative to landings and their use would likely introduce more error than they would resolve.”<sup>16</sup> However, given the sharply reduced 2020 bluefish quota, there is a substantial likelihood that the level of commercial discards will increase, both relative to landings and in absolute terms. Thus, it would be prudent to obtain more precise estimates of such discards, and include such improved estimates in future management documents.

Recreational discard mortality is also likely higher than the 4.03 million pound estimate used to calculate the 2020-2021 recreational specifications. As noted by the Bluefish Monitoring Committee (the “Monitoring Committee”), the 4.03 million pound estimate “does not fully capture what is occurring in the recreational fishery because length frequency data suggests that most anglers keep smaller bluefish and release larger bluefish.” In response to that issue, the Monitoring Committee recommended that a 9.90 million pound recreational discard estimate be used to calculate the recreational harvest limit for

<sup>11</sup> *Ibid.*

<sup>12</sup> Mid-Atlantic Fishery Management Council, “Bluefish Monitoring Committee Meeting Summary,” September 18, 2019, p. 5

<sup>13</sup> Mid-Atlantic Fishery Management Council, Memorandum from Matthew Seeley to Dr. Chris Moore, Executive Director, “2020-2021 Bluefish Recreational Management Measures,” November 1, 2019, p. 2

<sup>14</sup> Mid-Atlantic Fishery Management Council, *Supplemental Scoping and Public Information Document, Bluefish Allocation and Rebuilding Amendment to the Bluefish Fishery Management Plan*, December 2019, p. 15

<sup>15</sup> See, e.g., New York State Department of Environmental Conservation, “Bluefish Quota Distribution Plan,” February 2020, available at <https://www.dec.ny.gov/outdoor/26823.html>; Massachusetts Division of Marine Fisheries, “Commercial Finfish Regulations,” January 30, 2020, available at <https://www.mass.gov/service-details/commercial-finfish-regulations>; Rhode Island Department of Environmental Management, “Marine Fisheries Minimum Sizes & Possession Limits,” available at <http://www.dem.ri.gov/programs/marine-fisheries/mfsizes.php>

<sup>16</sup> Northeast Fisheries Science Center, *60<sup>th</sup> Northeast Regional Stock Assessment Workshop (60<sup>th</sup> SAW) Assessment Report*, 2015, p. 354

2020 and 2021.<sup>17</sup> Such recommendation was rejected by the Council, with various Council members questioning the data on which the 9.90 million pound estimate was based; surprisingly, not a single recreational member rose to support the Monitoring Committee's basic premise, that anglers tend to keep smaller bluefish and release the larger ones, as such behavior is very typical among recreational fishermen. Many anglers don't keep any bluefish at all, believing that their flesh is too oily and strong-tasting; the majority of anglers who do keep bluefish prefer smaller individuals which are less dependent on menhaden and similar forage species, and thus have a more mild taste, and release the larger, stronger-tasting individuals. That being the case, the Council's finding that the size of the fish released parallels the size of the bluefish retained by anglers will lead to a very significant underestimate of release mortality, has the potential to hamper rebuilding, and should thus be revisited.

Thank you for considering my views on this matter.

Sincerely,

  
Charles A. Witek, III

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 17, 2020 11:57 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Chris Dollar

**Email:** cdollar@cdollaroutdoors.com

**How would you describe your primary role in the fishery?:** Recreational (for-hire)

**Primary state(s) you land bluefish in::** Maryland, Virginia

**Gear type(s) used::** Hook and line or handline

**Comments:** Council and ASMFC members,

As a fishing guide and outfitter, Bluefish Fishery Management Plan should be as conservative as possible to leave in the water as many bluefish as possible to ensure the stock rebounds adequately.

Regards,

Capt. Chris D. Dollar

CD Outdoors

(410) 991-8468

cdollar@cdollaroutdoors.com

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Chris Nastasi <cnastasi33@verizon.net>  
**Sent:** Tuesday, March 17, 2020 5:01 PM  
**To:** Seeley, Matthew  
**Subject:** New blue fish regulations

Once again fisheries management has found a way to screw the little guy. If you can't afford to go on a pay for hire boat you can only keep 3 fish. If you can't afford your own boat it is very difficult to catch three Bluefish unless they are of the snapper size. Tell me what good are three Snapper Bluefish going to do for an individual who would like to eat a meal? Why is someone who pays to go on a boat or can afford to own his own boat like myself more privileged then those who can't?

As a private boat owner I spend a lot of money supporting businesses between my purchase of boat and fishing equipment gasoline Bait and Tackle food Etc why am I penalized because I'm not paying to go on a party or Charter boat? Your regulations are poor make them even for all at 5 Fish per person!

For the record I want it to be known I am against the current proposed regulations.

---



## Bluefish Scoping Comments

March 10, 2020

To whom it may concern,

I am writing to provide comment for the Scoping Document of the "Bluefish Allocation and Rebuilding Amendment to the Fishery Management Plan. These comments are all my own opinion.

I am a recreational fisherman who lives in Maine. I have been fishing for striped bass and just about every other saltwater species that we get here for over 20 years. The fishing for bluefish over the past few years has been extremely poor. I was glad to hear of the new coast wide regulations in both State and Federal waters that set the bag limits at 3 fish/person and 5/charter boat for the recreational fisherman. Hopefully in a few years this will lead to improved fishing here in Maine. With that said I hope these measures stay put for at least 3-5 years in order to give them a chance to work. I know there will be many fishing interests who will want to increase these limits.

On Issue 1, I think the Goals and Objectives are good although I do think there needs to be more scientific research into understanding the stock of this fishery. I am thinking about this with regards to fishing here in Maine. It has long been known that the fishing here for bluefish can be very variable from year to year. Many thought it was tied to the presence of menhaden, which can also be highly variable here. But for the past 3 years we have had large amounts of menhaden here and virtually no bluefish. Obviously overfishing is a cause of the lack of bluefish here but are there other factors that drive the fishing cycles? Are the fish we catch here in Maine really the same fish they catch in Florida?

On Issues 2-4 I don't have a strong opinion, but I would just like to make sure that with whatever the allocations the recreational sector gets a fair share.

On Issue 5, the Rebuilding Plan. Hopefully, as is stated in the Scoping Document, the fast growth rates of bluefish will lead to a quick recovery of the stock. As I have said I am happy with the new restrictions for the recreational fisherman and I hope they are in place for a little while to see if they can make a difference. Also, the proportionate restrictions for the

commercial sector are important. With that being said I hope the stock is closely monitored and if it does continue to decline more restrictive measures are put in place.

On Issue 6, Other Issues, there are a couple of things to keep in mind. First, there is a lot of talk in the Scoping Document about changes in the geographic range of bluefish. This may be true, but I think it is important to keep in mind that there has been overfishing of bluefish for almost every year in the time series of this document! So, when it comes to State to State Allocations and changes in the geographical range it is going to be difficult to make an accurate choice.

On Management uncertainty I would like to comment as well. As you show in the Scoping Document there is a considerable difference between the New and Old MRIP estimates. I have seen that this is true when looking at other species as well. Maybe it would be worthwhile to reexamine the New MRIP estimation to see if the values are as high as they claim. Regardless, if you look at either method, they both show the recreational bluefish harvest to be the lowest in the time series.

Thank you for allowing me the chance to give my input for this process.

Chris Uranek

Freeport, ME

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Wednesday, February 5, 2020 12:43 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Chris Yoda

**Email:** cyoda6@gmail.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** The past and current management plans have let down this species to the highest degree. There are little to no more bluefish in my area. Drastic and long term changes need to be implemented to save what is left of this once prolific species. Shame on fisheries management

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Friday, January 31, 2020 5:34 PM  
**To:** Beaty, Julia <jbeaty@mafmc.org>  
**Subject:** Form Submission - SFSBSB Allocation Amendment Scoping

**Name:** Chuong Ngo

**Email:** [ChuongNJ@yahoo.com](mailto:ChuongNJ@yahoo.com)

**Check all that apply:** Private Recreational Angler

: Bluefish deduction

**Comments:** I have question:

How the the bluefish data was collected?

How we know these data was corrected, what is error percent rate on these data?

I data was present look very nice on the chart.

I went out fish bluefish very year, I can see one year had more and another has less. it was not less and less year by year.

I don't see math to used for reduction will help the bluefish improve.

1

---

My suggestion is size limit should be enforce, this will give time for the fish to grow. because I saw a lot of people fishing small fish.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Corey Gammill <cmgammill@gmail.com>  
**Sent:** Tuesday, February 11, 2020 9:58 PM  
**To:** Seeley, Matthew  
**Subject:** "Bluefish Scoping Comments"

To Whom it may concern:

I am commenting on the Bluefish Stock status seeing as I will be unable to make the scoping meeting at mass maritime on the evening of February 13th.

Like many I am incredibly concerned with the status of the bluefish stocks. It is no secret that the two main species in our fishery are Stripers and Blues and we are seeing both on a decline. I am personally frustrated that we are managing by looking in the rearview mirror rather than try and be proactive and adjusting on what the future looks like. We have enough data and information that we should be able to make reasonable assumptions about the future. Instead we wait until both stocks are "overfished" to manage rather than to watch their trajectories. As a professional fishermen, this has been coming at us for the last five years, yet we are only making changes now...

That said, I do understand that the DMF and ASMFC only have certain tools in their toolbox to manage both fisheries including min/max size and bag limits. Unfortunately what we hear very little about is the vertical role of these fish in the ecosystem. There is no doubt that the main bait source in the NorthEast for both fish are over pressured. Herring and squid which are two of the prime baits for both fish. Herring has been recognized as being on the decline and has been mismanaged. As for squid, I understand coastwise squid stocks are fine, but localized depletion is taking place in Mass. We see this as most of the fishing for longfin squid in the middle trimester is taking place just south of Nantucket and the vineyard so much of these bait are not getting through to the bass and blues, thus the fish are waiting for bait that isn't coming. These commercial squid boats 10 years ago never fished off of Nantucket and their predominance over the last 10 years have severely affected the bait off the cape and islands which is a key piece of the puzzle for these fish.

Over the last 10 years we have also seen a large increase in competition for the bait that does exist. Competition exists not just amongst bass/blues, but also with the rise in the seal population. Fishermen are talking about it, but No government official is willing to recognize the impact that the seal population is having on bait.

Everything I am hearing for a "solution" is lowering bag limits. This is too easy an answer that will again have us looking in the rearview mirror in two years. I have no data to prove my theory, but I doubt less than 5% of recreational fishermen are keeping their bag limit let alone the new proposed limits of 3 or 4 fish and most of those keeping the limit are for hire guys who are keeping the bag limit to make the dock look good. So why is adjusting the bag limit a potential solution if it does not change anything. One of the common trends stated in the data being collected is that average size of fish are decreasing. For starters, lets create a minimum size so small fish can get to reproduction age, just as we are doing with Striped Bass. We should also have a maximum size, so the large fish can reproduce safely.

So here is a summary of how we should be looking to solve the problem from one fishermen's opinion:

- Minimum/max size, just like Striped Bass
- Adjust the bag limit to 1 fish per person per day. Get ahead of this problem, don't chase it.
- Look very closely at the role that seals are playing in consuming bait that the bluefish want.
- Be thoughtful about protecting bait at its source. Squid for example reproduce south of Nantucket and historically the squiddos are the prime food for blues through July/August. The destruction of the squid mops

and reproduction grounds have ruined our squiddo population and the same areas that 7-15 years ago produced bluefish all summer long are now barren.

- Even though I am a "for hire" fishermen, I do believe in most cases the recreational guys are the issue and both commercial and rec guys should bear the burden for solving this problem and one is not the problem, but both need to make adjustments. The one problem I do have with the commercial world is that we still have one gill netter in Mass who can kill 5000lbs a day. If we are going to begin to solve this problem, lets eliminate this piece as that gill netter alone was responsible for a up to one half of all commercial fish caught. This seems like a simple solution. Why should one person get to make a living using an archaic method that has only one person allowed to do it in the state, while the rest of us struggle on a daily basis.

My name is Corey Gammill and I make my living working on the water. I spend 140 days on the water every year and I have for the last 20 years. I fish the waters around Nantucket and south of the vineyard and east of the cape. My log books can tell it all. We have less bait than we used to, we have less fish (blues/bass) than we used to, and the fish we do have are smaller and we have more big predators(seals/sharks) than ever before. Small adaptations in bag limits will not be enough, we must looking at the vertical nature of our ecosystem and make some big changes.

My only last small question/comment is why does Stripers use a 9% dead discard rate assumption and bluefish use a 15% dead discard rate assumption?

*Capt. Corey Gammill*

203-962-8867

[cmqammill@gmail.com](mailto:cmqammill@gmail.com)

Owner: Bill Fisher Outfitters [www.billfisheroutfitters.com](http://www.billfisheroutfitters.com),

Owner: Bill Fisher Tackle [www.billfishertackle.com](http://www.billfishertackle.com)

Director of Fishing: Great Harbor Yacht Club

Twitter: @billfishers

Directions to Madaket Marine: <http://billfisheroutfitters.com/pricing-info>

**Weather and Cancelation Policy:** All Weather related cancelations are determined by the Captain. The season is short and we try to take every opportunity to fish, so please plan accordingly. If changes in your schedule come up you can cancel up to 7 days off. Inside 7 days if we can rebook the trip we will happily oblige. And please remember as we tell our kids all the time, *see your commitments through....*

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, February 10, 2020 4:42 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Craig Shultz

**Email:** Snipershultz70@GMAIL.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey, Florida

**Gear type(s) used::** Hook and line or handline

**Comments:** If they change the blue fish limit I will not be renting for 2 to 4 weeks in Ocean City N.J.as I have done for the past 20 years. The landlords and the shore towns will suffer. Cut out the commercial guys like Fl. did. Cast nets only!

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, February 4, 2020 7:20 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Dan Sheehan

**Email:** ds6051@yahoo.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** The limit reductions being proposed are very drastic and should make some differentiation between the charter business and the individual angler. They keep more of the catch on the charter boats than off the beach or on private boats.

(Sent via [Mid-Atlantic Fishery Management Council](#))

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Friday, January 31, 2020 11:29 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Daniel Wwhitcraft

**Email:** wildboar201267@yahoo.com

**How would you describe your primary role in the fishery?:** Recreational (for-hire)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** I don't that's fair the Jersey to cut back on the bluefish limit there's so many bluefish out there they should cancel that bill on bluefish limits noway

(Sent via [Mid-Atlantic Fishery Management Council](#))

----- Forwarded message -----

From: David Dow <[ddow420@comcast.net](mailto:ddow420@comcast.net)>  
 Date: Tue, Mar 10, 2020 at 4:08 PM  
 Subject: Bluefish Scoping Comments  
 To: <[nmfs.garbluefishamend@noaa.gov](mailto:nmfs.garbluefishamend@noaa.gov)>  
 Cc: David Dow <[ddow420@comcast.net](mailto:ddow420@comcast.net)>, Peter deFur <[pldefur@gmail.com](mailto:pldefur@gmail.com)>, Judith Weis <[jweis@newark.rutgers.edu](mailto:jweis@newark.rutgers.edu)>, Leslie Kaufman <[lesk@bu.edu](mailto:lesk@bu.edu)>, Wes Pratt <[pratt.wes@gmail.com](mailto:pratt.wes@gmail.com)>, <[cmoore@mafmc.org](mailto:cmoore@mafmc.org)>, <[rbeal@asmfc.org](mailto:rbeal@asmfc.org)>

I am a retired marine scientist from the Northeast Fisheries Science Center in Woods Hole, Ma. and grassroots environmentalist living on Cape Cod, Ma. I participated in the March 4 online scoping webinar for the Bluefish FMP which left something to be desired (since no information was provided on the underlying stock assessment which provided the basis for developing the recovery plan for overfishing by saltwater anglers).

I was the Recreational Fisheries Coordinator in the Northeast for a number of years and attended the SAW/SARC (Stock Assessment Workshop/Stock Assessment Review Committee) assessment for recreational managed species. I also visited with a number of recreational fishing organizations in the Northeast where I was often asked how catch and release of Atlantic striped bass by saltwater anglers killed more fish than direct harvesting/bycatch by the commercial fishing sector (large differences in fishing effort coupled with 10% catch and release mortality). A number of the constituent commenters on the March 4 webinar brought up concerns on discard mortality for bluefish, so I would suggest better outreach on this topic.

In more recent times the "natural mortality" is a larger fraction of the total mortality than in the past due to combination of: warming waters and increased ocean acidity; eutrophication; hypoxia; competing human uses of the ocean (ocean wind farms; US Naval training; oil/gas seismic surveys; increased ocean noise; etc.). The shifting ocean baseline; changes in the marine food chain (shifts in prey species and their predators in space/time) and reduced "productive capacity of Essential Fish Habitat" has altered catches of species harvested by both the commercial and recreational sectors in state/federal jurisdictional waters.

I participated in the EMaX (Energy Modeling and Analysis Exercise) Carbon budget project for the Northeast Continental Shelf Ecosystem. The EMaX project showed the there was a disconnect between primary production at the base of the food chain and the yield of Living Marine Resources at the top. In addition, as fish species and their prey shift in space and time due to warming inshore waters; increased ocean acidity; eutrophication; hypoxia; etc., the predation and competition interactions at the top of the food chain have

changed. Thus the yield of bluefish may be diminished by both fishing and natural mortality and shifts in the productive capacity of Essential Fish Habitat. Thus some scientists and ENGOs favor transition to an adaptive, ecosystem-based management approach to include these changes in the traditional fisheries management approach.

I don't know whether the MAFMC, ASMFC and NOAA Fisheries GARFO are considering a, EbM approaches to supplement the traditional SAW/SARC assessment for quotas; overfished and overfishing reference points; developing realistic recovery plans, etc. In addition, there is consideration of "sustainable fishing" approaches which include: ecological; socioeconomic; cultural and institutional indicators of successful recreational and commercial fishing. See the attached Addendum for the Sierra Club approach to these challenges (Sustainable Fisheries Policy and Adaptive Management graphic)

The changes in the MRIP and its effects on changing the status of the recreational fishing harvest illustrates the need to convert scientific studies and monitoring into the management process for bluefish (since this plan has taken a number of years and won't be completed until 2021) in a timely/more efficient fashion. There is a need to coordinate fisheries management (ASMFC; MAFMC; NOAA Fisheries GARFO) with regional ocean management plans which try to balance compatible human uses with the protection of wild places, wild things. The Massachusetts Ocean Management Plan (MOMP) pushes for offshore wind farms, but ignores fisheries management and human activities in coastal watersheds ("N" enrichment; contaminants of emerging concern; ocean outfalls from wastewater treatment plants; disposal of dredge spoils & barrels of toxic chemicals; etc.). The Northeast Regional Ocean Plan has databases for habitats and the associated marine species.

Thanks for your consideration of these comments.

Dr. David D. Dow  
East Falmouth, Ma.

Addendum:



From: **David Dow** ddow420@comcast.net  
Subject: **Ma. Chapter Comment on OHA 2 DEIS Attachment**  
Date: **December 13, 2014 at 2:57 AM**  
To: **David Dow** ddow420@comcast.net

---

\* Sierra Club Sustainable Fisheries Policy

## Sierra Club Conservation Policies

### Policy on Sustainable Marine Fisheries

Fish are a vital ecological, economic, and food resource, but many species are in decline because of habitat loss, pollution, over fishing, and bycatch<sup>1</sup>. Fisheries management is hampered by incomplete knowledge of fish life cycles, complex ecosystem relationships, population size, natural population fluctuations, and the adverse effects of habitat loss and pollution. Current commercial and recreational fishery practices have contributed to changes in the biological composition of marine ecosystems. Long-term ecological health and sustainability of aquatic biodiversity must take precedence over short-term economic considerations.

All parties, commercial and recreational fishers, consumers, environmental groups, governmental regulators, and the general public, must move towards a policy of recovering depleted fisheries stocks and developing a sustainable fishery management regime.

The Sierra Club therefore urges the state and federal agencies responsible for fisheries management to:

1. Adopt the precautionary principle to protect the biodiversity and integrity of the coastal and ocean ecosystems;
2. Move from managing fisheries on a species or species complex basis to an ecosystem approach which would include addressing: (a) the impacts of fishing on non-target species (sea turtles, marine mammals, sea birds); (b) changes in biodiversity of the marine food web as a consequence of harvesting fish; (c) impacts of land-based pollution from all sources and habitat loss/degradation from physical human activities in estuarine, nearshore, and offshore areas; and (d) population structure of target fish species and composition fish communities to avoid fishing down the food chain from larger predator species to smaller species lower in the chain.
3. Invest in coordinated and expanded research on habitat, fishing and natural fish mortality, climate change, threats posed by biotoxins, bacteria, and viruses, and development of less destructive fishing gear and techniques;
4. Designate and utilize no-take reserves, time and area closures, and restrictions on fishing effort for protection of breeding, spawning, and nursery areas for fish.
5. Develop better coordination of fisheries management across jurisdictional boundaries;

6. Establish and implement programs and policies that effectively reduce habitat degradation by physical disruption and land based pollution sources;
7. Eliminate government subsidies that support unsustainable fishing operations;
8. Provide financial aid only for retiring fishing vessels and gear, and for retraining displaced fishermen for new employment opportunities. Support economic incentives to promote the use of gear or fishing operations that are shown to be less damaging to habitats and ecosystems.
9. Provide greater opportunity for non-commercial fishing constituents, representatives of environmental and consumer groups, and private citizens interested in our public fisheries resources to participate in fishery commissions, councils, and advisory panels that recommend or set fisheries public policy.

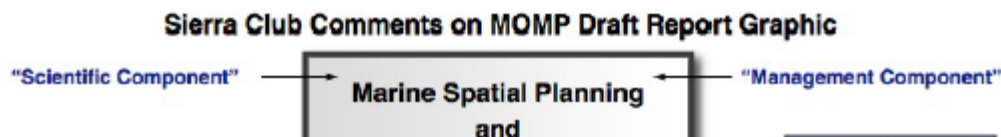
Definitions:

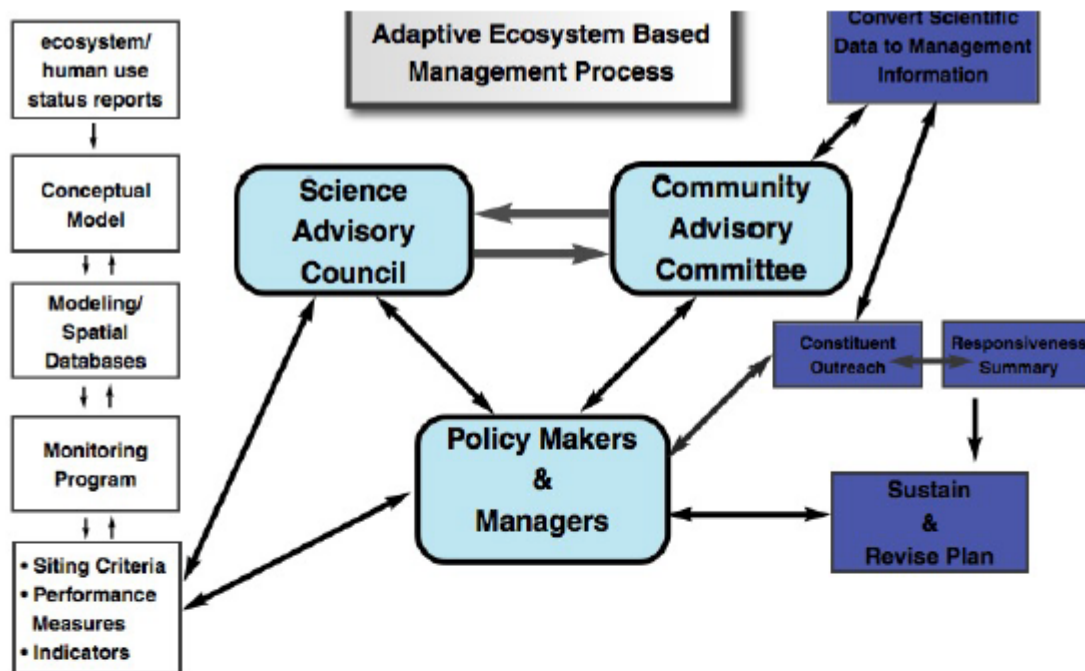
1. Bycatch - Bycatch is the indiscriminate catching of fish and other marine life other than those a fishing vessel intends to capture. This includes fish that are not the target species, sex, size, or quality. It also includes many other fish and marine life that have no economic value, but are ecologically important, such as starfish, sponges, and skates. Primarily, bycatch results from fishing practices and gear that are not selective. In addition to visible mortality, fish and other sea life are sometimes killed or injured when passing through or escaping fishing gear, and through ghost fishing from abandoned or lost gear.
2. Precautionary Principle - Precaution involves acting in advance to avoid or minimize negative impacts, which implies, in environmental management, that in the face of scientific uncertainty on cause and effects relationships accompanying the potential impacts that the benefit of the doubt is given to the conservation of natural resources and the maintenance of biodiversity.

*Board of Directors, September 20-21, 2002  
Agenda #B3b, Consent Agenda*

\* Adaptive, Ecosystems Based Management Graphic from MOMP Comments (developed by Dave Raney and myself)

2. Sierra Club MOMP Adaptive Management Graphic





*Definitions and Flow-Chart Description - Marine Spatial Planning Process*

*Ecosystem Status Report: describes existing state of marine biota (distribution and abundance in time and space) and their associated habitats, plus the key environmental processes that support these components*

*Human Usage Report: describes the spatial distribution and socioeconomic outcomes associated with fishing, sediment dredging, aquaculture, proposed renewable energy projects, marine transportation lanes, recreational activities, etc.*

*Conceptual Model (options): risk analysis; vulnerability analysis; scenario techniques; complex adaptive approaches.*

**Modeling/Marine Spatial Databases:** NEFSC Bottom Trawl and Food Habits ; Nature Conservancy Marine Ecoregional Assessments (MERA); U.S. Geological Survey Seabed Sediment mapping; Massachusetts Ocean Management Plan human uses (fishing, recreation, marine transportation, beach renourishment), SSUs habitats/marine life (special, sensitive and unique) and EVI (Ecological Valuation Index); potential wind energy maps; etc.

**Monitoring Program:** Site specific (project proponent) and regional context (MMS; Massa.state agencies) for physical, chemical, geological and biological components specified in permits or government work plan.

**Siting Criteria/Performance Measures/Indicators:** changes in distribution/abundance of key fish,

marine mammal, seabird/shorebird species; biomass spectra of marine food chain; benthic/epibenthic indicator species; sustainability indicators; socioeconomic direct/indirect/induced benefits (multiplier ratio); changes in human usage patterns; etc.

Science Advisory Committee: MOMP Ocean Science Advisory Committee  
Management Options:

- **Mitigation** - measures taken to reduce the pace and magnitude of climate change (increased energy use efficiency; planting more forests; increased use of renewable energy sources to produce "green electricity)
- **Adaptation** - Measures taken to reduce adverse impacts associated with climate disruption (shoreline retreat for human structures; rebuild beaches, dunes and salt marsh buffers; etc.)
- *i.e. mitigation is designed to avoid unmanageable climate change, while adaptation addresses climate change effects that are unavoidable (See "Avoiding the unmanageable and managing the unavoidable" study by U.N. Scientific Expert Panel on Climate Change)*

**Resilience:** For socioecological systems refers to its ability to absorb a shock and maintain its basic capacity to function/maintain critical structural components (Boston Globe article on financial complexity and the inability to estimate systemic risk which lead to cascading effects/economic meltdown).

Community Advisory Committee: MOMP Ocean Advisory Council and MMS State Stakeholder Groups (federal, state, local and tribal representatives).

Constituent Outreach: those of us looking for community benefits and meaningful input on planning/implementation process for small scale community wind farms in state waters and large scale projects within the EEZ (reactive versus proactive involvement

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, February 10, 2020 1:19 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Dean Kenny

**Email:** ddkenny311@aol.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New York, New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** Make 5 and 5 people are going to start selling their boats and then the jersey shore will be screwed. Bring back winter flounder to

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, January 21, 2020 10:20 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Dean Pesante

**Email:** dpesante@cox.net

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::** Rhode Island

**Gear type(s) used::** Gillnet

**Comments:** To the Bluefish Scoping committee. My name is Dean Pesante owner and operator of the F/V Oceana based out of Point Judith Rhode Island. I have been deeply involved in the Bluefish fishery since 1991. The two suggestions I would make for this process would be 1) Increase the minimum size in the north to 18" and to the south 16'. For both commercial and recreational fisheries. The studies that have been done show that at these sizes Bluefish are 100% sexually mature and 100% spawning can occur. There is no reason to harvest a fish before it has the opportunity to reproduce. This would assure future recruitment and a healthy stock. 2) Based on landings over the past 10 years there is a obvious shift of Bluefish to the North. Therefore the percentage of the coast wide quota to individual states should be adjusted to accommodate this trend. Bluefish has been a healthy fishery here in Rhode Island for a long time and continues to be currently. Many of the Fishermen here rely on this fishery. Hopefully these suggestions will be helpful moving forward during this process. Sincerely, Dean Pesante

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Friday, February 28, 2020 8:14 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Dean Pesante

**Email:** dpesante@cox.net

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::** Rhode Island

**Gear type(s) used::** Gillnet

**Comments:** My Name is Dean Pesante. Owner / operator of the F/V Oceana a inshore Gill-net vessel based out of Point Judith Rhode Island. We have been fishing for Bluefish since 1991. It is our primary fishery. There is no problem with the Bluefish stocks here in Rhode Island. There are plenty of fish. Our biggest problem is getting enough quota to cover our landings. We have been getting quota transfers from the southern states on a regular basis. It is obvious that the trend for Bluefish has been a move to the North. The southern states are not coming close to their quota and we keep going over. Having to ask for transfer quota. So I would recommend reallocation of quota from south to north to change with the times. Also I think it is VERY important to raise the minimum size to allow Bluefish to reproduce. The science shows a 18" fish to the north and a 16" fish to the south will be 100% sexually mature. Small immature fish should not be allowed to be taken. This should apply to BOTH commercial and recreational. Finally the the percentage of quota between commercial and recreational should be changed to adjust to accommodate the demand for Bluefish in the market place. Bluefish has become a very popular food fish. The general public should not be denied the opportunity to buy Bluefish. The increase in demand has greatly increased the value. Not only making it more important to the public but also to the commercial fisherman and woman harvesting them. There fore I would recommend a much higher parentage of the quota allocated to the commercial fisheries. 40% commercial 60% recreational. This is not unreasonable. Fish is food, their not toys. The public should not be denied this source of protein.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Wednesday, March 11, 2020 7:52 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Dean Pesante

**Email:** dpesante@cox.net

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::** Rhode Island

**Gear type(s) used::** Gillnet

**Comments:** Bluefish is a important food fish. More people are eating Bluefish now then ever before. Bluefish is the east coast salmon. The general public should not be denied the opportunity to have access to this incredible source of protein. The only way Bluefish will be made available to the general public in the market place is to adjust the percentage of quota between commercial and recreational fisheries. I would propose a 50/50 split between commercial and recreational fisheries. The public should not be denied this important source of protein. FISH IS FOOD. NOT TOYS. Sincerely, Dean Pesante F/V Oceana

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

## DIRECTED SUSTAINABLE FISHERIES, INC. A SALTWATER FISHERIES CONSULTING COMPANY

17 March 2020

Bluefish Allocation and Rebuilding Amendment to the Bluefish Fishery Management Plan  
Scoping and Public Information Document  
Mid-Atlantic Fishery Management Council (MAFMC)  
Atlantic States Marine Fisheries Commission (ASMFC)

Re: Bluefish Allocation and Rebuilding Amendment Scoping Comments

To: Matthew Seeley, [mseeley@mafmc.org](mailto:mseeley@mafmc.org)

To: Dustin Leaning, [dleaning@asmfc.org](mailto:dleaning@asmfc.org)

Directed Sustainable Fisheries (DSF) clients depend on catching Bluefish from Florida state and federal waters for decades to provide seafood sales for the non-boating consumers. Also, the Florida recreational fishing sector land Bluefish during for-hire trips, or privately for personal consumption. DSF commercial client Seafood Atlantic from Port Canaveral, FL is in support of "Status Quo" for allocation percentages with a continued transfer of unused quotas as needed.

The MAFMC/ASMFC proposed reallocation of acceptable catch limits from commercial entities who have regularly reported their landings is fiscally harmful to the seafood industry. This is because "estimated catches" are being used from inflated populations of the recreational fishing sectors depending on Marine Recreational Information Program (MRIP) data produced under new circumstances. Many for-hire captains, commercial entities and State managers including then Florida Fish & Wildlife Commission (FL FWC) as evidenced by the attached three letters from FL FWC who do not believe the astronomically high landings. The MRIP results are not reliable and the damage to the commercial seafood industry and the for-hire fleets will be financially harmful if not fixed.

The DSF position for status quo is defensive to fix a bad MRIP estimated choice for the Bluefish scoping effort by MAFMC and ASMFC that began before the MRIP calibration results had become public during July 2018. The Bluefish MRIP calibration changes were not included in the 2018 Bluefish scoping document alternatives. When the 2019 Operational Assessment used the new MRIP catch increases for the period 1981 to 2017, there was concern with that action, and the inflated results.

A Full Benchmark Assessment should have taken place instead of depending on an Operational Assessment result to suddenly use revised MRIP data as compared to past estimated totals by the National Marine Fisheries Service's science. The FL FWC during 2019 noted their concern with quotes such as copied below from the three attached documents;

The magnitude of differences in new catch estimates generated from FES compared to those generated from the CHTS and some observations that we have made in Florida make us question the accuracy of these estimates. Some of these observations include:

- Different independent surveys conducted by Gulf states consistently generate substantially lower estimates of effort and catch than those generated from the FES.



For the period 2000-2017, the estimates from the FES indicate that statewide trips are 2.8 to 3.9 times higher than previous estimates. This dramatic difference in fishing effort results in estimates of harvest that are far greater than what we had been managing for previously. For example, the new statewide estimate of the harvest of red snapper is double what it was for the old estimates. For inshore species, such as common snook, harvest estimates are more than triple those calculated previously.

In summary, we believe that there is ample evidence that the FES may be over-estimating fishing effort. We also believe that there should be a thorough analysis of the effect of these estimates on stock status and allocation before they are used for management of our fish stocks. Utilization of these estimates, that in some cases appear to be non-sensical will affect management decisions and further erode the public's confidence in a management process that already has lost public confidence. We are requesting that the FES generated estimates be reviewed thoroughly by a panel of statistical experts to ensure that the FES design is **functioning** as intended.

We do not believe that the estimates generated from the FES should be used to determine stock status, catch advice, or allocation decisions until potential biases causing these unrealistic estimates have been identified and the estimates have been corrected. Until this recalibration has been done, utilization of the FES generated estimates in assessments and for allocation decisions can lead to inappropriate stock status determinations and allocation formulations.

Some of the best ex-vessel prices for all sizes of Bluefish during the past few years are occurring as the non-boating consumer desire fresh domestic fish. Florida has had 10% of the commercial allocation on the US East Coast. North Carolina commercial fishing entities have also requested status quo, and tend to land the largest amount of Bluefish on the US East Coast. Both Florida and North Carolina support the continued transfer of underutilized recreational catch to the commercial sector as needed. A real recreational census should have been developed over the past years. Past data shows that the recreational sector only exceeded their allocation during 2007, while not catching the estimated allocation during most years based on the previous data.

Recreational analyses are two to one for releases versus landings of Bluefish and have a 15% dead discard rate that needs to be reexamined in a Full Benchmark Assessment. SAW SARC 60 completed the recent benchmark during 2015 with data through 2014. The results indicated then that the Bluefish biomass was not overfished, and overfishing was not occurring then. This was a positive result that should have justified a status quo until a Full Benchmark Assessment was completed. But the rush to employ science that really is not the best available, and using it will create a negative economic scenario. DSF supports Status Quo with the commercial 2018 Initial Quotas pasted below as presented in Table 2 on page 16 from the December 2019 Supplemental Scoping and Public Information Document.

Table 2. Commercial state allocations (percent share) and 2018 landings.

State	Percent Share	2018 Initial Quota	2018 Landings
Maine	0.67	48,424	21
New Hampshire	0.41	30,025	0
Massachusetts	6.72	486,539	199,402
Rhode Island	6.81	491,169	237,182
Connecticut	1.27	91,727	48,220
New York	10.38	752,268	539,345
New Jersey	14.82	1,075,245	56,210
Delaware	1.88	136,052	6,486
Maryland	3.00	217,442	27,353
Virginia	11.88	866,518	102,639
North Carolina	32.06	2,322,197	769,764
South Carolina	0.04	2,550	0
Georgia	0.01	688	0
Florida	10.06	728,697	224,999
<b>Total</b>	<b>100.01</b>	<b>7,248,726</b>	<b>2,263,591</b>

*Rusty*

# DIRECTED SUSTAINABLE FISHERIES, INC.

## A SALTWATER FISHERIES CONSULTING COMPANY

Russell Howard Hudson, President  
 Directed Sustainable Fisheries, Inc. (DSF)  
 PO Box 9351  
 Daytona Beach, Florida 32120-9351

(386) 239-0948 Office  
 (386) 290-8443 Cellular

[DSF2009@aol.com](mailto:DSF2009@aol.com)

Saltwater Fisheries Consultant, Shark Specialist  
 Deep-Sea Fishing Expert and Shrimp Boat Captain  
 Retired 100-ton United States Coast Guard (USCG) Licensed Sea Captain  
 Recreational, For-Hire & Commercial Fishing Life Experience, 1958-2020  
 Sixth Generation Waterman from Central Florida (FL) East Coast  
 Seafood Coalition (SFC) member  
 American Elasmobranch Society (AES) member 2004-2020  
 Atlantic Coastal Cooperative Statistics Program (ACCSP) Advisory Committee FL member  
 ACCSP Biological Review Panel (BRP) member  
 ACCSP Bycatch Prioritization Committee (BPC) member  
 Atlantic States Marine Fisheries Commission (ASMFC) Coastal Shark (CS) Advisory Panel (AP) FL Commercial & For-hire recreational member [former Chair of CS AP]  
 ASMFC Bluefish AP FL Commercial member  
 National Marine Fisheries Service (NMFS) Highly Migratory Species (HMS) AP Commercial Shark member 2019-2021  
 NMFS HMS SouthEast Data, Assessment and Review (SEDAR) AP Pool member 2016-2021  
 South Atlantic Fishery Management Council (SAFMC) SEDAR AP Pool member no term limits  
 SAFMC Fisheries Citizen Science Program Participant 2016-2020  
 SAFMC Mackerel-Cobia AP FL Commercial member 2018-2021  
 SAFMC Snapper-Grouper (SG) AP FL Commercial member 2015-2021  
 SAFMC System Management Plan (SMP) Workgroup FL Commercial member 2018-2021  
 SAFMC Marine Protected Area (MPA) Expert Work Group (EWG) participant 2012-2013  
 Former SAFMC MPA AP FL Commercial member  
 Former NMFS Atlantic Large Whale Take Reduction Team FL participant (ALWTRT)  
 Former NMFS Bottlenose Dolphin Take Reduction Team FL participant (BDTRT)  
 Participant, observer and/or contributor to US coastal shark stock assessments during 1992, 1996, 1998, 2001, 2002, 2005, 2006, 2007, 2010-2015, 2017, 2019 and 2020.  
 Participant, observer and/or contributor SEDAR 11 (Large Coastal Sharks), 13 (Small Coastal Sharks), 16 (King Mackerel), 19 (Red Grouper/Black Grouper), 21 (Large Coastal Sharks/Small Coastal Sharks), 24 (Red Snapper), 25 (Black Sea Bass/Golden Tilefish), 28 (Spanish Mackerel/Cobia), 29 (Gulf Blacktip Sharks), 32 (Grey Triggerfish/Blueline Tilefish), 34 (Atlantic Sharpnose Sharks/Bonnethead Sharks), 36 (Snowy Grouper), 38 (King Mackerel), 39 (Smoothhound Sharks), 41 (Red Snapper/Grey Triggerfish), 50 (Blueline Tilefish), 53 (Red Grouper), 54 (Sandbar Sharks), 56 (Black Sea Bass), 65 (Atlantic Blacktip Sharks) and SEDAR 66 (Golden Tilefish).



Florida Fish  
and Wildlife  
Conservation  
Commission

Commissioners

**Robert A. Spottwood**  
Chairman  
Key West

**Michael W. Sole**  
Vice Chairman  
Tequesta

**Joshua Kellam**  
Palm Beach Gardens

**Gary Lester**  
Oxford

**Gary Nicklaus**  
Jupiter

**Sonya Rood**  
St. Augustine

Office of the  
Executive Director

**Eric Sutton**  
Executive Director

**Thomas H. Eason, Ph.D.**  
Assistant Executive Director

**Jennifer Fitzwater**  
Chief of Staff

850-487-3796  
850-921-5786 FAX

*Managing fish and wildlife  
resources for their long-term  
well-being and the benefit  
of people.*

620 South Meridian Street  
Tallahassee, Florida  
32399-1600  
Voice: 850-488-4676

Hearing/speech-impaired:  
800-955-8771 (T)  
800-955-8770 (V)

MyFWC.com

March 1, 2019

Chris Oliver, Assistant Administrator for Fisheries  
National Oceanic and Atmospheric Administration  
1315 East-West Highway, 14th Floor  
Silver Spring, MD 20910

RE: MRIP Recalibration

Dear Chris:

Accurate information about angler effort, harvest and catch rates is necessary for proper management of our fisheries. The sustainability of these stocks is essential to provide for the economic and social benefits that are derived from them. The Florida Fish and Wildlife Conservation Commission (FWC) has concerns about the immediate use of the Marine Recreational Information Program (MRIP) Fishing Effort Survey (FES) effort estimates to calculate catch for the species managed by the Fishery Management Councils. While the survey methodology underlying the FES is clearly an improvement from that used for the Coastal Household Telephone Survey (CHTS), the initial effort estimates based on the FES are dramatically higher than historical estimates and implausible based on our understanding of Florida fisheries. Also, it is important to note that the magnitude of these effort estimates differs dramatically from those generated by NOAA Fisheries certified surveys conducted by the Gulf states. Due to concern over these differences, the Gulf of Mexico Fishery Management Council (GMFMC) and the South Atlantic Fishery Management Council (SAFMC) Scientific and Statistical Committees (SSC) have recommended a cautious approach when utilizing potentially conflicting estimates of harvest in stock assessments until these differences can be reconciled and corrected if necessary.

It is important that fisheries managers use the best available science when making decisions that impact fish stocks and the stakeholders that use these stocks. We believe that this process should include taking the time necessary to ensure that a newly implemented survey approach is generating plausible results free of bias. Although the National Academy of Sciences conducted a critical review of the methods used in the FES, we do not believe that the results of the survey are reliable. Fisheries managers already face a lack of confidence from stakeholders. It is important that the public is confident in the results of our data collection techniques so that managers' credibility is not further eroded. Additionally, the effect of the magnitude of changes of estimates of effort and harvest from the CHTS and FES to stock status and the allowable biological catch is unknown.

The magnitude of differences in new catch estimates generated from FES compared to those generated from the CHTS and some observations that we have made in Florida make us question the accuracy of these estimates. Some of these observations include:

- Different independent surveys conducted by Gulf states consistently generate substantially lower estimates of effort and catch than those generated from the FES. The Florida Gulf Reef Fish Survey, certified by NOAA Fisheries, and using a mail survey similar to the FES, estimated 1.2 million private/rental boat trips targeting ten reef fish species in the Gulf of Mexico in 2017. The FES generated estimate for **total** private/rental boat trips on Florida's west coast in 2017 was more than 18 million trips. Given the popularity of reef fish as target species off Florida's west coast, it is difficult to believe that only 6% of the boat-based trips in 2017 targeted these reef species on Florida's Gulf coast. Leading us to believe the FES greatly overestimated the number of trips.

Chris Oliver  
Page 2  
March 1, 2019

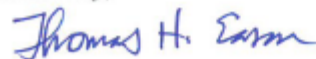
- 2.3 million saltwater fishing licenses were sold in 2017 in Florida. Moreover, there may also be up to 40% of our anglers who are exempt. This would mean that we have about 4 million saltwater anglers. The number of trips estimated using the FES in Florida is approximately 80 million, meaning that on average, anglers fish 20 days per year. We do not believe that an average angler takes 20 fishing trips per year.
- FES generated statewide estimates of effort for shoreline anglers are four times as high as those estimated from CHTS. These estimates were seven times higher than those generated by CHTS on the Atlantic coast of Florida. The FES statewide estimates indicate that in 2017, there were **51.4 million shoreline trips** in Florida. This FES generated estimate equates to an **average of 4,000 trips per day** for each of Florida's 35 coastal counties or an **average of 65 trips per day for each mile** of tidal shoreline. We do not believe these estimates reflect reality.
- The 2016 National Survey of Hunting, Fishing, and Wildlife Associated Recreation conducted by the US Fish and Wildlife Service estimated that anglers 16 years old and older completed **61 million** saltwater trips **nationwide**. FES generated effort for 2017 indicates that there were over **80 million** saltwater fishing trips in Florida alone. The extreme lack of corroboration with this independent survey alone is enough to warrant further investigation into the veracity of the FES.

For the period 2000-2017, the estimates from the FES indicate that statewide trips are 2.8 to 3.9 times higher than previous estimates. This dramatic difference in fishing effort results in estimates of harvest that are far greater than what we had been managing for previously. For example, the new statewide estimate of the harvest of red snapper is double what it was for the old estimates. For inshore species, such as common snook, harvest estimates are more than triple those calculated previously.

In summary, we believe that there is ample evidence that the FES may be over-estimating fishing effort. We also believe that there should be a thorough analysis of the effect of these estimates on stock status and allocation before they are used for management of our fish stocks. Utilization of these estimates, that in some cases appear to be non-sensical will affect management decisions and further erode the public's confidence in a management process that already has lost public confidence. We are requesting that the FES generated estimates be reviewed thoroughly by a panel of statistical experts to ensure that the FES design is **functioning** as intended.

Thank you for your considerations. Please feel free to direct any questions or comments to Jessica McCawley in our Division of Marine Fisheries Management at (850)-617-9635.

Sincerely,



Thomas H. Eason, Ph.D.  
Assistant Executive Director



Florida Fish  
and Wildlife  
Conservation  
Commission

Commissioners

**Robert A. Spottswood**  
Chairman  
Key West

**Michael W. Sole**  
Vice Chairman  
Tequesta

**Joshua Kellam**  
Palm Beach Gardens

**Gary Lester**  
Oxford

**Gary Nicklaus**  
Jupiter

**Sonya Rood**  
St. Augustine

Executive Staff

**Eric Sutton**  
Executive Director

**Thomas H. Eason, Ph.D.**  
Assistant Executive Director

**Jennifer Fitzwater**  
Chief of Staff

Division of Marine  
Fisheries Management

**Jessica McCawley**  
Director

(850) 487-0554  
(850) 487-4847 FAX

*Managing fish and wildlife  
resources for their long-term  
well-being and the benefit  
of people.*

620 South Meridian Street  
Tallahassee, Florida  
32399-1600  
Voice: 850-488-4676

Hearing/speech-impaired:  
800-955-8771 (T)  
800-955-8770 (V)

MyFWC.com

April 4, 2019

Dr. John T. Carmichael  
Deputy Executive Director for Science & Statistics  
South Atlantic Fisheries Management Council  
John.Carmichael@safmc.net

RE: MRIP Recalibration

Dear Dr. Carmichael,

This letter is written in response to your March 21, 2019 email requesting that state agency representatives provide a letter to the South Atlantic Fishery Management Council's Science and Statistical Committee (SSC) about concerns with revised Marine Recreational Information Program (MRIP) estimates of fishing effort and catch. These concerns are outlined in the two attached letters.

We are appreciative of attempts to improve the procedures used by MRIP. However, estimates of recreational landings using the Fishing Effort Survey (FES) are not consistent with our experience and understanding of managed fisheries and unrealistic. In the two attached letters, we provide examples about why we think that the estimates generated from the FES defy common sense.

We do not believe that the estimates generated from the FES should be used to determine stock status, catch advice, or allocation decisions until potential biases causing these unrealistic estimates have been identified and the estimates have been corrected. Until this recalibration has been done, utilization of the FES generated estimates in assessments and for allocation decisions can lead to inappropriate stock status determinations and allocation formulations.

Please feel free to call me at (850)-251-2458 if you have any questions.

Sincerely,

James R. Estes  
Deputy Director

Enclosure

cc: **Jessica McCawley**  
**Gil McRae**  
**Luiz Barbieri**



Florida Fish  
and Wildlife  
Conservation  
Commission

Commissioners  
**Robert A. Spottswood**  
Chairman  
Key West

**Michael W. Sole**  
Vice Chairman  
Tequesta

**Joshua Kellam**  
Palm Beach Gardens

**Gary Lester**  
Oxford

**Gary Nicklaus**  
Jupiter

**Sonya Rood**  
St. Augustine

Office of the  
Executive Director  
**Eric Sutton**  
Executive Director

**Thomas H. Eason, Ph.D.**  
Assistant Executive Director

**Jennifer Fitzwater**  
Chief of Staff

850-487-3796  
850-921-5786 FAX

*Managing fish and wildlife  
resources for their long-term  
well-being and the benefit  
of people.*

620 South Meridian Street  
Tallahassee, Florida  
32399-1600  
Voice: 850-488-4676

Hearing/speech-impaired:  
800-955-8771 (T)  
800-955-8770 (V)

MyFWC.com

March 1, 2019

Jessica McCawley, Chairman  
South Atlantic Fishery Management Council  
4055 Faber Place Drive, Suite 201  
North Charleston, SC 29405

RE: MRIP Calibration

Dear Jessica:

Accurate information about angler effort, harvest and catch rates is necessary for proper management of our marine fisheries. The sustainability of these stocks is essential to provide for the economic and social benefits that are derived from them. The Florida Fish and Wildlife Conservation Commission (FWC) has concerns about the immediate use of the Marine Recreational Information Program (MRIP) Fishing Effort Survey (FES) effort estimates to calculate catch for the species managed by the South Atlantic Fishery Management Council (SAMFC). While the survey methodology underlying the FES is clearly an improvement from that used for the Coastal Household Telephone Survey (CHTS), the initial effort estimates based on the FES are dramatically higher than historical estimates and implausible based on our understanding of Florida fisheries. Also, it is important to note that the magnitude of these effort estimates differs dramatically from those generated by NOAA Fisheries certified surveys conducted by the Gulf states. Due to concern over these differences, the Gulf of Mexico Fishery Management Council (GMFMC) Scientific and Statistical Committee (SSC) has recommended a cautious approach when utilizing potentially conflicting estimates of harvest in stock assessments until these differences can be reconciled and corrected if necessary.

It is important that fisheries managers use the best available science when making decisions that impact fish stocks and the stakeholders that use these stocks. We believe that this process should include taking the time necessary to ensure that a newly implemented survey approach is generating plausible results free of bias. Although the National Academy of Sciences conducted a critical review of the methods used in the FES, we do not believe that the results of the survey are reliable. Fisheries managers already face a lack of confidence from stakeholders. It is important that the public is confident in the results of our data collection techniques so that managers' credibility is not further eroded. Additionally, the effect of the magnitude of changes of estimates of effort and harvest from the CHTS and FES to stock status and the allowable biological catch is unknown.

The magnitude of differences in new catch estimates generated from FES compared to those generated from the CHTS and some observations that we have made in Florida make us question the accuracy of these estimates. Some of these observations include:

- Different independent surveys conducted by Gulf states consistently generate substantially lower estimates of effort and catch than those generated from the FES. The Florida Gulf Reef Fish Survey, certified by NOAA Fisheries, and using a mail survey similar to the FES, estimated 1.2 million private/rental boat trips targeting ten reef fish species in the Gulf of Mexico in 2017. The FES generated estimate for **total** private/rental boat trips on Florida's west coast in 2017 was more than 18 million trips. Given the popularity of reef fish as target species off Florida's west coast, it is difficult to believe that only 6% of the boat-based trips in 2017 targeted these reef species on Florida's Gulf coast. Leading us to believe the FES greatly overestimated the number of trips.

Jessica McCawley  
Page 2  
March 1, 2019

- 2.3 million saltwater fishing licenses were sold in 2017 in Florida. Moreover, there may also be up to 40% of our anglers who are exempt. This would mean that we have about 4 million saltwater anglers. The number of trips estimated using the FES in Florida is approximately 80 million, meaning that on average, anglers fish 20 days per year. We do not believe that an average angler takes 20 fishing trips per year.
- FES generated statewide estimates of effort for shoreline anglers are four times as high as those estimated from CHTS. These estimates were seven times higher than those generated by CHTS on the Atlantic coast of Florida. The FES statewide estimates indicate that in 2017, there were **51.4 million shoreline trips** in Florida. This FES generated estimate equates to an **average of 4,000 trips per day** for each of Florida's 35 coastal counties or an **average of 65 trips per day for each mile** of tidal shoreline. We do not believe these estimates reflect reality.
- The 2016 National Survey of Hunting, Fishing, and Wildlife Associated Recreation conducted by the US Fish and Wildlife Service estimated that anglers 16 years old and older completed **61 million** saltwater trips **nationwide**. FES generated effort for 2017 indicates that there were over **80 million** saltwater fishing trips in Florida alone. The extreme lack of corroboration with this independent survey alone is enough to warrant further investigation into the veracity of the FES.

For the period 2000-2017, the estimates from the FES indicate that statewide trips are 2.8 to 3.9 times higher than previous estimates. This dramatic difference in fishing effort results in estimates of harvest that are far greater than what we had been managing for previously. For example, the new statewide estimate of the harvest of red snapper is double what it was for the old estimates. For inshore species, such as common snook, harvest estimates are more than triple those calculated previously.

In summary, we believe that there is ample evidence that the FES may be over-estimating fishing effort. We also believe that there should be a thorough analysis of the effect of these estimates on stock status and allocation before they are used for management of our fish stocks. Utilization of these estimates, that in some cases appear to be non-sensical, will affect management decisions and further erode the public's confidence in a management process that already has lost public confidence. These estimates need to be reviewed thoroughly by a panel of statistical experts to ensure that the FES design is **functioning** as intended. Also, the implications of using these estimates for management should be examined thoroughly through an extensive data workshop process on an individual species level. We plan to send a letter to NOAA to request that they embark on an analysis of potential biases associated with the FES that may be causing unrealistic estimates of effort.

We urge the SAMFC to pause in the use of FES generated estimates for management until the results of the FES can be fully reviewed and important issues are resolved.

Thank you for your considerations. Please feel free to direct any questions or comments to Jim Estes in our Division of Marine Fisheries Management at (850)-617-9622.

Sincerely,



Thomas H. Eason, Ph.D.  
Assistant Executive Director

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, March 16, 2020 3:42 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Donald Kiesel

**Email:** kieseldb@gmail.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey, Delaware, Maryland, Virginia

**Gear type(s) used::** Hook and line or handline

**Comments:** These fish range half the Atlantic. They go where they want when they want. While the catch isn't what it was, it has ebbed and rebounded several times in the 60 years I've been catching them. I do not believe the proposed rules under consideration will make one bit of difference overall. I do not believe changes are in order or necessary.

Further, there should absolutely be no difference in the per person catch retention limit between private vessel fisherman and charter operators. That proposed rule was/is offensive and arrogant.

Your agencies are crushing the recreational fishing way of life and the businesses that support it.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Ed Daniels <ed.daniels@outlook.com> on behalf of Ed Daniels <ed.daniels@comcast.net>  
**Sent:** Monday, February 10, 2020 11:43 AM  
**To:** Seeley, Matthew  
**Subject:** Bluefish catch limits

I'm a recreational fisherman and we catch and eat the blue fish. Whether or not the blue fish need to be restricted depends 1st on whether the fishing is causing the problematic reduction in population. I understand that there are many elements that could be responsible for blue fish decline, but if recreational fishing or commercial fishing are exacerbating the problem then that needs to be restricted.

We catch and eat bluefish we catch, but if the choice is between not catching and eating and not catching at all, I certainly will take the former.

Edward Daniels, 10 Mary Rd, Eastham, MA 02642

---



---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, February 10, 2020 12:58 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Edward Valentine

**Email:** ejv14@msn.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** The snapper fishing in the Manasquan Inlet and Stockton Lake was very poor last year. I don't know if there is a decline in the spawning process or if this was an aberation.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, January 13, 2020 10:41 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Name:** George Horvath

**Email:** georgerhorvath@yahoo.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** I tagged 2,308 bluefish in NJ with American Littoral Society tags. 28 were recaptured from the Cape Cod Canal, MA, to Atlantic Beach, NC. There has been no fall bluefish run in the NJ surf for several years. A bluefish that I tagged in NJ was found in a NC fish market. Three bluefish that I tagged in Barnegat Inlet, NJ, were found in an Oyster Creek Nuclear Power Plant December fish kill. A bluefish that I tagged in Barnegat Inlet, NJ, in August was caught 7 miles East of Hatteras Inlet, NC, by a NC Division of Marine Fisheries Research Vessel in February. A bluefish that I tagged in Barnegat Inlet, NJ, in June was found dead in a VA marsh in April. If commercial fishermen don't report the tagged fish that they catch, their net license should be revoked.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---



MARK WILLIAMS  
COMMISSIONER

DOUG HAYMANS  
DIRECTOR

March 12, 2020

Dr. Christopher Moore, Executive Director  
Mid-Atlantic Fisheries Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

Dr. Moore,

Thank you for the opportunity to comment on the joint amendment for the Atlantic Coast Fishery Management Plan for Bluefish. Georgia requests the MAFMC and Commission consider amending the definition of *de minimis* to include recreational landings and to relax regulatory requirements for *de minimis* states.

Georgia's recreational fishery for Bluefish is minimal. Directed recreational trips where Bluefish were identified as the primary target account for less than 0.5% of the total trips in each of the last three fishing years (2016 - 2018). During each of the last ten years, the annual harvest levels have been well below 1%, ranging from 0.01% to 0.53%, of the coastwide harvest.

Based on the Commission's Interstate Fisheries Management Program Charter (ISFMP, Feb. 2016) definition "*(l) De minimis - A situation in which, under existing conditions of the stock and scope of the fishery, conservation, and enforcement actions taken by an individual state would be expected to contribute insignificantly to a coastwide conservation program required by an FMP or amendment,*" we are asking the MAFMC and Commission to consider including recreational *de minimis* which would exempt such states from regulatory requirements as those conservation measures would be insignificant.

The ISFMP Policy Board discussed, in August 2007, standardization of *de minimis* definitions including conditioning for commercial or recreational or combined and which component a state could request *de minimis*. Precedent exists in other fisheries where commercial and recreational landings have been used either separately (e.g., Atlantic Croaker) or in combination (e.g., horseshoe crab, American Eel, Black Drum). It was suggested in the minutes of that meeting that if the Commission's management board wanted to make changes to *de minimis* in an FMP, it could be done through an amendment/addendum. Our hope is that a similar process may be available through the MAFMC.

Thank you for your consideration,

Doug Haymans

Cc: Dr. Carolyn Belcher – Chief of Marine Fisheries, GADNR CRD  
Spud Woodward – Georgia Legislative Appointee  
Toni Kerns / Bob Beal – ASMFC

---

**From:** Gerald Audet <geraldaudet@gmail.com>  
**Sent:** Thursday, February 13, 2020 10:08 AM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Comment

Hello

I would like to comment on blue fish regulations. First, **I am in support of new regulations limiting harvest and new regulations decreasing daily limits on Bluefish, coast wide.**

As to the the specific points MAFMC has asked the public to comment on:

*Are the existing goals and objectives appropriate for managing the bluefish fishery?* No. While I applaud the action to decrease harvest, more focus needs to be put into angler education and decreasing dead discards and release mortality. Further, the decrease in comm harvest will likely not be sufficient to rebound the fishery quickly.

*Is the existing allocation between the commercial and recreational sectors based on the annual catch limit appropriate for managing the bluefish fishery?*

No. Recreational anglers are provided with a disproportional smaller opportunity to access the fishery. There needs to be a shift away from commercial harvest to provide better equity between rec and comm anglers.

*Are the existing commercial state allocations appropriate for managing the bluefish fishery?* No comment, I do not have enough information.

*Are the existing transfer processes appropriate for managing the bluefish fishery?* No. The bluefish should be managed with regards to other fisheries and as a biological system. Simply transferring fish from comm to rec or otherwise is not addressing this issue.

*What is the appropriate approach to take for rebuilding?* First, environmental protection of the Bluefish habitat is critical. Next, we need better data as to population dynamics and distribution. Next, reduction of the comm harvest of bluefish needs to be implemented, with even tighter standards and further reductions- at least in the short term, if not the long term. Finally, increased angler education as to proper release of fish for maximum discard survivability.

Thank you for allowing me to comment

Dr. Gerald Audet, PhD

Douglas, MA

---

---

**From:** Gerald Audet <geraldnaudet@gmail.com>  
**Sent:** Monday, March 16, 2020 4:34 PM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Scoping Comments

ATTN Dr. Christopher Moore

I am sending my comments as to Bluefish Management.

1) Are existing goals and objectives appropriate for managing the bluefish fishery?

No. Bluefish and Striped Bass should be managed for abundance, not yield. They should also be managed as part of the biological system, not as individual species.

2) Is the existing allocation between the commercial and recreational sectors based on the annual catch limit appropriate for managing the bluefish fishery?

No. Commercial sector has too great a stake in the fishery, and too substantial a take.

3) Are the existing commercial state allocation appropriate for the managing the bluefish fishery?

No comment

4) Are the existing transfer processes appropriate for managing the bluefish fishery?

No. Again, commercial sectors have disproportional access and harvest.

5) What is the appropriate approach to take for rebuilding?

WE should be managing for an equitable fishery that is managed on an ecosystem scale, not on a species. WE should be attempting to rebuild the fishery as quickly as possible, whatever that cost- this means more quickly than a 10 year or 5 year timeline. Harvest across all sectors should be substantially reduced. Further, environmental concerns- like spawning habitat and forage availability- should be addressed beyond simple reductions in harvest.

Thank you for this opportunity to comment

Dr. Gerald Audet

Douglas, MA

---

**From:** Germain Cloutier <stripedbassking@yahoo.com>  
**Sent:** Wednesday, March 4, 2020 6:39 PM  
**To:** Seeley, Matthew  
**Subject:** Bluefish

Hello,

With Bluefish Stocks falling, it is evident that they are overfished. It is not in the best interest of the species to be adding to the commercial harvest of Bluefish and taking away from the recreational side like what was done in the past. The action needed it cuts on all fronts to ensure that this great gamefish is able to survive and give anglers a good fight. Bluefish can save many anglers efforts when Striped bass are hard to find( since their numbers are also falling).

Thank you,  
Germain

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Wednesday, January 29, 2020 10:19 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Gil Hawkins

**Email:** gilhawkins@verizon.net

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New York, New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** I am against the 3 bag limit on blue fish. There are many reasons. One is every child remembers taking home a catch if snapper blues. Three fish doesn't make a meal. Two, blue fish are self destructive in a boil. Is half a fish a catch? The idea of spending fuel or going to the beach to catch 3 fish is ludicrous. Fish over five pounds are not good eating so limit the size not the bag limit. Gil Hawkins. Past President Hudson River Fishermen's Association.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---



**The Great Egg Harbor Watershed Association & River Council**

**Fred Akers - Administrator**  
 P.O. Box 109  
 Newtonville, NJ 08346  
 856-697-6114  
[Fred\\_akers@gehwa.org](mailto:Fred_akers@gehwa.org)

**OFFICERS**

**Julie Akers**  
 President  
**Ed Curry**  
 Vice President  
**Dick Colby**  
 Treasurer  
**Lynn Maun**  
 Secretary & Coordinator

**TRUSTEES**

**Steve Eisenhauer**  
**Elmer Ripley**  
**Jamie Cromartie**  
**Pat Sprigman**  
**Clark Sprigman**  
**Clay Emerson**  
**Paul Ludgate**

**RIVER COUNCIL**

**Chair:**

**Gregory Gregory**  
 Somers Point

**Vice Chair:**

**Richard Coe**  
 Monroe Twp.

**COUNCILLORS**

**Julie Akers**  
 Buena Vista Twp.  
**Brian Camp**  
 Corbin City  
**Bill Christman**  
 Hamilton Twp.  
**Ralph Bernard**  
 Weymouth  
**Clark Sprigman**  
 Winslow Twp.  
**John Keenan**  
 Hammonton  
**Jim Owen**  
 Estell Manor  
**Joel Spiegel**  
 Borough of Folsom  
**David Brown**  
 Egg Harbor Twp.  
**William Handley**  
 Upper Twp.  
**Dick Colby**  
 GEHWA

March 17, 2020

Dr. Christopher Moore, Executive Director  
 Mid-Atlantic Fishery Management Council  
 800 North State Street, Suite 201  
 Dover, DE 19901  
 (Sent via email, electronic copy attached)

RE: Bluefish Scoping Comments

Dear Dr. Moore:

Recreational values are an important Outstanding Resource Value for the Great Egg Harbor National Scenic and Recreational River and National Park, and marine fishing is a very popular recreational activity in the tidal river and estuary.

Bluefish are a very popular game fish in our system, so we offer you the following comments regarding the Scoping to update the bluefish FMP.

**ISSUE 1: FMP GOALS AND OBJECTIVES**

We think that the existing objectives as stated below are very comprehensive and still very appropriate for managing the bluefish fishery:

1. Increase understanding of the stock and of the fishery.
2. Provide the highest availability of bluefish to U.S. fishermen while maintaining, within limits, traditional uses of bluefish (defined as the commercial fishery not exceeding 20% of the total catch).
3. Provide for cooperation among the coastal states, the various regional marine fishery management councils, and federal agencies involved along the coast to enhance the management of bluefish throughout its range.
4. Promote compatible management regulations between State and Federal jurisdictions.
5. Prevent recruitment overfishing.
6. Reduce the waste in both the commercial and recreational fisheries

**ISSUE 2: COMMERCIAL AND RECREATIONAL ALLOCATIONS**

Given that the characteristics and participation in both the commercial and recreational fisheries has changed over the last 20 years, and especially in light

[www.gehwa.org](http://www.gehwa.org) – The Official Website of the Great Egg Harbor Watershed Assoc.

of the MRIP changes, the commercial and recreational allocations should be revised.

The commercial/recreational split should be updated based on the new MRIP data as shown in the scoping video table where the 38 year average from 1981-2018, the 10 year average from 2009-2018, the 5 year average from 2014 to 2018, and the 3 year average from 2016 to 2018 are all the same at 87% recreational and 13% commercial.

#### ISSUE 6: OTHER ISSUES

There are many important management considerations that the bluefish FMP must consider, and we highlight the following 2 issues of concern:

1. Ecosystem approaches to bluefish management – given the changes in distribution of bluefish caused by temperature changes and other ecosystem changes brought on by climate change, ecosystem approaches to managing bluefish need to be developed and implemented.
2. Economic characteristics of the fishery – given the management changes to the recreational fishery with sector splitting and the resulting drastic decrease in the bag limit from 15 fish to 3 fish for private anglers after 20 years of the 15 fish bag limit, fishery managers need to revisit the economic characteristics of the bluefish fishery and identify the economic costs and economic changes to the fishery from new and significant management changes.

The economic characteristics of the fishery were an important and informative component of both the 1990 Bluefish FMP and the 1998 Amendments. Below are 2 excerpts from the 1990 FMP, and attached is the 9 page economic characteristics of the fishery in the 1998 Amendment:

#### 8.0. DESCRIPTION OF ECONOMIC CHARACTERISTICS OF THE FISHERY (From May 1989 FMP p27)

*Because of the importance of bluefish to recreational anglers, a decline in expenditures by these anglers as a result of bluefish management measures would impact the sales, service, and manufacturing sectors of the recreational fishing industry. In 1985, Atlantic coast direct sales related to recreational fishing amounted to \$2.6 billion (Table 32). These sales and services required 42 thousand person years of labor and generated wages of \$522 million (SFI 1988a).*

#### APPENDIX 1. ALTERNATIVES FOR THE PROPOSED FMP (from May 1989 FMP)

##### 2.1.2. Analysis

*Approximately 79% of successful coastwide anglers landed 5 or less bluefish per trip in 1987 (Table 40). Potentially, this possession limit could affect 21% of the recreational effort, resulting in a significant decrease in the economic surplus associated with recreational fishing and adversely impacting expenditures, income and employment in associated and dependent industries.*

Thank you for this opportunity to comment on the future of bluefish management.

Respectfully



Fred Akers

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 17, 2020 11:53 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Greg duckworth

**Email:** truetwistreap@yahoo.com

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::** Rhode Island

**Gear type(s) used::** Gillnet

**Comments:** More people are eating bluefish now. It should be made more available to the general public in the marketplace by increasing the commercial quota. The commercial quota needs to be increases to 30 or 40 percent. The minimum size of bluefish should likewise be increased to 18 inches . There needs to be more quota transferred to the northern states from the southern states for commercial quota. FISH ARE FOOD NOT TOYS.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Greg Ludlum <fishingpierman@yahoo.com>  
**Sent:** Wednesday, February 26, 2020 9:38 AM  
**To:** Seeley, Matthew  
**Subject:** blue fish seaview fishing pier

Greg ludlum seaview fishing pier I was doing some reading on the blue fish rule and not happy at all about it but that beside the point all I want is fairness I was reading the rule set out part 600 of the magnuson -stevenson act 600.325 I thing we need go back and look this is a true violation under standard #4 because out off the 400000 thousand people that fish on north Carolina piers are 40%other than white 15% seniors citizens approx. 5%disable not only to say lower income it is in true violation I would love to have your input in this matter thanks greg ludlum

Sent from [Mail](#) for Windows 10



---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 3, 2020 9:55 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** greg ludlum

**Email:** fishingpierman@yahoo.com

**How would you describe your primary role in the fishery?:** Other

**Primary state(s) you land bluefish in::** North Carolina

**Gear type(s) used::**

**Comments:** Greg Ludlum owner seaview fishing pier north topsail beach

I know I'm not supposed to use this for bag limits but it need to be said, you cannot discriminate against people who can not afford a for hire boat. This rule does just that as a pier owner in north Carolina you must consider the ADA ,seniors and the poor that have no where to fish. this is a true discriminative ruling ,please pass it on to whom ever needs to read it thanks Greg Ludlum

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Vetcraft <vetcraft@aol.com>  
**Sent:** Tuesday, January 14, 2020 9:43 AM  
**To:** Seeley, Matthew  
**Subject:** Bluefish scoping comments

With the stock overfished but overfishing not occurring, it would seem logical that the biomass had depleted before we became aware of it. It has been my observation that we started seeing the decline of the stock in the Nee Jersey area where I fish, over a decade ago.

Bluefish are a significant contributor to the recreational sector and we should make all efforts to keep the quota at reasonable amounts. New MRIP calculations should allow a greater % to be allocated to the recreational sector.

In order to rebuild the stock I would immediately suspend any recreational to commercial quota shifts as allowed under amendment 1. I would further recommend suspending state to state transfer quotas as allowed under amendment one. This will help reduce regional depletions which will occur when state specific quotas become unbalanced over the range of a stock.

Although no figures were given on the value of bluefish to the commercial sector, in the past I have seen very low ex vessel price per pound figures. The above suggestions should help the stock rebound without being unfair

I would also keep in mind the stock decline may be cyclical and unrelated to F.

Dr Harvey Yenkinson  
AP advisor fluke, sea bass, scup  
Sent from my iPhone

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Friday, January 31, 2020 1:00 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Ivan Garcia

**Email:** caprichos4@gmail.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

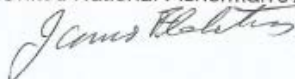
**Comments:** the snapper bluefish should be exempt. bluefish for shark bait also exempt

(Sent via [Mid-Atlantic Fishery Management Council](#))

ROUGHLY 16 18 MILLION AMERICANS FISH FRESH & SALT WATER.  
 PERCENTAGE WISE THE ALLOCATION SPLIT DOES NOT PROVIDE THE NON FISHING  
 AMERICAN PUBLIC THE CORRECT PERCENTAGE OF FISH [HARVESTER BY  
 COMMERCIAL FISHERMEN] PERHAPS COUNCIL WOULD EXPLAIN IMPORTS IN  
 SCOPING DOCUMENT.

WHY HAS COUNCIL POLICY & SCOPING RESULTED IN 92% TO 93% OF SEAFOOD  
 CONSUMMED IN AMERICA BEING IMPORTED?  
 SCOPING SHOULD ADDRESS WHY THE COUNTRY WITH SECOND LARGEST EEZ IN  
 WORLD IMPORT 92% TO 93% CONSUMMED SEAFOOD?  
 WHAT IS COUNCIL POLICY FOR OCEAN RANCHING?  
 WHERE IS A COUNCIL FISHERY MANAGEMENT PLAN FOR AQUACULTURE IN EEZ?  
 WHERE IS COUNCIL SCOPING FOR TOTAL RETENTION FOR RECREATIONAL  
 CAUGHT BLUEFISH & ALL FISH ? Atlantic States Marine Fisheries Commission  
 ARTICAL 1 PREVENT WASTE OF FISH FROM ANY MEANS MUST BE DISCUSSED IN  
BLUEFISH SCOPING; SCOPING WILL NOT DISCUSS Atlantic States Marine Fisheries  
Commission PREVENTION OF PHYSICAL WASTE!  
WILL COUNCIL DISCUSS TOTAL UTILIZATION FOR RECREATIONAL CAUGHT  
BLUEFISH?  
WILL Atlantic States Marine Fisheries Commission DISCUSS ARTICLE 1 SECTION 1  
PREVENT PHYSICAL DURING SCOPING ?

KNOWING THESE SCOPING COMMENTS WILL NOT REACH COUNCIL DISCUSSION  
 BRING DISALISIONMENT WITH scoping Atlantic States Marine Fisheries Commission  
 & Council PROCESS.  
 United National Fisherman's Association 123 Apple Rd. Manns Harbor NC 27953.



## SCOPING DOCUMENT BLUEFISH

Council has a risk policy. Scoping should ask council to publicly state a utilization policy on all recreational caught fish. NO DISCARDS!

## IMPLEMENTING

Scoping should require a recreational smart phone or reporting procedure prior to going fishing & on returning to land. [prior so law enforcement can enforce] BLUEFISH SHOULD REQUIRE STATES TO REQUIRE PHONE REPORTING PRIOR TO GOING FISHING. (lot of shore fishing) North Carolina may have such a app. TILE FISH MANDATORY REPORTING IS A JOKE! WITH NO ENFORCEMENT NO FINES! A JOKE!

Scoping must have a barbless hook requirement; for all recreational fishing. [ALL SPECIES] WOULD REDUCE NUMBER OF LINES IN WATER! Bluefish has higher release rates, barbless hooks would reduce dead fish.

Scoping must require a total length as a part of total utilization. IF NOAA DATA IS CORRECT 2/3 OF ALL RECREATIONAL TRIPS ARE SHORE SIDE this convert discards to landings. [reducing Council & Atlantic States Marine Fisheries Commission policy of targeting large females!] DATA ON BLUEFISH DOES NOT ADDRESS THE CYCLE OF FISH FROM EAST COAST TO AFRICA. (EAST COAST STOCK SCIENCE IS INCORRECT) Council recognizes chub mackerel are transatlantic WHY NOT BLUEFISH? JOKE

## SCIENCE!

NEED SATELLITE TRACKING TAGS ON LARGE FISH. NOAA tracks sharks spend money tracking transatlantic for bluefish. Method of survey on bluefish is worse than dogfish which survey missed 80% of dogfish. Survey probably missing greater number of bluefish in trawl due to bucket effect.

CONPAIRSON OF NEMAP & SCIENCE CENTER CATCH OF BLUEFISH CAUSES A QUESTION! WHY DOES SCIENCE CENTER NOT CATCH SMALL BLUEFISH AT SAME ABUNDANCE?

A QUESTION AT SCOPING IS \*\*\* WAS IT POSSIBLE SOMEONE WAS MUMPLIPATING NUMBERS TO BE CONSERVATION RADICALS? \*\*\*\*\* [example the lynx hair DNA] \*\*\*\* Scoping document shows dead discards all documents **MUST SHOW TOTAL DISCARDS! [especially bluefish] NOT SHOWING ALL DISCARDS ON GRAPH IS AS MENTIONED ABOVE DISHONIST MANAGENENT.**

Scoping document shows landings decline in in cyclical patterns, perhaps the introduction of man made chemicals at the mud hole due to sludge dumping & effects of birth control chemicals accumulating in sounds & rivers reducing reproduction. A dead zone off NJ is much the same as in Gulf of Mexico yet scoping does not mention reproduction from eggs. SCOPING SHOULD ADDRESS CHEMICALS AFFECTING REPRODUCTION OF ALL FISH.

**Scoping should endorse ocean ranching of BLUEFISH [Though cannibalistic blue fish may be a ocean ranching fish. SCOPING SHOULD INCLUDE DISCUSSION FOR BLUEFISH. (HERPAPS BY PRIVATE ENTERPRISE) [SPAWING & RELEASING MOSTLY FEMALE BLUEFISH FISH COULD REVERSE COUNCIL POLICY OF ELIMINATION OF FASTER GROWING FEMALE FISH] SCIENCE: YEAR CLASSES OF MOSTLY FEMALE FISH SHOULD PRODUCE MORE SPAWN. \*\*\*\* READ YAMAHA FISHERY JOURNAL FOR SPECIES LIKE BLUEFISH AVAILABLE ON INTERNET \*\*\*\***

SCOPING MUST ADDRESS Intercepts of recreational fishing from EEZ returning to private docks. Law enforcement seldom encounter these vessels for enforcement. [smart phone above] representing 80% of recreational fishing in EEZ! WOULD REPORT!



---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, March 16, 2020 7:35 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** jason jarvis

**Email:** buddhajay108@yahoo.com

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::** Rhode Island

**Gear type(s) used::** Hook and line or handline

**Comments:** i am one of the commercial representatives on the RIMFC. There is overwhelming opposition from RI commercial fishermen and their stakeholders on adjusting allocation using skewed MRIP data. To use random data from random recreational fishermen that have zero accountability to report true landings is absurd. Lets make mandatory reporting for recreational fishermen ,and then come up with real numbers and real data . Not some random estimate pulled out of the air.Its absolutely absurd to hold the for hire sector and commercial sectors accountable for their catch reports ,yet recreational fishermen have more say without accountability. This is a joke and could quite possibly lead to a lawsuit.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** [Jean Public](#)  
**To:** [Seeley, Matthew](#); [information@sierraclub.org](mailto:information@sierraclub.org); [info@pewtrusts.org](mailto:info@pewtrusts.org); [info@peta.org](mailto:info@peta.org); [info@idausa.org](mailto:info@idausa.org); [info@cok.net](mailto:info@cok.net); [info@nyclass.org](mailto:info@nyclass.org); [info@earthjustice.org](mailto:info@earthjustice.org)  
**Subject:** Fw: Supplemental Scoping Hearings Scheduled for Bluefish Allocation and Rebuilding Amendment public comemnt on this notice  
**Date:** Monday, January 13, 2020 6:03:16 PM

---

your allocations are much too large leading to overfishing. cut all quotas you have established by 50% immediately to avoid explotation. we cannot continue to overfish. lthis comment is for the public record  
jean publiee jean public1@yahoo.com

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Thursday, March 5, 2020 4:54 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** jerry spooner

**Email:** jspnr40@gmail.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** this is going to hurt the boat rental tackle shops and motels i also use snapper blues for bait and take kids fishing for them as it is the only fish they can catch with no size limit

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**Jersey Coast Anglers Association**  
*Working for Marine Recreational Anglers*

1594 Lakewood Road, Unit 13, Toms River, NJ 08765

TEL: 732-506-6565 - FAX: 732-506-6975



Chris Moore, PH.D. Executive Director  
 Mid-Atlantic Fishery Management Council  
 Dover, DE 19901

Dear Director Moore,

I am writing on behalf of the Jersey Coast Anglers Association which represents approximately 75 fishing clubs and many thousands of fishermen throughout our state. We are thankful that you held scoping meetings and are accepting comments in regard to the Bluefish Allocation and Rebuilding Amendment to the Bluefish Fishery Management Plan. We would like to offer the following comments regarding the amendment.

**Issue 1: FMP Goals and Objectives** – We believe the existing objectives are still appropriate for managing our bluefish fishery today. However, the SSB target on 200,000 MT seems too high. Figure 1 in the scoping document shows that the target has not been achieved at least since 1985 which is the first year included in the chart. Why not make a more realistic target?

**Issue 2: Commercial and Recreational Allocations** – We understand that the quota split between the two sectors was amended through Amendment 1 in 1999 and based on landings from 1981-1989. At that time, it was adjusted to 83% recreational and 17% commercial. However, due to the recently re-calibrated MRIP numbers, we have learned that recreational fishermen removed more fish than originally thought. That resulted in a determination that the recreational sector accounted for 90% of the removals and the commercial sector 10%. Therefore, it stands to reason that the quota split needs to be adjusted to 90/10 as that is what was actually happening over the years on which the quotas were based. Below is an example of what could happen due to the recalibrated MRIP numbers:

Suppose the commercial sector was given a quota 20,000,000 lbs. With the 83/17 split under the old MRIP numbers that would mean that the recreational sector caught 5.88x that amount which would be 117,600,000 lbs. However, under the recalibrated MRIP numbers there is a 90/10 split that would mean that the recreational sector caught 9x as many fish as the commercial sector which would be 180,000,000. Therefore, under the old MRIP numbers the total between both sectors would be 137,000,000 lbs. and under the new MRIP numbers the total would be 200,000,000 lbs. Now, let's suppose that because of the recalibrated MRIP numbers, it is determined that the biomass is larger

than what was thought so it is still Ok to remove 200,000,000 lbs. from the biomass. Remember, that the new MRIP numbers show that the recreational sector is responsible for 90% of the removals. If we leave the split at 83/17 that would result in the commercial sector getting an increase from 20,000,000 lbs to 34,000,000 while the recreational sector would get a decrease from 180,000,000 lbs. to 166,000,000 lbs. The end result is that the commercial sector would get a 70% increase while the recreational sector would be decreased by 9.2%. That would be very unfair especially at a time when the recreational sector already has very strict regulations.

From 2001-2018, 77.617 million pounds of the recreational quota was transferred to the commercial sector. We have been told that not all of the transferred quota was used, but still, why was this done? Exactly how much of this transferred quota was used? These were fish that the recreational sector may have chosen to conserve but were instead transferred to the commercial sector. Now, due to the apparent mismanagement of the species, the private sector is restricted to just 3 bluefish per person per day. Do you have any idea of how negatively those restrictive measures will impact our shore economy? Bait and tackle stores, marinas, private and for-hire boats and many more businesses will suffer. What about the sustenance fishermen and kids fishing for snappers from the docks of our bays? Many kids learn how to fish by catching snappers and now even they are being virtually shut out of this fishery. Kids are the future of our sport!

**Issue 3: Commercial Allocations to the States:** We believe that the existing state allocations are fair. New Jersey's commercial allocation should not be reduced.

**Issue 4: Quota Transfers:** We are strongly opposed to any transfer of the recreational sector to the commercial sector. In fact, any transfers at all, including state-to-state transfers, of the commercial quota should be stopped until the stocks are rebuilt.

**Issue 5: Rebuilding Plan:** It seems that one of the only things the Council can do to help restore the fishery is to establish lower quotas and more restrictive regulations. However, to lessen the impact to the many businesses that depend on this fishery, we recommend the development of a 10-year plan as opposed to trying to rebuild the fishery through a 3- or 5-year plan.

**Issue 6: Other Issues:** It would be great if we could stop the destruction of our marine environment through sand mining and beach replenishment. This has destroyed various lumps that both forage and gamefish depended on. It has also buried marine life and destroyed habitat along our shoreline. We should do anything we can to improve habitat. We also support an eco-system management approach to our various fisheries. Action should be taken to increase our forage species and studies should also be done to determine the effects that climate change and warmer water is having on this species.

Respectfully submitted,

John Toth, JCAA President



---

**From:** jim Manzolli <comanche327@gmail.com>  
**Sent:** Friday, January 31, 2020 2:55 PM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Scoping Comments

I am a 78 year old angler, from Stratford Ct. Caught my first blue fish in 1964 and do all my fishing within a 15 mile radius of the Housatonic River on Long Island Sound.

My initial thoughts are "it's about time" this fishery, in my area, has been in decline for the past 10 years, and has accelerated in the past 5 years. I realize I am one angler fishing in a very small area, but having spent over 50 years in one spot I feel I have a pretty good gauge of what I have observed.

Here are some of my so not scientific observations;

1. Our yacht club has not had a "kids snapper contest" off our dock in the past 4 years... no snapper are here to catch. (Always was catch , measure and release)
2. My club is part of a 12 club Blues tournament held for the past 40 years. Typically 10 boats per club. Each boat would weight in 3 Blues, and the winning club based on weight of the highest 5 boats per club. Typical winning club weight would be 70 to 90 lbs. The last three years the winning weight was under 50 lbs. Last year my club won with 34 pounds of fish along with a minimum length of 20 inches.
3. On a clear calm day you can see pods of bunker moving with the tide and nothing pushing them. Ten years ago Blues were feasting on them.

My vote is for the three fish rule with a 12 inch size restriction. I don't know one person who caught snappers and actually ate them. Usually used for bait or who knows what.

"The stock was over fished but not experiencing over fishing" time for the experts to put down the pencil and paper and spend time in the field with actual anglers.

Thank you,  
Jim Manzolli

On a side note, I remember Striped Bass in the 80's with a 40inch minimum keeper, seems we are heading in that direction again..

Sent from [Mail](#) for Windows 10

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Saturday, February 22, 2020 9:51 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** John Cooper

**Email:** coopie@juno.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New York, New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** Ok we need minnimums and bag limits on everything.

Fishermen are mostly greedy and ignorant.

Kingfish

Bluefish

Triggerfish

Every fish needs minnimums & bag limits.

Bait fish bait crabs help save the earth.

When will we stop trawling on the bottom?

I know this may be outside the survey.

I do not deal with paperwork well.

John Cooper

New York, New Jersey & Florida.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, February 10, 2020 2:09 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** John Fago

**Email:** jfago100@comcast.net

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey, Florida

**Gear type(s) used::** Hook and line or handline

**Comments:** The current quota in NJ is 15 bluefish. The limit should be reduced to 8-10 fish per day.. I have been fishing over 50 yrs and no one keeps 15 fish. Most anglers will keep 1-3 for consumption.. The issue is the Asian fishermen who take over their quota either to sell or distribute in their community.

I fish over 200 days a year in NJ and Florida and have seen illegal harvest of bluefish time and time again because Fish and Game are so understaffed that patrolling the jetty's, piers and bulkheads is nearly impossible

The issue is on land not on party boats or charter boats

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 17, 2020 2:34 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** John LaFountain

**Email:** foxseafood@gmail.com

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::**

**Gear type(s) used::**

**Comments:** Hello,

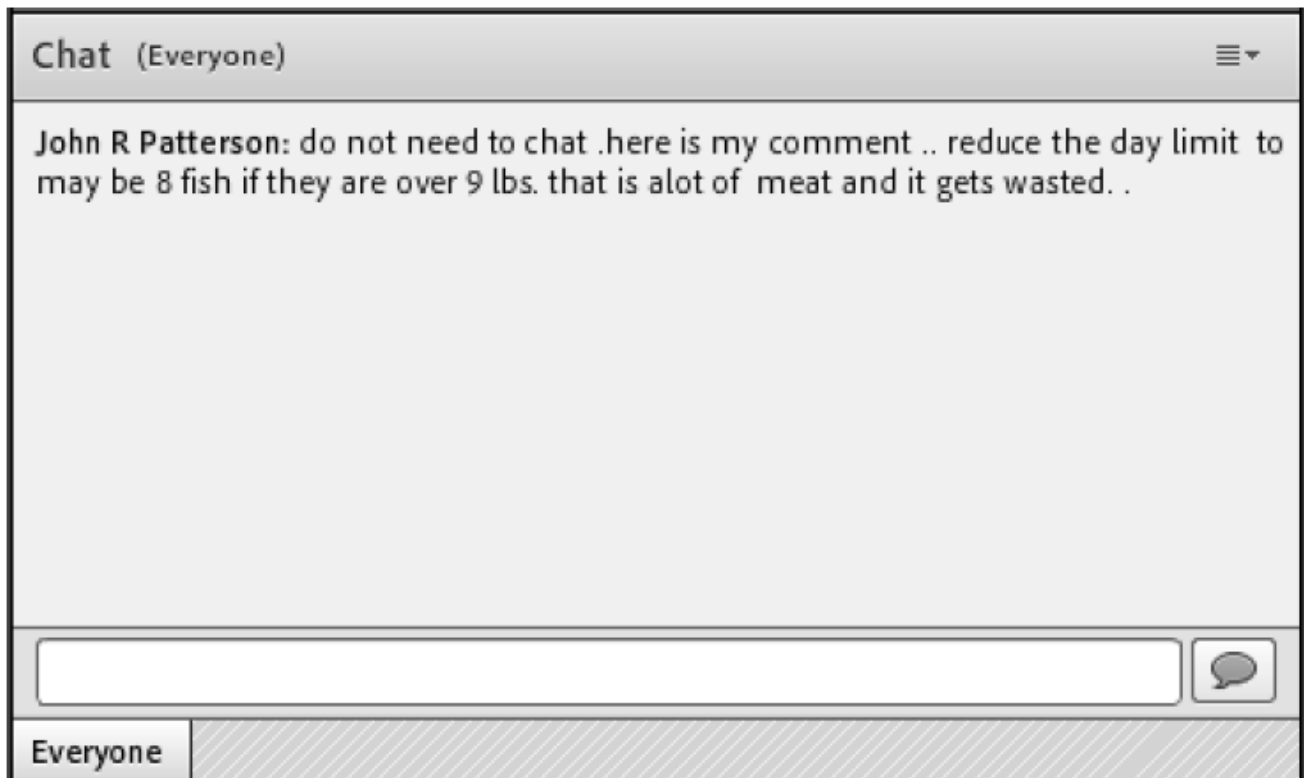
- Commercial/recreational allocations -based on the graph that was presented at the scoping hearing it looked as if the commercial side used to get a higher percentage of fish and has dwindled down now to 13%. Considering the reduced quota I think that this now needs to be adjusted .I fear the Commercial fisherman that have high stakes in the bluefish fishery as a means of living can longer make it with the quota. My company Fox Seafood Inc in Narragansett Rhode Island purchases a lot of the bluefish landed in the state and we pay a good or it. We smoked it and sell it the fish markets and independent grocery stores. We purchase mostly in the fall when the fish are large , fatty and abundant here in Rhode Island. If the quota goes to 180,000 pounds roughly what is proposed that quota will be used up by September and all those beautiful , large mature fish fish will swim right past us. And we will effectively be out of business as it makes up for 40% of our sales. Also we are the largest producer of smoked bluefish, there is only one other company that does it much of it. We want to keep this New England tradition going. We are a family run business that sells to family business all over New England. We want to see local fish available at our fish markets here in Rhode Island. It is not just a game fish . It is food that is vital to our community and supports jobs and businesses in New England. I think the new estimates of what anglers are catching is grossly over estimated. We have heard for it least the past few years that the for -hire boats and recreation guys are not catching fish. So again what I propose is take all years percentages and average it out so the commercial side gets a higher percentage that is in line with what it was historically. We need more than 180,000 lbs . If we had 25% percent of the over all quota instead of 13% we could make it work and keep all invested commercially going for now.

-Allocations to the states- We believe that Rhode Island's bluefish fishery in healthier than the southern states. In particular from New Jersey to North Carolina. The fish that are landed in Virginia and North Carolina are all very small fish that have not had a chance to reproduce .We need to do something about the size limits or this fishery will be gone . I purchased fish from those 2 states for the last 12 years . They have always had the largest fatty fish landed on the East Coast. Not in the last 5 years and in particular the last 3 years zero large bluefish. What they are catching is destroying the ability for the fishery to recover. There should be a permanent reallocation of some quota to the Northern states and a size limit in place.

Thank you for considering my comments.

Regards,  
John G LaFountain  
Fox Seafood Inc.

---



**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, February 17, 2020 9:28 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** john pendergast

**Email:** jwpeng57@msn.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** I think that measures need to be taken to keep commercial fishermen and industries from netting bluefish and other species such as floundner , weakfish. Measures such as a ban on catching these fish until they are plentiful again.

(Sent via [Mid-Atlantic Fishery Management Council](#))

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Wednesday, February 5, 2020 4:01 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Louis Tocci

**Email:** onecrab2041@yahoo.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New York, New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** I don't think there is a problem with blue fish i just believe they are farther off shore than before as we have so much bait out there they don't need to come in shore to feed i have also seen less snappers in the river in the past 5 years but i also have seen the big breaders in the last 3 years in the rivers and I'm talking about the Shrewsbury and navesink rivers in New Jersey

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, January 20, 2020 8:36 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Mac Currin

**Email:** maccurrin@gmail.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** North Carolina

**Gear type(s) used::** Hook and line or handline

**Comments:** Do want is necessary to rebuild this stock as soon as possible since it is vitally important to the recreational sector,

Maybe this time the MAFMC will not allow transfer of rec quota to the commercial sector- I sure hope so. I have asked you folks each and every time you have modified the bluefish plan over the past 10 years, to eliminate this option but it has always remained and recreational quota has been transferred to the commercial sector most if not all years. PLEASE END this. There is no sane reason that recreational anglers should not be allowed to "bank" fish if they choose to do so by catch and release. Instead, the MAFMC transferred quota to the commercial sector every year the rec sector was not projected to harvest it's allocation. If you had not done so, maybe the rec sector would not have to take such a drastic reduction in harvest under this amendment.

Please do the right thing this time.

Mac Currin  
Raleigh, NC

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, February 3, 2020 9:34 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Marc Chiappini

**Email:** chipnsnj@yahoo.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey, Delaware

**Gear type(s) used::** Hook and line or handline

**Comments:** Blue Fish have been a staple recently as a fish you could take daily. Their numbers in Delaware Bay have been great, so why the limits now?

But, if you put limits on, keep them the same for commercial head boats and private boaters. It is not fair to give commercial operators an advantage in limits over those of us that operate and own our own boat.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Thursday, February 27, 2020 9:38 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Mateusz Brodka

**Email:** brodkamatt@gmail.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New York

**Gear type(s) used::** Hook and line or handline

**Comments:** Im usually fishing for bf in May from shore- beach and saw a decline in numbers over the course of 4 years. It would be good to consider smaller bag limit. Also it would be beneficial for researchers to do surveys to determine if bf have declined in numbers.

I'm interested if anyone has any statistics

Thank you  
-Matt

(Sent via [Mid-Atlantic Fishery Management Council](#))

---



Michael Pirri  
2-26-2020

Never in my fishing career have I experienced more volatility with fishing regulations than now, tonight, here in 2020. Scup, Seabass, Striped Bass, Bluefish, Fluke and Tautog are all under attack; future harvest are unknown with no stability insight. There's No chance to plan and grow your businesses under these conditions. Or enjoy fish for dinner if you're a recreational fisherman.

It would be easy tonight to become emotional and try to steal another modes or fisherman's slice of the pie. Commercial vs Recreational and vice versa. But I wont! Maybe these regulators intended to distract all fishermen and have them fight each other for fish. Maybe fishermen wont pay attention to MRIPs awful data being published, which makes over regulating easier for them to achieve.

Tonight I ask that no fisherman turns on each other but unite our fight to discredit MRIP, lower discards by decreasing harvestable length, and achieved better managed stocks.

Id like to share published preliminary 2019 CT mrip estimates:

Tautog- MRIP repots CT recreational anglers harvested 273,170 keepers in wave 6 which is only opened for the 28 days of November that's 9756 keepers everyday regardless of weather by just recreational fisherman with majority boats already hauled for winter.

Black Seabass- (PER MRIP) CT recreational anglers harvested 111,971 keepers in wave 6 November and December. I personally did catch 1 in November or December, Where in CT are these fish being harvested that time of year? again recreational boats are out of the water Veterans Day Nov.11 That's 1866 fish a day harvested by CT. recreational anglers. Does anyone believe CT harvested 495,701 in 2019? (2183 everyday) from May 19 to year end

Bluefish- Wave 3 (May/June) MPR reports 121,712 from shore when snapper aren't even available yet? Where in CT. is this happening? (2028 per day from shore)

Fluke- Wave 5, fluke are only opened for 30 days of September shore anglers caught 5517 in that period MRIP Says.

Scup- Wave 3 (May/June) Shore harvested 494,619 divide by 60 days 8243 fish every day. Maybe I should sell my boat and start shore fishing.

The fish catch #s were difficult to believe when MRIP utilized a phone survey. Now MRIP reports 300% more fishing effort as data was better submitted by post card. Two weeks ago at the Striped Bass management meeting I polled 30 CT. fishermen in this room, not 1 ever received a post card requesting their fishing habits. In that same Striped bass meeting CT. DEEP terminated the bonus Striped Bass tag program, 4000 tags were handed out and only 100 postcards were returned from angler reporting their catch. In 2020 are postcards really the best we can do? For the last 4 years I have volunteered to participate in Electronic vessel trip reports written by SAFIS software, an IPAD tracks my time of effort, # of passengers and fish harvested. This is an actual fish count not a survey or a guess. Is this data applied to regulation making "NO!" Is it mandated in CT "NO!" Why isn't it used?

How can we continue make management decision based off of awful MRIP data? Bad data IN equals more dead discards, and interrupted breeding OUT! Seabass population is estimated 240% above threshold value, maybe strongest stock of my lifetime, did we get more fish A longer season? Instead Regulators called for a further 38% reduction of harvest, because their mathematical equation didn't work out. Stock was fine but MRIP reported to many people fishing for them.

I started my business in 2008 Bluefish, Striped Bass, Scup, Seabass and Tautog regulations stayed consistent year to year. The regulation you needed to watch changes for, was Fluke. Every year, the minimum keeper size grew an inch. We never knew if this new regulation helped the Stock, because it would further change the next year. Fast forward to 2020 we now know that it was this management tactics that caused low fluke stocks and anglers to pray on the large breeding females. That's years of of dead discards for only crabs to eat.

Three years ago, a few of us attended a Garfo workshop in Portsmouth NH. We were tasked with creating a perfect state of fishing regulations.

My perfect state:

- would immediately dis-credit and throw all of MRIP's data out. Freeze all regulations for 3 years. Immediately begin collecting new data from a localized electronic reporting source for recreational anglers. Mandate all

CT For Hire vessels to use EVTRs. Perform trawl surveys with proper matched doors to horsepower in known fish areas and times, not over empty bottom that fish intermittently only migrate through. This data should be processed and published by our fishery managers and over seen by fishermen, not sent to a third party.

- When public hearing are held, show the meeting complete data don't leave the last three years of data off the slide (like we recently experienced in the Striped Bass meeting only going up to 2016) Lets see what 3 years of 1 @28" did for the stock.
- Passed regulations shouldn't expire for 3 years, so we can clearly see the impact it created. Have a strict cutoff date, all new regulations must be passed before February 1<sup>st</sup> any later they aren't enacted till the following year.
- For Hire has proven it makes up less than 10% of the harvest and provides access to people of all income levels and demographics, we need to create a sector for for-hire of their own this will achieve stability and maintain a resource for all fishermen without boats to enjoy.

I have brought copies to hand out supporting everything thing I have spoken of.

Thank You for your time

Michael Pirri

Michael Pirri  
2-26-2020

Scup



Your Query Parameters:

Query: MRIP CATCH TIME SERIES  
 Year: 2019 - 2019  
 Wave: BY WAVE  
 Species: SCUP  
 Geographic Area: CONNECTICUT  
 Fishing Mode: ALL MODES BY MODE  
 Fishing Area: ALL AREAS COMBINED  
 Type of Catch: HARVEST (TYPE A+B)  
 Information: NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B)	PSE
PRELIMINARY	2019	MAY/JUNE	SCUP	SHORE	404,619	93.7
PRELIMINARY	2019	MAY/JUNE	SCUP	PARTY BOAT	77,972	25.6
PRELIMINARY	2019	MAY/JUNE	SCUP	CHARTER BOAT	3,830	65.6
PRELIMINARY	2019	MAY/JUNE	SCUP	PRIVATE/RENTAL BOAT	16,972	68.6
PRELIMINARY	2019	JULY/AUGUST	SCUP	SHORE	380,304	95.2
PRELIMINARY	2019	JULY/AUGUST	SCUP	PARTY BOAT	195,370	20.1
PRELIMINARY	2019	JULY/AUGUST	SCUP	CHARTER BOAT	14,969	65.2
PRELIMINARY	2019	JULY/AUGUST	SCUP	PRIVATE/RENTAL BOAT	423,927	21.5
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SCUP	SHORE	406,532	95.9
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SCUP	PARTY BOAT	78,446	39.4
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SCUP	CHARTER BOAT	7,005	60.8
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SCUP	PRIVATE/RENTAL BOAT	380,391	38.9
PRELIMINARY	2019	NOVEMBER/DECEMBER	SCUP	PARTY BOAT	439	11.9
PRELIMINARY	2019	NOVEMBER/DECEMBER	SCUP	PRIVATE/RENTAL BOAT	0	

PSE  
 Shore 1,281,456 47.6  
 Party Boat 356,226 14.9  
 Charter 26,803 32.9  
 Rec 840,290 20.7  
 Total 2,503,776 Total

Annual PSE  
25.4

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020.

[Return to Query Page](#)



Tautog

Your Query Parameters:

Query: MRIP CATCH TIME SERIES  
 Year: 2019 - 2019  
 Wave: BY WAVE  
 Species: TAUTOG  
 Geographic Area: CONNECTICUT  
 Fishing Mode: ALL MODES BY MODE  
 Fishing Area: ALL AREAS COMBINED  
 Type of Catch: HARVEST (TYPE A + B1)  
 Information: NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contains estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MAY/JUNE	TAUTOG	SHORE	617	104.3
PRELIMINARY	2019	MAY/JUNE	TAUTOG	PRIVATE/RENTAL BOAT	0	
PRELIMINARY	2019	JULY/AUGUST	TAUTOG	SHORE	0	
PRELIMINARY	2019	JULY/AUGUST	TAUTOG	PRIVATE/RENTAL BOAT	2,306	74.5
PRELIMINARY	2019	SEPTEMBER/OCTOBER	TAUTOG	SHORE	0	
PRELIMINARY	2019	SEPTEMBER/OCTOBER	TAUTOG	PARTY BOAT	1,053	79.2
PRELIMINARY	2019	SEPTEMBER/OCTOBER	TAUTOG	CHARTER BOAT	2,509	63.4
PRELIMINARY	2019	SEPTEMBER/OCTOBER	TAUTOG	PRIVATE/RENTAL BOAT	165,558	37.6
PRELIMINARY	2019	NOVEMBER/DECEMBER	TAUTOG	PARTY BOAT	1,467	49.3
PRELIMINARY	2019	NOVEMBER/DECEMBER	TAUTOG	PRIVATE/RENTAL BOAT	273,170	35.6

Handwritten notes and calculations:

(Day open)  
 (21) Wave 5      (28) Wave 6

Shore	0	-
Party	1063	1467
Charter	2509	-
Rec	165,558	273,170
CT = 446,191		Total

Fish Per Dn (7883) (97)

Annual PSE 26.4

PSE, or proportional standard error, is automatically included in all outputs. It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision. A PSE value greater than 50 indicates a very imprecise estimate.

Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020.

[Return to Query Page](#)



B Sea bass

Your Query Parameters:

Query: MRIP CATCH TIME SERIES  
 Year: 2019 - 2019  
 Wave: BY WAVE  
 Species: BLACK SEA BASS  
 Geographic Area: CONNECTICUT  
 Fishing Mode: ALL MODES BY MODE  
 Fishing Area: ALL AREAS COMBINED  
 Type of Catch: HARVEST (TYPE A + B1)  
 Information: NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calladash.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/hire boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MAY/JUNE	BLACK SEA BASS	PARTY BOAT	6,102	72.4
PRELIMINARY	2019	MAY/JUNE	BLACK SEA BASS	CHARTER BOAT	1,304	52
PRELIMINARY	2019	MAY/JUNE	BLACK SEA BASS	PRIVATE/RENTAL BOAT	52,380	51.6
PRELIMINARY	2019	JULY/AUGUST	BLACK SEA BASS	SHORE	0	.
PRELIMINARY	2019	JULY/AUGUST	BLACK SEA BASS	PARTY BOAT	38,352	17.9
PRELIMINARY	2019	JULY/AUGUST	BLACK SEA BASS	CHARTER BOAT	4,095	22.6
PRELIMINARY	2019	JULY/AUGUST	BLACK SEA BASS	PRIVATE/RENTAL BOAT	179,594	21.7
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLACK SEA BASS	SHORE	0	.
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLACK SEA BASS	PARTY BOAT	6,964	49.8
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLACK SEA BASS	CHARTER BOAT	4,145	46.2
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLACK SEA BASS	PRIVATE/RENTAL BOAT	88,571	28.7
PRELIMINARY	2019	NOVEMBER/DECEMBER	BLACK SEA BASS	PARTY BOAT	225	18.7
PRELIMINARY	2019	NOVEMBER/DECEMBER	BLACK SEA BASS	PRIVATE/RENTAL BOAT	111,871	26.1

Handwritten notes:

Shore 0  
 Party 52,642  
 Charter 9544  
 Rec 433,515

CT = 495,701 Total

Annual PSE 16.8

Not Possible

0  
 18  
 23.4  
 19.1

PSE, or proportional standard error, is automatically included in all outputs. It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision. A PSE value greater than 50 indicates a very imprecise estimate.

Data Sources by Geographic Area:  
 MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020 .

[Return to Query Page](#)



*Bluefish*

Your Query Parameters:

Query: MRIP CATCH TIME SERIES  
 Year: 2019 - 2019  
 Wave: BY WAVE  
 Species: BLUEFISH  
 Geographic Area: CONNECTICUT  
 Fishing Mode: ALL MODES BY MODE  
 Fishing Area: ALL AREAS COMBINED  
 Type of Catch: HARVEST (TYPE A + B)  
 Information: NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Under Intercept Survey (APUIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B)	PSE
PRELIMINARY	2019	MAY/JUNE	BLUEFISH	SHORE	121,712	87.9
PRELIMINARY	2019	MAY/JUNE	BLUEFISH	PARTY BOAT	567	52
PRELIMINARY	2019	MAY/JUNE	BLUEFISH	CHARTER BOAT	159	61.3
PRELIMINARY	2019	MAY/JUNE	BLUEFISH	PRIVATE/RENTAL BOAT	4,117	87.1
PRELIMINARY	2019	JULY/AUGUST	BLUEFISH	SHORE	11,157	107.7
PRELIMINARY	2019	JULY/AUGUST	BLUEFISH	PARTY BOAT	517	45.3
PRELIMINARY	2019	JULY/AUGUST	BLUEFISH	CHARTER BOAT	803	83.6
PRELIMINARY	2019	JULY/AUGUST	BLUEFISH	PRIVATE/RENTAL BOAT	74,335	38.9
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLUEFISH	SHORE	356,596	78.3
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLUEFISH	PARTY BOAT	336	74.9
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLUEFISH	CHARTER BOAT	6,870	58
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLUEFISH	PRIVATE/RENTAL BOAT	93,743	34.5

*PSE*

Shore	489,463	61.1
Party	1420	31.9
Charter	7432	52.3
Rec	172,195	25.2
<u>CT =</u>		<u>670,511 Total</u>

*45.1 PSE  
Near very imprecise estimate*

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020.

[Return to Query Page](#)



Striped Bass

Your Query Parameters:

Query: MRIP CATCH TIME SERIES  
 Year: 2019 - 2019  
 Wave: BY WAVE  
 Species: STRIPED BASS  
 Geographic Area: CONNECTICUT  
 Fishing Mode: ALL MODES BY MODE  
 Fishing Area: ALL AREAS COMBINED  
 Type of Catch: HARVEST (TYPE A + B1)  
 Information: NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MARCH/APRIL	STRIPED BASS	SHORE	527	106
PRELIMINARY	2019	MARCH/APRIL	STRIPED BASS	PRIVATE/RENTAL BOAT	783	87
PRELIMINARY	2019	MAY/JUNE	STRIPED BASS	SHORE	3,379	100.8
PRELIMINARY	2019	MAY/JUNE	STRIPED BASS	PARTY BOAT	2	112
PRELIMINARY	2019	MAY/JUNE	STRIPED BASS	CHARTER BOAT	608	41.5
PRELIMINARY	2019	MAY/JUNE	STRIPED BASS	PRIVATE/RENTAL BOAT	34,391	40.6
PRELIMINARY	2019	JULY/AUGUST	STRIPED BASS	SHORE	0	
PRELIMINARY	2019	JULY/AUGUST	STRIPED BASS	PARTY BOAT	7	105.2
PRELIMINARY	2019	JULY/AUGUST	STRIPED BASS	CHARTER BOAT	1,394	52.3
PRELIMINARY	2019	JULY/AUGUST	STRIPED BASS	PRIVATE/RENTAL BOAT	6,426	37
PRELIMINARY	2019	SEPTEMBER/OCTOBER	STRIPED BASS	SHORE	0	
PRELIMINARY	2019	SEPTEMBER/OCTOBER	STRIPED BASS	PARTY BOAT	0	
PRELIMINARY	2019	SEPTEMBER/OCTOBER	STRIPED BASS	CHARTER BOAT	1,553	69.3
PRELIMINARY	2019	SEPTEMBER/OCTOBER	STRIPED BASS	PRIVATE/RENTAL BOAT	2,787	51.9
PRELIMINARY	2019	NOVEMBER/DECEMBER	STRIPED BASS	PRIVATE/RENTAL BOAT	12,822	94.1

Shore 3906  
 Party 9  
 Charter 5,556  
 Rec 57,209  
 CTS 64,680 Total

PSE  
 88.3  
 87.3  
 37.3  
 32.6

Annual PSE 29.4 ←

Not Precise

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

Data Sources by Geographic Area:

MRIP; ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020.

[Return to Query Page](#)





Fluke

Your Query Parameters:

Query: MRIP CATCH TIME SERIES  
 Year: 2019 - 2019  
 Wave: BY WAVE  
 Species: SUMMER FLOUNDER  
 Geographic Area: CONNECTICUT  
 Fishing Mode: ALL MODES BY MODE  
 Fishing Area: ALL AREAS COMBINED  
 Type of Catch: HARVEST (TYPE A + B1)  
 Information: NUMBERS OF FISH

\*\*Review the [summary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (AP AIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MAY/JUNE	SUMMER FLOUNDER	SHORE	0	-
PRELIMINARY	2019	MAY/JUNE	SUMMER FLOUNDER	PARTY BOAT	3	112.8
PRELIMINARY	2019	MAY/JUNE	SUMMER FLOUNDER	CHARTER BOAT	89	99
PRELIMINARY	2019	MAY/JUNE	SUMMER FLOUNDER	PRIVATE/RENTAL BOAT	25,073	51.4
PRELIMINARY	2019	JULY/AUGUST	SUMMER FLOUNDER	SHORE	1,162	111.4
PRELIMINARY	2019	JULY/AUGUST	SUMMER FLOUNDER	PARTY BOAT	502	87.6
PRELIMINARY	2019	JULY/AUGUST	SUMMER FLOUNDER	CHARTER BOAT	121	82.6
PRELIMINARY	2019	JULY/AUGUST	SUMMER FLOUNDER	PRIVATE/RENTAL BOAT	58,333	25.5
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SUMMER FLOUNDER	SHORE	5,517	109
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SUMMER FLOUNDER	PARTY BOAT	0	-
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SUMMER FLOUNDER	PRIVATE/RENTAL BOAT	1,111	72.3

PSE

Shore	6,679	92.1
Party	505	87.1
Charter	201	65.4
Rec	82,516	23.4
CT = 89,902 Total		
Annual PSE		22.5%

No Ass

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WVORCA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020.

[Return to Query Page](#)

---

**From:** Squarespace <no-reply@squarespace.info>  
**Date:** January 29, 2020 at 8:37:38 PM EST  
**To:** Mary Clark Sabo <msabo@mafmc.org>  
**Subject:** Form Submission - Contact Info - Bluefish scoping  
**Reply-To:** mimi217@sbcglobal.net

**Name:** Michelle Defeo

**Email Address:** mimi217@sbcglobal.net

**Subject:** Bluefish scoping

**Message:** I think the first thing you should do to save the bluefish is stop all public and private bluefish contests in the tri-state area ! Also eliminate all snapper fishing for 2 years ! Limit the size for of fish that reproduce ! My opinion

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** mikekenville@aol.com  
**Sent:** Wednesday, February 19, 2020 10:45 AM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Scoping Comments

Thank you for taking the time to read my comments concerning Bluefish:

I'm a 56 year old sportsman from New Jersey who has fished for Bluefish his entire life. I appreciate the fact that fishery managers are taking a look at Bluefish conservation, considering that we are in a down cycle of Bluefish abundance in the Garden State.

The proposed bag limit I've read thou, (3 for private anglers, 5 for hire) appear to be overly draconian and I don't feel will have any significant positive effect. This is because Bluefish are a pelagic species that roam most of our oceans and here in the US are not heavily harvested either commercially or recreationally. They certainly are targeted a lot by sportsman, but many more are released then kept now in my recent experience over the last 20 years in New Jersey - gone are the days of filling a burlap sack on a party boat.

So you may wonder if I release most of my Bluefish why do I feel a bag limit of 3 is a hardship? The reason is that there are times when I enjoy harvesting the smaller Bluefish of 12 to 16 inches and a bag limit of 3 would make this pointless. Five for both private and boat anglers would make more sense and I don't think the net effect would be harmful to the overall population.

There is another reason too, late in the summer and early fall the 12 to 16 inch Bluefish provide one of the few consistent opportunities for the shore based angler who wants to harvest fresh seafood. With the current size limits you could fish your entire life from a beach or pier and never catch a keeper Sea Bass or Fluke, so what else is there beside Bluefish?

Please consider NOT reducing the bag limit to 3.

Sincerely,  
Mike Kenville  
147 Pebblebrook Lane  
Mt. Laurel, NJ

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, February 11, 2020 7:39 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** mike Rapoza

**Email:** rapdiver@comcast.net

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** Massachusetts, Rhode Island

**Gear type(s) used::** Hook and line or handline

**Comments:** Sadly bluefish is going the way of other game fish in the northeast. Over fishing by commercial fisherman and catch limits for recreational fisherman that are ridiculously high are bringing the bluefish population down to historic lows. Our liberal fishery management of this species is an insult to shore and small boat fisherman of New England. When will our fisheries management have the backbone to set sustainable limits on bluefish? Every other game fish in our region is near historic lows and will soon be nothing more than a memory.

Respectfully,  
Michael Rapoza

(Sent via [Mid-Atlantic Fishery Management Council](#))

---



March 17, 2020

Dr. Christopher Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

**RE: Written comment *Fluke/Scup/Sea Bass/Bluefish Allocation and Bluefish Rebuilding Amendment***

*Submitted via email.*

Dear Dr. Moore,

I am writing on behalf of the New York Recreational & For-Hire Fishing Alliance (NY RFHFA) which is the largest advocacy organization for the for-hire fleet and the interests of anglers who fishes upon party and charter boats in the NYS Marine & Coastal District as it concerns the Summer Flounder, Scup, and Black Sea Bass and Bluefish Commercial/ Recreational Allocation and Bluefish Rebuilding Amendment.

The board of the NY RFHFA reconquer with the previous oral public comments made by Regulatory & Science Research Director Steven Cannizzo at both the Belmar, New Jersey and Stony Brook, New York scoping hearings on the priorities that both the MAFMC and ASMFC should immediately address in 2020 and in improve upon in the years thereafter.

During these hearings we heard at times extremely passionate public input from a diverse audience of attendees made up of commercial and for-hire owners, operators, crew members as well as the general fishing angler, and there was an extremely unified theme voiced by almost all speakers on the following "issues for consideration" which we agree and again will provide written comment upon.

This is a brief and broad summary of the five areas in which the council and commission should prioritize their future regulatory work in addressing.

#### 1- NO ACTION/STATUS QUO

At this time with the unending unstable regulatory environment of the species of concern on this issue of summer flounder (fluke), scup, black sea bass (bsb) and bluefish, the majority of audience members agreed that the 're-balancing' of the historical percentage in the allocations between the commercial and recreational sector was not addressing the major concern of improving recreational catch estimate data, nor would it provide any substantial liberalization to the recreational regulatory controls which recreational fishermen must adhere to. These include in the lessening of the minimum size, increasing possession limits where appropriate for a particular species, increasing open days during a season or lessening regulatory discards as these fisheries have morphed into de facto catch & release exercises on a for-hire vessel with little of any fish to harvest of the overall daily catch.

As troubling was the approach the council has put forward of which the power point presentation and relevant scoping document did not address in clarifying the exact cause for changing the percentage of allocation from the original FMPs which were based upon landings data from the 1980 to early 1990 time period.

Fishery data from both the commercial and recreational sector during this period has a wide range of variability in the available data as far standardized or inaccurate reporting and low levels of compliance by both sectors during those years. Without a complex and thorough review of raw fishery catch, discard and harvest data, it begs the question on the appropriateness to base current management on both the data and statistics from that period in the history of these fisheries, and the final decision made in changing allocations in the FMPs to either sector.

For these reasons we support NO ACTION/STATUS QUO

## 2- SEPARATION OF FOR-HIRE MODES FROM PRIVATE VESSEL AND SHORE BOUND MODES

It was clearly evident by those stakeholders from the for-hire sector that the council should move forward in recognizing that the for-hire sector has mandatory paper VTR and eVTR reporting which increases fishery dependent data in the accuracy of catch and harvest which is a more precise indicator on increased or lower biomass levels of abundance of these species.

The for-hire industry is not requesting a specifically allocated sub-ACL for party and charter boats, but believes in the further use of a 'sector allowance' which is currently used by the MAFMC in the management of scup, blueline tilefish and in 2020 for bluefish. The reason is obvious for creating sector allowances for these species as it is directly linked to historical recreational reported MRIP estimates and the most catch and harvest estimates. As seen for these four species of concern:

FLUKE (2014-2018) PRIV. VESS: 85%, SHORE: 9%, FOR-HIRE: 6%

SCUP (2016-2018) PRIV. VESS: 56%, SHORE: 34% FOR-HIRE: 10%

BSB (2016-2018) PRIV. VESS: 88%, SHORE: 2% FOR-HIRE: 10%

=====

BLUEFISH – USING REC. MEASURES for DEC.10.19 PRESENTATION ON STAFF REC.

(2016-2018) Coast wide Landings (harvest):

PRIV.VESS. & SHORE: 96.4%

FOR-HIRE: 3.6% with PARTY BOATS UNDER >1% OF HARVEST

Due to the 2 to 5 times increase in the magnitude of catch and harvest as a result of the new MRIP re-calibration, the for-hire industry has extremely low levels in the percentage of harvest which has not resulted in exceeding harvest limits for the party and charter modes, as well as in operating accordingly in not threatening the sustainability nor imperil any stock in need of, or undergoing rebuilding.

For these reasons we support For-Hire 'sector allowances'

### 3- INCREASING RECREATIONAL ACCOUNTABILITY AND DATA ESTIMATE ACCURACY

Though Kiley, Karson and Matt from the council presented and led the scoping discussion to the audience and tried as best to shy away from – “in best teasing out” the information on the “issues for consideration,” MRIP has been deemed the “root of all regulatory evil” and is apparent with the comments made at the meetings and for the last few years as the most primary issue for-hire industry economic viability and the frustration of recreational fishing public in angler satisfaction.

Recreational accountability should result in mandatory reporting by private vessels and shore bound anglers with at a minimum to report that they have engaged in a fishing activity to increase the accuracy of MRIP effort estimates. This can be vastly improved through a pilot program which can be designed in a similar fashion to that of the FACTS reporting system in Maryland where an angler ‘Hails-Out’ by dialing from either a hardline, smartphone or on his computer to log in, then receive a verification number which he uses if stopped by marine enforcement, and eventually ‘Hails-In’ to the same number after his trip and then enters the number of participants for effort along with catch/harvest info for species such as fluke, bsb, bluefish or striped bass and tautog.

A properly set up voice call in system with a brief question and then a response from the angler would greatly help in increasing angler cooperation and data accuracy directly from the angler, and most of all in design to be as least intrusive and time consuming in that it should take roughly one minute to complete.

As to the MRIP program and the new changes which obviously have now made the resulting recreational estimates shift from previously being implausible to now becoming impossible to believe with the new estimates. We had also heard from the SSC Q&A MRIP webinar the prior week where it was made clear that the current new MRIP was a painstaking process to undergo in re-calibrating estimates, and one should not expect any distinct changes that can be recommended by stakeholders or the fishing public other than to move forward with direct private vessel and shore bound angler mandatory reporting.

For these reason we support mandatory private vessel and shore bound modes reporting.

#### 4- CATCH LIMITS DEFINED IN POUNDS AND/OR NUMBERS OF FISH

One point which was brought up at the Belmar, NJ scoping meeting by long time ASMFC NJ Commissioner Tom Foote and Captain Neil Delanoy of the Laura Lee fleet at the Stony Brook, NY meeting in that the “currency of recreational fisheries” is in the counting of the numbers of fish caught, harvested and discarded, and that the resulting conversion to pounds as allocations are based in pounds and the multiplier used on the average size of fish is not only inaccurate in MRIP estimates but penalizes fishermen for catching larger fish.

As Commissioner Tom Foote noted that the 1980s represented a decade where average fish sizes were notably different in being smaller for fluke, scup and bsb in contrast to the last full decade period when these stocks were rebuilt and had a much larger number of older fish during the 2010-2019 time period, and was later echoed by Captain Delanoy at the following NY meeting that an approach should be made in transitioning back to fish counts in regulating harvest limits for the recreational sector. This corresponds with the sentiment of stakeholders involved in Advisory Panel discussion over the years with this statement,

*“No matter the fishing mode in which a fish is harvested, a harvested fish is just that in being ‘one harvested fish,’ no matter the weight.”*

The council should examine in coordination with the SSC and MC in starting a process where recreational fisheries can have catch limits based upon counting fish in a particular time frame from when the FMPs were approved.

For this reason we support moving Catch Limits to be defined in numbers of fish

#### 5- MANAGEMENT FLEXIBILITY IN TRANSFER OF ALLOCATIONS

One of the lessor noted topics of discussion was in allowing management at the MC level and the council to have the flexibility in transferring allocations where they are needed for both the commercial and recreational sector. This would be a regulatory tool which can be adopted through the development of a framework to be applied for stocks that are not in the process of rebuilding or in the early stages before a rebuilding program has been implemented.



There is a growing belief that once the ABC is set during specifications by the SSC, that a flexible ACL for both the sectors can be used with caps or upper limit boundaries along with triggers for shifting either a percentage of, or pre-determined amount of poundage to be made available in order to prevent that sector in exceeding their harvest limit.

From the audience consensus, and among the board members of the NY RFHFA, approving management flexibility in transferring allocation between sectors would be seen as positive outcome from the scoping process in preventing fisheries to be shut down or poundage penalties accessed in the following calendar year.

For this reason we support the use of Management Flexibility in allocation transfers

The NY RFHFA appreciates the opportunity to provide input in public comments, in improving the management of fluke, scup, sea bass and bluefish in the Northeast region. The NY RFHFA will continue to participate in this process moving forward, and will advocate as much during MC, AP, council, commission and state meetings.

These written comments align to what was stated at the public hearings, and we again like to thank you for carefully considering these comments from not only the NY RFHFA, but also we believe represent the sentiments of fishermen from both the commercial and recreational fishing sectors in the New York Marine & Coastal District.

Sincerely,

Steven Cannizzo, NY RFHFA

New York Recreational & For-Hire Fishing Alliance

[mb1143f@gmail.com](mailto:mb1143f@gmail.com)

**NEW YORK RECREATIONAL & FOR-HIRE ALLIANCE:**

Executive Director Captain Joe Tangel, fv KING COD

Board Member Captain Carl Forsberg, Viking Fishing Fleet

Board Member Captain Jimmy Schneider, James Joseph Fishing Fleet

Board Member Captain Kenny Higgins, Captree Pride &amp; Captree Princess

Board Member Captain Anthony Testa Sr., f/v Stefani Ann

Board Member Captain Anthony Testa Jr., f/v Stefani Ann

Concurred by:

NYS Recreational MRAC Advisor, MAFMC AP Advisor &amp; NYS FFL permit holder

Captain Steve Witthuhn, f/v TOP HOOK

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, February 11, 2020 4:17 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Orlando Panico**Email:** opanico1@comcast.net**How would you describe your primary role in the fishery?:** Recreational (private angler)**Primary state(s) you land bluefish in::** New Jersey**Gear type(s) used::** Hook and line or handline

**Comments:** Is the goal of these hearings to destroy recreational fishing? Bluefish are perhaps the most abundant fish in the Delaware Bay. Putting a limit on them not only hurts the recreational fishermen but also may put in danger the bunker population. Bluefish feed on bunker. The more blues the less bunker. The less bunker the less striped bass. The less stiped bass the more stupid the laws passed to save them. The flounder laws and limits are probably the most ridiculous laws on the book. The larger fish over 18" are more than likely to be females which are allowed to be kept. DUH. How about keeping 17" fish and letting the larger ones return back to lay eggs! WAKE UP! Why is it that environmentalists continually play games with the recreational fishermen? STOP trying to be Mother Nature and help with keeping the bays and oceans clean. This would make an impact instead of laws and limits few obey .

(Sent via [Mid-Atlantic Fishery Management Council](#))

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 17, 2020 11:58 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** patrick duckworth

**Email:** patrick\_duckworth@yahoo.com

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::** Rhode Island

**Gear type(s) used::** Gillnet

**Comments:** The commercial quota needs to be increased to 50%. Min bluefish size should be 18 inches. Northern states need more bluefish quota from southern states

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** drpat33 <drpat33@aol.com>  
**Sent:** Tuesday, March 17, 2020 10:49 PM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Scoping Comments

As a veterinarian and avid fisherman I would suggest a 3 year moratorium on snapper fishing along the entire east coast .The problems is that to many juveniles are caught and never get a chance to reproduce.  
Dr. Patrick Lanzarone 9179919683

Sent from my Verizon, Samsung Galaxy smartphone

---

**From:** hoppyale <hoppyale@sbcglobal.net>  
**Sent:** Sunday, March 1, 2020 10:23 AM  
**To:** Seeley, Matthew  
**Subject:** Bluefish scoping comments

Chris as a recreational fisherman I appreciate your work. To me, besides the skewed numbers everybody has a problem with there is 2 major problems with compiled data and management plan. First I believe the biggest problem is the seemingly arbitrary target goal of 200,000 MT that has never been reached, even back in th 80s when people were filling garbage cans with blues. That just doesn't happen any more even when "the race" is red hot. Habits have changed. Also fish have moved. Speaking from my vantage point of the eastern sound, the race, where much of the fishing occurs, the big schools of large fish are not centered here any longer. I believe the target number of 200,000 needs to change rather drastically. Thanks, Paul Whitehouse. Niantic, ct

---

**From:** KESS <pkess@optonline.net>  
**Sent:** Tuesday, March 17, 2020 4:01 PM  
**To:** Seeley, Matthew  
**Subject:** BLUE FISH ALLOCATION

Captain Philip A. Kess  
FISHY BUSINESS Sportfishing Charters  
P.O. Box 129 Aquebogue , N.Y. 11931  
Pkess@optonline.net  
516-316-6967

Bluefish Allocation and Rebuilding Amendment 3/17/2020

To whom it may concern,

I'm the owner operator of the charter boat FISHY BUSINESS sailing out of Orient Point L.I. New York for the past 25 years

.

Below are my main points of concern at this time.

1. I believe we should stay status quo until we can get more reliable data especially in the recreational sector. MRIP numbers have been shown to be unreliable .
2. Explore having a separate allocations for the for hire fleet . With the data obtained from our VTRS, the for hire fleet has been shown to have minimal effect on our fisheries .
3. Much more study and action on the effects of Pollution and Predation on the juvenile and breeding stock . With the explosion of Seal and Cormorant populations as well as the Sea Bass , which are eating tens of thousands of fish daily.

Thank you for your consideration

Captain Philip A. Kess

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, February 11, 2020 5:45 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Phillip LaStella

**Email:** panfilio@acedsl.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** Please implement significant reduction in bluefish quotas especially for boat and commercial/recreational fisherman.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Wednesday, February 26, 2020 9:36 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Ralph Chappell

**Email:** captrechappell@yahoo.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** North Carolina

**Gear type(s) used::** Hook and line or handline

**Comments:** The abrupt change to a three fish limit while allowing a five fish limit if the same angler is fishing with a guide demonstrates the abject lack of science behind the decision.

Compound that with the there being no size or slot limits also challenges the credibility of the decision

Finally, try to find any mention anywhere for Commercial Limits....and see if you can determine what it might be.

When discussing this issue with a NOAA employee.....the reaction was both hands in the air and the statement that there is no telling what the State of North Carolina does!

That coming from a very credible and reasonable proponent for controlled limits on fishing stocks.

Stick with the old Limits... and apologize for getting it exactly wrong is my suggestion.

Note.....I hold both Recreational and Commercial Licenses in North Carolina.

I can see both sides of the issue....although I seriously doubt the State of North Carolina can based upon the last Bluefish Decision.

I can be convinced....but there was absolutely no effort to do that by the State of North Carolina PRIOR to announcing the decision.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Randy Sigler <randy@striper.com>  
**Sent:** Tuesday, January 14, 2020 12:10 PM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Scoping Comments ...

Hey Matt,

Randy Sigler here, from Marblehead, MA. Thanks for accepting thoughts about the bluefish fishery :)

I am a commercial fisherman, and a licensed seafood dealer in the Boston area. However, the largest component of my business is Sigler Guide Service, a charter operation primarily fishing nearshore for striped bass and bluefish. I have eight guides, running 24' - 26' center consoles, with the majority of our trips being half day, inshore trips with 1 - 4 anglers per boat.

As some reference, we ran over 800 trips this past summer which, I believe, would make us the largest charter operator in the north east. We are highly conservation/ catch & release oriented, and have had a self-imposed "slot limit" on striped bass for many years ... releasing any fish over 36". For our business, having fish available to catch is far more important than having fish to bring home.

My charter business generates a significant economic impact when considering charter fees, gratuities, lodging/dining/etc from visiting anglers, as well as fuel, ice, dockage, tackle, etc, etc for eight boats and guides.

In terms of bluefish, we have grown increasingly concerned over the last five to eight years at the decline in abundance that we have seen in our area. I am not familiar enough w/current stock assessments and trends, nor am I intimately familiar with historical allocations. What I can say is that our business suffers when abundance drops, and it thrives when stocks are at high abundance levels.

If the overall stock is managed to create high abundance, I am less concerned with commercial vs recreational allocations. A two or three fish bag limit is more than sufficient for our business to thrive. My concern with allocation becomes more relevant if the allocations chosen lead to difficulty rebuilding stock levels.

I'm not sure if that helps, but wanted to share some perspective from what I think is a significant economic player in the bluefish fishery north of Boston.

Thanks again Matt. Please feel free to reach out w/any questions or thoughts.

Sincerely,

Randy

Randy Sigler  
Sigler Guide Service  
1 Peabody Ln  
Marblehead, MA 01945  
[www.Striper.com](http://www.Striper.com)  
[randy@striper.com](mailto:randy@striper.com)  
617-459-1798

---

**From:** rich beneduci <rlb6233@gmail.com>  
**Sent:** Tuesday, March 17, 2020 4:08 PM  
**To:** Seeley, Matthew  
**Subject:** Blue fish limits

I have been fishing in NJ now for over 40years. I understand the need to put limits on keeping fish. What I do not understand is why limits on party boats are higher than private boats.

As an owner and fisherman on my boat, I spend and support the NJ economy as do party boat owners.

I buy bait, tackle, gas and other other items. All fisherman are equal, therefore limits should be equal. (Be it 3,4,or5) . The board should also consider putting size limits on blue fish. Small fish do not yield enough meat for food and will grow to enhance the stock.

I understand the argument that snappers are used for bait, but there other baits that can used.

With all restrictions on flounder, weak fish (which I do not even target anymore), fluke and stripe bass, it becomes less and less appealing to continue fishing.

I truly believe that limits on bluefish are required but all fisherman should adhere to the SAME restrictions. People on party boats tend to be wasteful. They tend to feel they need to get their monies worth. Owners must instruct participants the need for conserving our resourses.

Please consider giving all fisherman the same limits. Why be different? All other fish limits are the same for all fisherman. What is different about bluefish?

Rich Beneduci

---

**From:** ROBERT SWITZER <robert\_switzer@msn.com>  
**Sent:** Wednesday, March 18, 2020 8:39 AM  
**To:** Seeley, Matthew  
**Subject:** bluefish scope

Bluefish are a cyclical species. Always have been, always will be.

Going from 15 to 3 is not reasonable, nor warranted.

The public appetite for bluefish has decreased, not increased.  
But those who do enjoy them should not be penalized for bad models.

Regards,  
Robert Switzer



---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Wednesday, February 26, 2020 3:23 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Ross Baker

**Email:** rvbaker15@gmail.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** Virginia

**Gear type(s) used::** Hook and line or handline

**Comments:** Reduce commercial catch, not many rec anglers keep bluefish.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 17, 2020 8:28 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Roy Miller

**Email:** FISHMASTER70@COMCAST.NET

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** Delaware

**Gear type(s) used::** Hook and line or handline

**Comments:** Sector allocations between commercial and recreational fisheries should be adjusted according to the revised coastal MRIP estimates. If we are going to use revised and back-calculated MRIP estimates to determine if the stock is overfished or if overfishing is occurring, then we should use these same estimates for allocation purposes, regardless of which years are employed in the calculations.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Friday, March 13, 2020 8:30 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Sarah Schumann

**Email:** schumannsarah@gmail.com

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::** Rhode Island

**Gear type(s) used::** Gillnet

**Comments:** I work on a state waters gill net vessel out of Point Judith, RI. Bluefish are our primary target species. My captain and I would like to see a larger minimum size for bluefish: 18 inches to the north and 16 inches to the south. We would also like to see a shift in quota for a commercial from the south to the north to accommodate larger landings to the north. We would also like to see some quota shifted from the recreational to the commercial side, because more people are eating bluefish now and they should be made available to the general public in the markets. We are only getting 14% commercial and 86% recreational; it would be nice to get 30% commercial. In recent years, we haven't had any problem filling our quota here in Rhode Island, and we've had to ask for quota transfers on a regular basis from states further south. It is obvious that the trend for bluefish is a movement to the north, and the regulations needs to keep stride with climate change. Thank you for the opportunity to comment.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, February 10, 2020 2:01 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

Name: Scott Hall

Email: hall.scott.27@gmail.com

How would you describe your primary role in the fishery?: Other

Primary state(s) you land bluefish in:: Maine, New Hampshire, Massachusetts, Rhode Island

Gear type(s) used:: Hook and line or handline, Gillnet

Comments: I regret to make this certainly unpopular comment about the commercial bluefish regulations and as they may apply to other regulations. I am a former commercial fisherman from Gloucester MA, and now work as a scientist.

I think the approach taken worldwide by fishery regulators is to task scientists to evaluate catch data, estimate stocks and regulate harvest so that people can retain as much biomass as possible while having a stock maintain and or grow. There are inherent flaws in this type of measurements and speculative correlations cannot be made accurately even if it is best available science.

My recommendation is that for the bluefish stock and for other stocks, that the regulations be made on the far conservative side and to take pressure off the stocks for a series of years to see if it can rebound, rate of rebound, and to increase environmental monitoring; to attempt to evaluate scientifically, changes in temperature and water chemistry to comprehensive stock evaluations to see the ability of the stock to rebound. Regulations following that scheme of wait and evaluate will undoubtedly be unpopular in the industry and among recreational anglers for any given crashing stock. Sadly, I am okay with unfair to people and fleets as I want stocks healthy, and not only just being there, for when my children look to the ocean.

Specific to this regulation, I am unable to find if the raw data, believe that this is a case of risk management and the risks of under regulating stocks to keep fisherman semi-happy and commercially viable will ultimately be detrimental to the stocks years from now as is being witnessed in multiple fisheries around the globe.

Thank you for your time,

Scott

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** SCOTT LUNDBERG <reelsportfishing@aol.com>  
**Sent:** Tuesday, February 18, 2020 3:07 PM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Scoping Comments

Sent from [Mail](#) for Windows 10

As a full time charter boat captain in Pt. Judith Rhode Island, I would support separating the for hire industry from the private boat and shore angler in the recreational category. Historically, the bluefish has been the bread and butter of the charter boat industry in the Northeast. This would give our industry stability and our daily electronic reporting would give us accountability. Sincerely Yours, Captain Scott Lundberg Reel to Reel Sportfishing LLC [www.reeltoreelsportfishing.com](http://www.reeltoreelsportfishing.com)

---

Bluefish Comments for the supplemental scoping hearings to gather public input for the Bluefish Allocation and Rebuilding Amendment at Toms River on February 18, 2020

Respectfully resubmitted 02/21/2020  
Sergio Radossi  
Ridgefield Park, NJ

Bio; Retired Engineer/ Eng. Exec., Past President Hudson River Fishermen's Assn, Past Director NJ Outdoor Alliance, Current member NJ Marine Fisheries Council, member various sportsmen's organizations.

Note to Mr. Matthew Seeley, Fishery Mgmt. Specialist, MAFMC.

Pursuant to the February 18, 2020 Toms River, N.J. Bluefish supplemental scoping public hearing, please replace my comments dated 2/18/2020 with this comment submission dated 2/20/2020.

I have revised my comments to better follow your outline "Issues for Public Comment", pg. 10 of your Supplemental Scoping and Public Information Document distributed at the 2/18/2020 hearing.

Please note that I am available to answer any questions and assist as time allows.  
Thank You  
Sergio Radossi

#### Issue 1: FMP Goals and Objectives

*Issue 1.1 Increase understanding of the stock and of the fishery.*

The hearing was attended by a good cross section of commercial, party boat and larger for-hire (6+ people) Captains/Owners along with individual/private anglers. These folks offered firsthand information on the current state of the subject fishery. These fishermen have decades of knowledge, experience and wisdom which they are willing to share with fisheries managers. There is an obvious disconnect between the end users (the fishermen) and fisheries managers.

I strongly urge that the fishery managers responsible for the current and future regulations use these (and like) fishermen as consultants.

*Issue 1.2 Provide the highest availability of bluefish to the U.S. fisherman while maintaining, within limits, traditional uses of bluefish (defined as the commercial fishery not exceeding 20% of the total catch)*

Please take my comments as a constructive critique, but issue 1.2 is an opened ended goal. I suggest "highest availability" be replaced with "meeting the SSB target". Also the term "within limits" is included in the issue 1.2 goal should either be defined or deleted.

In short, all goals must be state a desired outcome, be time bound and must include metrics. If the goals are not met on time, initiate a corrective action to get the project back on track. Note that this is the standard operating procedure in the many successful private sector companies.

However, I believe that I do understand your intent with issue 1.2; my reply is as follows; In order to rebuild the fishery we need good, verifiable data \*, include environmental factors , use the experience and wisdom of the folks who are out on the water(fishing), develop metric and time bound project goals which address the needs of your customers. Your customers are the resource and both the commercial and recreational sectors.

\*Insure that the SSB target is both realistic and attainable. If the biomass target has never been met in the past, it is a strong indicator that it is wrong, it should not be used and it must be rejected. To state the obvious, poor input data produces poor results.

*Issue 1.3 Provide for cooperation among coastal states, fisheries managers.... Etc.*

Great question, I think you're looking at a major root cause issue. Unfortunately, my experience shows that the odds of having fisheries management decision makers, working with end users is unlikely (at best). Please see comment 5 below, for additional information.

*Issue 1.4 Promote compatible management regulations between state and federal jurisdictions.*  
Again great root cause issue, but beyond public's pay grade.

*Issue 1.5 Prevent recruitment overfishing.*

I do not understand this goal as stated. Are we talking about more restrictive size, bag and season limits or closing the fishery? Again, I see this as an open ended goal.

*Issue 1.6 Reduce the waste in both commercial and recreational fisheries.*  
Please see comment 6 below, for additional information as related to the recreational sector.

Regarding Management Questions; refer to comments and addendum for issues 1.1 -1.6 above.

*Issues 2, 3, 4, 5;*

I believe these where adequately covered at the 2/18/20 bluefish scoping hearing, but I reserve the right to provide additional future comments.

**Other Issues;****Comment 1) SSB Target:**

In addition to my comments is section regarding the SSB Target.

Fisheries managers have consistently preached the importance of maintain consistency in data collection and process. My understanding is that the current 200,000 MT value is the result of a 2018 change in MRIP's data collect process. This changed the way MRIP estimates the recreational catch effort resulting in a much higher catch effort. The 2018 change was used to recalibrate (back date) the SSB values 2018 thru 1985.

Given the importance of maintaining consistency in data collection and process, I am requesting that the MAFMC Bluefish committee review this, verify that errors were not introduced and provide a report to NJ anglers via the NJMFA and the NJMFC.

I am also requesting that a corrective action plan be implemented to address any issues found.

**Comment 2) MRIP Data: Estimated Anglers actively fishing.**

In the past 37 years the number of party and charter boats has greatly decreased. For example: per a post from Capt. Bogan in May 2017, approximately 50 party and charter boats have gone out of business between 1996 and 2006. I do not have information on closure since 2006, but I am sure that organizations such as the United Boatmen can help you with this.

We must also include party and charter boats that have closed shop in adjacent states (NY and Delaware). Recently the Brooklyn (from Jamaica Bay) has ended operations in February due to the new bluefish regulations.

Also consider that Hurricane Sandy, the recession of 2008 and the stricter regulations on even recovered species (such as black sea bass) greatly reduced both the number of private boats and the number of trips taken. There has been a reduction of over 50,000 private boat registrations. If we estimate 2 anglers per boat this is 100,000 few private boat anglers. Finally, consider that night blue fishing for years has not occurred for years.

Bottom Line there are few people fishing each year, the sport is dying.

Since there are few fishing resources available, fewer people must be fishing. I am requesting that the MAFMC Bluefish committee demand that MRIP justify in writing how fewer people fishing results in overfishing today as compared to the 1980's, 90's etc., and provide a report to NJ anglers via the NJMFA and the NJMFC.

I am also requesting that a corrective action plan be implemented to address any issues found.

**Comment 3, MRIP Data Error example.**

As a member of the NJ Marine Fisheries Council, I participated in a discussion regarding the option of a delayed start to springtime Striped Bass fishing in Raritan Bay. Raritan Bay is part of the NY/NJ boundary waters, the state line runs along Ambrose channel to the Raritan Reach to the Kill Van Kull, approximately. It is fished by both NY and NJ anglers.

During the discussion on closure, I was informed that MRIP is charging 100% of the Striped Bass catch to NJ. This is blatantly incorrect and results in corrupt data. Given this major error, all MRIP efforts must be questioned. I am requesting that the MAFMC Bluefish committee demand that MRIP justify in writing how such a blatant error occurred and was and provide a report to NJ anglers via the NJMFA and the NJMFC.

I am also requesting that a corrective action plan be implemented to address any issues found.

**Comment 4, Environmental Factors.**

The current marine resource management process is focused on one tool. Quotas (size limits, catch limits season are just a subset of quotas). No fish species can be successfully managed using one restrictive management tool. Proof is that it has not worked to date.

Some areas that MUST be considered in the Bluefish management plan are (but limited to) forage (example, lack of sand eels), habitat, sand mining (destruction of habitat with regard to the impact on marine resources), resource availability (fish are reported to have moved offshore).

Considering that Bluefish is a marine [pelagic fish](#) found around the world in temperate and subtropical waters. They are not just an east coast inshore species. They have been documented to disappear for years, just to return in great numbers. They are cyclic.

Has anyone stop to ask where did the bluefish go? Perhaps look at the historical records on bluefish...before the creation of the MAFMC. And why did they disappear? There are many reports of large numbers of bluefish from folks fishing offshore.

I am requesting that the MAFMC Bluefish committee include environmental factors along with pelagic migrations as a possible cause of low numbers in the bluefish plan and provide a report to NJ anglers via the NJMFA and the NJMFC. I am also requesting that a corrective action plan be implemented to address any issues found.

**Comment 5, Regarding Issue 1.3 Provide for cooperation among coastal states, fisheries managers.... Etc.**

This comment speaks to the recreational fisherman's frustration in attempts to speak to and work with the NMFS and its component sections/departments.

A few years ago, New Jersey recreational anglers attempted to work with NMFS to resolve issues regarding regulations (summer flounder in particular). The process seems hopeful as a meeting between key sportsmen organizations and John Bullard, NMFS Administrator, and his staff. We all met at a NJ State facility in Ocean County. The outcome was a plan outlining items to move forward and "improve cooperation". Follow up letters were sent to Mr. Bullard. To the best of my knowledge this is where it ended. No responses, no plans, no further action. It was just a show.

Mr. Bullard was replaced by Michael Pentonyas. I know that some have attempted to open discussions regarding regulations, stock status, etc. Result... To the best of my knowledge no replies have been received.

One cannot fault the fishing community for its skepticism regarding cooperation with fisheries managers and the administration. I will say that I believe that NJFMA is trying to do its best with the cards they are dealt.

Recommended Corrective actions;

- a) When special meeting are called, follow up correspondence and actions are a must. It is both unprofessional; and disrespectful to hold a meeting and then ignore the participants. This applies to all meeting participants including administrators. Better to not have any communication.
- b) Initiate corrective actions to achieve process transparency, simplify reports (stop using marine fishery speak, it is not necessary and impresses no one except those writing the reports), Stop answering end users questions by saying, "look online" (for many end users, online access is equal to or worse than refusing to answer).
- c) There is a perception that the NMFS, NOAA, and the councils and commission would like nothing better than ending the recreational fishery altogether (I have actually been told of verbal statements fishery managers to this effect), additionally we can look at the unchanged current black sea bass regulations on a fully recovered fishery, the threat to impose a 3 fish limit on scup and other examples as proof that the perception may be true. Corrective action, prove the perception wrong, by action not words or 10 year plans.

Comment 6; Issue 1.6 Reduce the waste in both commercial and recreational fisheries.

As the result of the most recent regulation issue regarding summer flounder and N.J.'s attempt to fight it by going out of compliance, a discard reduction plan was developed in a cooperative effort between NJ recreational fishermen and the NJMFA. This included the use of circle hooks, dehooking tools, proper release and fish handling education. The deliverable was to reduce dead discards and to try to achieve a future quota increase. This plan was approved by the TC, councils and commission. Unfortunately, there was no metric or timeline line in the plan. There was no follow up and even though the program had been accepted and implemented by recreational fishing community, there is no report showing if it actually reduced dead discards. There was no quota reduced. If a similar program is



initiated for bluefish, will it follow the same path as used above for summer flounder? Or will the program have metrics, be time bound and using management practices accepted by industry?

Then there is the question of developing a data collection smart phone app for the recreational sector. The fishery management community treats this subject like the plague. What is the fear in trying some different?

Recommendation; the marine fishery management community needs to stop doing the same thing over and over again and expecting a different outcome. If a different outcome is desired, one needs to assess the process and do something different.

Comment 7, Economic Impact of Recreational Marine Fishing Regulations, Funding and the best available science.

First and very important...I believe recreational support sustainable fisheries management. I believe most fishermen believe the same.

Second and very important... the current recreational marine fisheries management program is destroying the sport of marine fishing. Regulations are a one way street, ever more restrictive, it serves neither the fish nor the angler. Mission failed. Conclusion....We need to change the process.

Third and very important...Funding, It is understood that this is a data hungry process, it requires funding. It also requires working smarter, better tools, etc. Conclusion....If you don't have the funding required to get the job done correctly, push for the funding.... Please do not shove another restrictive regulation thru the pipe and call it job done.

Fourth and extremely important... Stop using the term "best available science (BAS), unless it actually is the best available science". That is an excuse for not meeting goals. Instead replace BAS with "the science needed to get the job done". If additional funding is needed, make it the issue.

Conclusion .... Stop using "BAS" as an excuse.

I am requesting that the MAFMC Bluefish committee include the Economic Impact of Recreational Marine Fishing Regulations, Funding and the best available science in the bluefish plan and provide a report to NJ anglers via the NJMFA and the NJMFC. I am also requesting that the term best available science be banned and replaced with "the science required to get the job done"

I am also requesting that a corrective action plan be implemented to address any issues found.

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 17, 2020 6:09 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Steve Bernardo

**Email:** getbig2@aol.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** North Carolina

**Gear type(s) used::** Hook and line or handline

**Comments:** In NC waters Bluefish have never been endangered and always plentiful. It is not the fish of choice by many anglers. but is the bait of choice. The extreme restrictive bag limits are not needed in our waters.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Wednesday, February 26, 2020 1:27 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Steven Mines

**Email:** smines@me.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** Connecticut, New York

**Gear type(s) used::** Hook and line or handline

**Comments:** I can confirm as a recreational angler the complete absence of this species from the fishing grounds I frequent in both Long Island Sound and the Peconic estuary. In addition to a complete lack of adult fish, the shocking lack of juvenile fish is of great concern.

While I believe strongly that commercial fisherman need to earn their living and therefore should continue to receive an appropriate allocation of adult fish, the taking of juvenile fish by either commercial or private anglers under the current dire circumstances would seem foolish.

For this fishery to rebound, no juvenile fish should be taken for a period of time (to be determined by the people that know and understand population dynamics). This suggestion is a bitter pill to swallow for a large group of recreational anglers, but I don't see any other way for this fishery to recover.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Top Hook <ssofabed@aol.com>  
**Sent:** Friday, March 6, 2020 2:59 PM  
**To:** Seeley, Matthew  
**Subject:** General comments To SCOPING HEARING

Hi Matt

1) M.R.I.P. 🤖

2) Bluefish, as records show, fish were in decline ,no efforts were made to tweak the decline.Instead business as usual.So ten years go by and BOOM we get hit with" OVER FISHING" WHICH MEANS , REBUILDING MANAGEMENT, In both the recreational and commercial industries. A ten year rebuilding plan , which was one of the options .I'm not getting any younger. We know that we will not see a 15 fish bag limit any more for the recs but hopefully we can get the commercial quotas back up.So I guess what I am asking is we need to make better management decisions, so we don't GET KICKED BELOW THE BELT AGAIN..

3)Sector separation,needs more evaluation. At this point perhaps a sector ALLOWANCE program. ex 3 bluefish, 5 bluefish for-hire. which is now in place. Scup 50/ 30 season, now we work on Sea bass, Fluke AND LOOK FOR THE SWEET SPOT. THE FOR -HIRE SECTOR WILL AND MUST REPORT ACCURATELY ON THE E- VTRS IN ORDER FOR THIS PROGRAM TO SUCCEED.

4) M.R.I.P. 🤖

Thank You  
Cap't Steven R. Witthuhn  
AP MAFMC  
AP ASMFC  
MRAC N.Y.  
Top Hook Fishing Charters Montauk N.Y.  
35 yrs of Fisheries Involvement

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 17, 2020 3:45 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Taylor Ingraham

**Email:** tayloringraham@tightlined.com

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** Rhode Island, Connecticut, New York

**Gear type(s) used::** Hook and line or handline

**Comments:** Thank you for allowing me the opportunity to comment on the ongoing management of bluefish.

Bluefish are an incredible light-tackle species to target, yet have relatively limited culinary value. As a result, the majority of bluefish that are caught by the recreational sector are then released. As new regulations are put into place and the fish are managed in the long-term, the focus on catch and release and the value of a bluefish in the water must be a top priority. There is an opportunity to manage these fish as a valuable recreational fish, by incorporating catch and release practices into managing the fish for abundance.

Accordingly, since catch and release anglers comprise such a large portion of bluefish that are caught each year, quota reallocation should NOT be considered or implemented.

Please approach bluefish differently than other fish, and manage them according to their value in the ocean, rather than on a dinner plate. We need strong regulations to ensure that bluefish are available to those who target them - as recreation - for years to come.

Thank you,

Taylor Ingraham

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

---

**From:** Tom Fuda <tom.fuda@gmail.com>  
**Sent:** Friday, March 6, 2020 6:41 AM  
**To:** Seeley, Matthew  
**Subject:** Bluefish Amendment Scoping Comments

Hello,

I am an avid recreational saltwater fisherman based in Connecticut. Last year I made at least 50 trips (the vast majority from shore) targeting striped bass and bluefish. I definitely noticed a reduction in the numbers and size of bluefish that I caught. I don't think I caught a bluefish bigger than 4 lbs last season.

As I read the allocation and rebuilding amendment, I see much talk of two sectors; commercial and recreational, but in reality, the management plan has effectively created three sectors, with the "recreational" sector being split into the "for-hire" sector, and "everyone else". I feel like this is a flawed and biased management / rebuilding plan. It gives a select and vocal few, access to kill more of the overfished bluefish stock than everyone else. Why should anglers that have access to, and can afford to pay for a boat trip have the right and privilege to kill more fish than the private boaters and shore bound anglers? This policy creates an adversarial situation between the two recreational sectors, and the clear appearance of favoritism to the for-hire sector in the management process.

Most of the recreational anglers that I know are more interested in seeing more and bigger bluefish available for the thrill of the catch (and release), than they are in killing more bluefish to take home to the table. The bluefish's value as table fare is relatively low. Their value is more as a sport fish (2nd only to the striped bass in the Northeast waters, IMO). The folks that pay money to go on bluefish boat trips should be bound by the same regulations as the rest of the recreational sector. To quote Mr. Spock: "The needs of the many outweigh the needs of the few".

Thank you for your time.

Sincerely,  
Thomas Fuda

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Tuesday, March 17, 2020 10:39 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Thomas Smith

**Email:** bluefish4@comcast.net

**How would you describe your primary role in the fishery?:** Commercial

**Primary state(s) you land bluefish in::** Massachusetts

**Gear type(s) used::** Gillnet

**Comments:** Dear Council and Commission members,

My name is Tom Smith I own and operate two strike netters in Massachusetts commercial bluefish fishery; both boats are named Seawolf. I started the fishery in June 1981 and I've been at it ever since, though it is my livelihood it is also my passion. My landings in the 80's mostly provided the landings for Massachusetts to receive a 6.75% of the bluefish pie that we have had over the years. Most years this quota has been sufficient to carry us through this season but some years it has not been enough. Massachusetts DMF has been proactive during those years and has been able to secure quota transfers to keep its fisherman fishing and the hundreds of fish markets able to offer bluefish throughout the season. As we all know, a lot has changed in the 30 years since the bluefish management plan was put in place. Some states such as Virginia and Florida no longer have the fisheries that gave them the quotas that they still have. I believe if the quota is redistributed the last 10 years of landings should be the benchmark for what states are catching the bluefish and what states have been needing and receiving quota transfers to extend the season. Also, I think it is very important to have the mechanism in place to transfer fish from state to state as necessary. For the last 10 years, Massachusetts, New York and Rhode Island have had the most bluefish off their states. Though the landings have been off the last two years, this was predictable seeing as bluefish are offshore spawners and they had a couple of years with poor spawning conditions. The last two years we have seen a couple of strong year classes of mostly 1-3 pound fish that should be up to 5 pounds this season when they arrive in May. I've always believed the bluefish have come and gone based on their cyclic nature regardless of catch rates and fishing pressure. When I was growing up in the 60's bluefish were very scarce on Cape Cod but in the early 80's, they were at an all-time high. In the last 40 years, I've seen every variation of both boom and lean years that I feel is based on the success of particular spawning years. Thank you for your time.

Thomas Smith  
Orleans MA

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Anthony Durso <surfzonelures@gmail.com>  
**Sent:** Sunday, February 2, 2020 8:32 AM  
**To:** Seeley, Matthew  
**Subject:** scoping

hi ,

I feel the 3 fish recreational limit is good and would also like to see something done on snapper blues maybe a size limit or smaller bag limit. The commercial quota needs to be looked at also thank you

Tony Durso

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Saturday, February 29, 2020 8:21 AM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** Vincent Martella

**Email:** hammer1654@verizon.net

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New York, New Jersey

**Gear type(s) used::**

**Comments:** I enjoy shark fishing and Bluefish is the primary bait we use to catch shark. I usually shark fish with 1 other angler making for a total of 2 people on my boat. We often use more than 6 bluefish when the bite is good. I would like to ask that there be some kind of exception to the 3 Bluefish per man rule while shark fishing. These bluefish that we use for bait are caught by rod and reel sometime over months and stored in our freezer until we use them. They are not caught the same day as we are shark fishing. Please consider this when making your decision.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---

**From:** Vittorio Paternostro <vittoriopaternostro@gmail.com>  
**Sent:** Tuesday, March 3, 2020 6:20 PM  
**To:** Seeley, Matthew; Leaning, Dustin Colson  
**Subject:** Bluefish regulation

Dear sirs,

I'm writing against limiting recreational fishing of bluefish to 3. It doesn't make any sense. I fish once in a while when possible, I respect all the laws and the beaches leaving them cleaner than they were. We eat the fish I catch, we don't bother animals for the challenge of the battle. I fish and hunt only for eating. 3 for a day isn't enough! There are thousands of them in each beach and we don't make a difference taking five or six home for our kids and our friends' families once in a while when we can go fishing!!! Professional and commercial fishing make a difference, why someone had the bad idea always to limit people's freedom!!! Feel free to contact me.

Respectfully  
Vittorio Paternostro

+1 312 479 8997

---

---

**From:** Squarespace <no-reply@squarespace.info>  
**Sent:** Monday, February 10, 2020 6:22 PM  
**To:** Seeley, Matthew  
**Subject:** Form Submission - Bluefish Supplemental Scoping

**Name:** William Royle

**Email:** wroyle@comcast.net

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** your objective is to drive recreational anglers out of saltwater fishing through ever decreasing bag limits so kiss my ass.

(Sent via [Mid-Atlantic Fishery Management Council](#))

---





## **Bluefish Allocation and Rebuilding Amendment - Action Plan**

(Updated as of April 2020)

### **Amendment Goal**

The goal of this amendment is to review and possibly revise the allocation between the commercial and recreational fisheries and the commercial allocations to the states. This action is needed to rebuild the bluefish stock, avoid overages, achieve optimum yield, prevent overfishing, and reduce the need for quota transfers off the U.S. east coast.

### **Fishery Management Action Team**

The Council will form a team of technical experts, known as a Fishery Management Action Team (FMAT) to develop and analyze management alternatives for this amendment. The FMAT is led by Council staff and includes management partners from the National Marine Fisheries Service (NMFS) Greater Atlantic Regional Fisheries Office (GARFO), the Northeast Fisheries Science Center (NEFSC), the Southeast Fishery Management Council (SAFMC), and the Atlantic States Marine Fisheries Commission (ASMFC). The FMAT will work with other experts to address specific issues, as needed.

### **FMAT Membership**

Name	Role/Expertise	Agency
Matthew Seeley	FMAT Chair	MAFMC
Danielle Palmer	Protected Resources	NMFS GARFO
David Stevenson	Habitat Conservation	NMFS GARFO
Cynthia Ferrio	Sustainable Fisheries	NMFS GARFO
Ashleigh McCord	NEPA	NMFS GARFO
Tony Wood	Population Dynamics	NEFSC
Matthew Cutler	Social Sciences	NEFSC
Samantha Werner	Economist	NEFSC
Dustin Colson Leaning	Plan Coordinator	ASMFC
Mike Celestino	Bluefish Technical Committee	NJDFW

## Applicable Laws

Magnuson-Stevens Act	Yes
National Environmental Policy Act	Yes – will require an Environmental Assessment or Environmental Impact Statement
Administrative Procedure Act	Yes
Regulatory Flexibility Act	Yes
Paperwork Reduction Act	Possibly; depends on data collection needs
Coastal Zone Management Act	Possibly; depends on effects of the action on the resources of the coastal states in the management unit
Endangered Species Act	Possibly; level of consultation will depend on the actions taken
E.O. 12866 (Regulatory Planning and Review)	Yes
E.O. 12630 (Takings)	Possibly; legal review will confirm
E.O. 13123 (Federalism)	Possibly; legal review will confirm
E.O. 13771 (Reducing Regulation and Controlling)	Possibly; legal review will confirm
Essential Fish Habitat	Possibly
Social Impact Analysis	Possibly
Information Quality Act	Yes

## Expected Document

Acronym	NEPA Analysis	Requirements
EA	Environmental Assessment	<b>NEPA applies, no scoping required, public hearings required under MSA</b>
EIS	Environmental Impact Statement	NEPA applies, scoping required, public hearings required

## Draft Timeline for Amendment Development and Implementation

Task Description	Date (subject to change)
<b>Initiation and request of FMAT participants</b>	December 2017
<b>Formation of FMAT</b>	January 2018
<b>Initial FMAT discussion</b>	March 2018
<b>ASMFC meeting</b> - review scoping plan and document	May 2018
<b>Scoping hearings / scoping comment period</b>	June-July 2018
<b>Council Meeting</b> - review scoping comments and FMAT, Advisory Panel (AP), and Monitoring Committee recommendations; discuss next steps	August 2018
<b>AP Meeting</b> - review amendment goals and objectives, FMAT recommendations, develop recommendations for alternatives; any amendment issues?	July 2019
<b>FMAT Meeting</b> – review comments and develop draft alternatives	August 2019
<b>Joint Council and Board Meeting</b> – discuss incorporating rebuilding and review the issues to be covered in the Amendment	October 2019
<b>Joint Council and Board Meeting</b> – approve supplemental scoping document for additional scoping hearings	December 2019
<b>Supplemental scoping hearings / scoping comment period</b>	February-March 2020
<b>FMAT Meeting</b> – review comments and provide recommendations for the scope of the action	April 2020
<b>Joint Council &amp; Board Meeting</b> - review scoping comments and FMAT recommendations; identify potential alternatives to consider	May 2020
<b>FMAT Meeting</b> – develop draft alternatives	May 2020
<b>AP Meeting</b> – provide recommendations on draft alternatives	June 2020
<b>Joint Bluefish Committee and Board Meeting</b> - review and refine draft alternatives	June 2020
<b>FMAT Meeting</b> – Finalize draft alternatives for the August Joint Council Board Meeting	July 2020
<b>Joint Council &amp; Board Meeting</b> – review and approve alternatives for public hearing document	August 2020
<b>Development of public hearing document and hearing schedule</b>	Fall 2020

<b>Joint Council &amp; Board Meeting</b> – Approve public hearing document and EA/EIS	December 2020
<b>Public hearings</b>	January-February 2021
<b>AP Meeting</b> - recommendations for final action	March 2021
<b>Bluefish Committee Meeting</b> - recommendations for final action	Spring 2021
<b>Joint Council &amp; Board Meeting</b> - final action	Spring 2021
<b>Submission of draft EA/EIS to GARFO</b>	Spring/Summer 2021
<b>Draft EA/EIS revisions and resubmission</b>	Summer/Fall 2021
<b>Rulemaking (proposed rule)</b>	Fall 2021
<b>Rulemaking (final rule)</b>	Winter 2021



**Mid-Atlantic Fishery Management Council**  
800 North State Street, Suite 201, Dover, DE 19901  
Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org  
Michael P. Luisi, Chairman | G. Warren Elliott, Vice Chairman  
Christopher M. Moore, Ph.D., Executive Director

## MEMORANDUM

**Date:** April 23, 2020  
**To:** Council and Board  
**From:** Kiley Dancy, Karson Coutre, and Julia Beaty, Staff  
**Subject:** Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment: Review of Scoping Comments and Discussion of Action Scope

On Wednesday, May 6, the Council and Board will review the scoping comments received on the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. In addition, staff will present Advisory Panel and Fishery Management Action Team (FMAT) recommendations. The purpose of this discussion is for the Council and Board to define the scope of the action and review broad categories of management approaches that could achieve the amendment objective. The Council and Board should provide guidance to the FMAT on which approaches to pursue for further development. Based on this guidance, the FMAT will develop draft alternatives for further discussion at the June joint meeting.

Materials listed below are provided for the Council and Board's discussion of this agenda item.

- 1) Final Scoping Comment Summary, April 2020
- 2) Advisory Panel Meeting Summary from April 2, 2020
- 3) Amendment Action Plan as of April 15, 2020
- 4) FMAT Meeting Summary from April 14, 2020

SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS  
COMMERCIAL/RECREATIONAL ALLOCATION  
AMENDMENT

---

FINAL SCOPING COMMENT SUMMARY  
APRIL 2020



Prepared by the  
Mid-Atlantic Fishery Management Council (MAFMC or Council) and the  
Atlantic States Marine Fisheries Commission (ASMFC or Commission)



# TABLE OF CONTENTS

<b>1</b>	<b>Introduction and Comment Summary .....</b>	<b>2</b>
1.1	Overview .....	2
1.2	Comment Summary.....	3
<b>2</b>	<b>Scoping Hearing Summaries .....</b>	<b>8</b>
2.1	Buzzards Bay, MA .....	8
2.2	Dover, DE.....	11
2.3	Belmar, NJ.....	14
2.4	Galloway, NJ.....	20
2.5	Berlin, MD .....	27
2.6	Narragansett, RI .....	31
2.7	Washington, NC .....	36
2.8	Old Lyme, CT .....	38
2.9	Stony Brook, NY .....	40
2.10	Fort Monroe, VA.....	45
2.11	Internet Webinar.....	48
<b>3</b>	<b>Written Comments .....</b>	<b>53</b>
	<b>Appendix A: Supplements to Public Hearing Comments .....</b>	<b>166</b>

## 1 INTRODUCTION AND COMMENT SUMMARY

### 1.1 OVERVIEW

This document summarizes public scoping comments on the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. Through this action, the Mid-Atlantic Fishery Management Council (MAFMC or Council) and the Atlantic States Marine Fisheries Commission (ASMFC or Commission) are considering several modifications to the allocation of catch or landings between the commercial and recreational fishing sectors for all three species. Additional information and amendment documents are available at:

<http://www.mafmc.org/actions/sfsbsb-allocation-amendment>.

Eleven scoping hearings were held from Massachusetts through North Carolina between February 13 and March 3, 2020 (Table 1). Hearings were attended by approximately 280 people in total. Not all attendees provided comments.

Written comments were accepted from January 7, 2020 through March 17, 2020. Ninety-nine individuals and 14 organizations provided written comments. Some of these individuals and organization also provided comments during hearings. In total, 207 individuals and organizations provided comments during scoping hearings and/or in writing. Individuals who provided multiple comments (e.g., in person and written, or multiple written comments) were only counted once towards the totals included in this document. In some instances, individuals provided in-person comments on behalf of an

organization and those organizations also submitted written comments. In those instances, the individual and the organization comments were counted as one comment.

Seventy-four percent of the 206 individuals and organizations who provided in-person and/or written comments were primarily affiliated with the recreational fishery, 22% with the commercial fishery, and 4% had an unknown or other affiliation (Table 2).

**Table 1: Summer flounder commercial issues amendment public hearing schedule.**

<b>Date and Time</b>	<b>Location</b>
<b>Thursday, February 13</b>	Buzzards Bay, Massachusetts
<b>Wednesday, February 19</b>	Dover, Delaware
<b>Monday, February 24</b>	Belmar, NJ
<b>Tuesday, February 25</b>	Berlin, MD
<b>Tuesday, February 25</b>	Galloway, NJ
<b>Tuesday, February 25</b>	Washington, NC
<b>Wednesday, February 26</b>	Narragansett, RI
<b>Wednesday, February 26</b>	Old Lyme, CT
<b>Thursday, February 27</b>	Stony Brook, NY
<b>Monday, March 2</b>	Fort Monroe, VA
<b>Tuesday, March 3</b>	Internet Webinar

**Table 2: Number of individuals and organizations who provided in-person or written comments by primary affiliation.**

<b>Primary sector</b>	<b>Number of individuals/organizations</b>	<b>Percent of total</b>
Recreational		
Private angler	94	
For-hire	45	
Multiple modes, other, or unknown	14	
	153	74%
Commercial	45	22%
Other	7	3%
Unknown	2	1%
<b>Total</b>	<b>207</b>	<b>100%</b>

## 1.2 COMMENT SUMMARY

Scoping comments are summarized in the text and tables below, grouped first by comments pertaining directly or indirectly to commercial/recreational allocation issues (Table 3), followed by comments on other issues (Table 4). Only those topics addressed by more than two individuals or organizations, or those



directly related to commercial/allocation issues are included in the summaries below; however, all comments are included in sections 2 and 3 of this document.

***Comments Related to Commercial/Recreational Allocation Approaches or Issues***

Almost half of the individuals or organizations who provided comments (98) supported consideration of changing the current allocation system in some way. Opinions were mixed regarding how, specifically, the allocations should change. For example, there was mixed support for updating the current base years with revised data, and several commenters supported exploration of non-traditional approaches or revised base years (Table 3).

Approximately 23% of commenters (48) supported status quo allocations. Data concerns were a common rationale for supporting status quo, at least until recreational catch accounting can be improved.

Recreational data concerns were a prominent theme across many commenters. For example, many commenters expressed criticism of the data collected through the Marine Recreational Information Program (MRIP). As summarized in Table 3, specific comments related to recreational data included concerns that the revised effort estimation methodology is flawed, effort estimates are unrealistic, and requests that the estimates not be used for management purposes including the development of revised allocations.

**Table 3: Summary totals for comments directly related to commercial/recreational allocation approaches or issues.**

<b>Comment Topic/Theme</b>	<b>Number of individuals/ organizations</b>	<b>% of total</b>
<b>Support Allocation Changes vs. Support No Changes/Status Quo</b>		
Support modifying the allocations in some manner (specific approaches described in comments below)	98	47%
Do not change the allocations (support status quo; common rationales included do not revise until data issues are resolved; it is unfair to reallocate due to MRIP changes/recreational overages/a problem created by management; do not decrease commercial allocation)	48	23%
<b>Considerations for Reallocation Approaches</b>		
Don't update the allocation base years with new data (e.g., 1980s data are still uncertain, conditions are different, were years of poor stock conditions, size vs # by sector was very different then - penalizes rec sector, # participants by sector was very different then)	16	8%
Management should more thoroughly consider socioeconomics	13	6%
Support or want to learn more about non-traditional allocation approaches such as a needs-based approach or harvest control rule	12	6%
Do not support current/status quo allocations (reasons or preferred reallocation approach unspecified)	11	5%
Should update the allocations using the same base years and new data	10	5%

<b>Comment Topic/Theme</b>	<b>Number of individuals/ organizations</b>	<b>% of total</b>
Should decrease the commercial allocations (e.g., current allocations are biased toward the commercial sector, scup commercial allocations should be lower, general support for commercial allocation reduction)	9	4%
Support revised allocation base years (e.g., using years of good stock health/post-rebuilding years; use long time period; use most recent 5 years; use a recent time period; using moving 10-year or 15-year average)	8	4%
Should increase commercial allocations	4	2%
Need to do something for 2021 to prevent drastic restrictions on recreational fisheries	4	2%
Allocations should be catch-based (i.e., include discards)	4	2%
<b>Improved Recreational Accounting and Accountability</b>		
Strong concerns with MRIP data: unbelievable/unreliable estimates, estimates too high (esp. effort estimates), new MRIP data should not be used for management (measures or allocations), need better recreational data, concerns with specific aspects of rec. data collection (e.g., mail survey or intercept survey)	81	39%
The recreational sector should have increased accountability to their limits (e.g., support overage paybacks and in-season closures, allowing overages is essentially reallocation, rec overages should not be allowed, overages put stock at risk)	33	16%
Additional or improved recreational data should be used in management, e.g., mandatory private angler reporting, tagging systems, mandatory tournament reporting, improved accounting for private dock catch, improve timeliness of rec. data	20	10%
VTR data is more reliable; increase the use of VTRs in MRIP or use VTRs instead of MRIP for the for-hire fleet	15	7%
The for-hire sector should have additional requirements (e.g., requirement for VTRs for non-federal vessels, VMS, reinstate "did not fish" reporting)	7	3%
Recreational effort has increased (though some said it has not increased as much as MRIP suggests)	4	2%
<b>Recreational Sector Separation</b>		
Sector separation should be used, either as separate allocations for for-hire vs. private anglers or separate management measures (most common rationale was that the for-hire sector has better catch accounting and accountability due to use of VTRs)	39	18%
Do not use sector separation	9	4%

<b>Comment Topic/Theme</b>	<b>Number of individuals/ organizations</b>	<b>% of total</b>
<b>Dynamic Allocations or More Frequent Review of Allocations</b>		
Support making future allocation changes through frameworks/addenda	7	3%
Should recalculate or reconsider allocations on a regular basis and/or have dynamic allocations	4	2%
Should not make future allocation changes through frameworks/addenda	2	1%
<b>Allocation Transfers or Set-Asides</b>		
Support allocation transfers (e.g., to address overages and prevent paybacks) under certain conditions	9	4%
Support allocation set asides (e.g., to account for private recreational variability, help prevent need for paybacks)	5	2%
Consider allowing one sector to buy from the other (e.g. p/c from com), at least at state level	2	1%
Don't allow sectors to buy allocation	1	<0.5%
Do not allow transfers of allocation between sectors	1	<0.5%
<b>Other Allocation Related Comments</b>		
The commercial fishery is well controlled and monitored	12	6%
Should have option of basing allocations in pounds or numbers of fish	8	4%
Different sectors (com/rec, for-hire/private) need to work together	7	3%
Concerns about commercial data (e.g., discards in general, landings in 1980s)	4	2%
More people eat fish than fish recreationally - allocation/management should account for that	4	2%
Should not have allowed the recent commercial quota increases for summer flounder and/or black sea bass which were partially driven by MRIP changes	3	1%

***Comments on Other Issues Not Directly Related to Commercial/Recreational Allocation***

Comments on other issues not pertaining to commercial/recreational allocation issues included many comments on recreational management measures and general concerns with recreational management. Many of these comments were specific to summer flounder measures, and/or recreational discards and discard mortality rates. Several comments were also received on concerns with commercial fishery management, as well as other issues, as summarized in Table 4.

**Table 4: Summary comment totals for prominent comment themes NOT directly related to commercial/recreational allocation approaches or issues.**

Comment Topic/Theme	Number of individuals/ organizations	% of total
<b>Recreational Management Measures and General Recreational Fishery Concerns</b>		
Discards are too high or are a concern (usually, but not always, in reference to the recreational fishery); concerns with recreational discard mortality rate estimates (e.g, rates are underestimated or overestimated; there is regional and mode variation in discard mortality rates; concern with black sea bass barotrauma)	31	15%
Dissatisfaction with recreational measures specific to summer flounder (e.g., the minimum size limit for summer flounder should be lower to reduce discard mortality, remove fewer large females, and allow anglers to retain more fish; support for lower minimum sizes or alternative management measures such as slot limits)	27	13%
Dissatisfaction with recreational management measures and approaches in general (e.g., measures should be liberalized, neighboring states should have more similar measures, pounds to numbers conversion is a problem, enforceability is an issue, gear or release behavior should be regulated, too many species restricted at once, should be able to make up days lost due to weather)	20	10%
Management has caused a loss of recreational fishing businesses (e.g., bait and tackle shops, for-hire vessels) and a loss of access/opportunities for private anglers	13	6%
<b>General Commercial Fishery Concerns</b>		
Commercial vessels are creating the most harm (e.g., by catching too many fish, damaging habitat, or creating too many discards)	15	7%
Management has caused a loss of commercial businesses (e.g., boats, docks, packing houses)	4	2%
<b>Other Issues</b>		
Summer flounder availability has decreased (in general or keepers)	11	5%
Differences in commercial vs. rec regulations are a concern (e.g., different size limits or open seasons)	11	5%
Habitat/pollution/ecosystem/climate change concerns regarding stock health	11	5%
Management hasn't improved the fisheries	10	5%
Availability of black sea bass is high	4	2%
Need more stability management measures/measures are too complex or confusing	3	1%

## 2 SCOPING HEARING SUMMARIES

A summary of each public hearing is provided below. Comments are summarized and paraphrased from hearing participants.

### 2.1 BUZZARDS BAY, MA

Thursday, February 13, 2020, 6:00 p.m.

**Summary:** The hearing in Buzzards Bay, MA was attended by approximately 68 people. Many attendees shared their frustration with MRIP, in particular their lack of faith in the estimates of recreational catch produced for all three species. Nine participants from the for-hire sector voiced support for separate private angler and for-hire allocations within the recreational sector. However, others cautioned that sector separation would not resolve the overarching problem of unreliable MRIP estimates and called for an improved method of recreational catch accounting. Several participants supported the idea of using a socioeconomic analysis to help determine the allocations between the for-hire, private recreational, and commercial sectors. A few participants voiced support for sector allocation transfers when either the commercial or recreational sector is projected to underachieve its quota. Several commenters criticized the current minimum size and bag limits for black sea bass and summer flounder which have led to high rates of recreational discards.

Name	Affiliation (Optional)
Sharon Colby	
Russell Hubert	
John Paine Jr	
Joseph Ferrin	
BOB DeCorte	DEMBRE CHARTERS
Willy Hatch	MACHACA CHARTERS
TIM KOUTALAKIS	ON TIME CHARTERS
Michael Butcher	MSB CHARTERS
KEN WAITING	CAPE COD GARTIES
JAY PAVICH	CAPE COD SALRIES
NICIANO MASCARI	
Jonathan Joyal	
ASHER WHITE JOYAL	
Mike Coitrey	
Ross Kessl	MDMR
Charles Monteiro	
JOSEPH HUCKEMEYER	Helen H OFFshore

Name	Affiliation (Optional)
KEN BAUGHMAN	
Gary Shepherd	
Kyle Visco	
CHRIS STOWELL	F/V JIM DANDY
BRIAN CURRY	FFA WASHA SHORE
DON CIANCIOLO	F/V LAURA JAY / CAPE COD CHARTERS
ED BIRCH	PLYMOUTH COUNTY LEAGUE
Mike Honey	EVANSTON CHARTERS
Shane O'Connell	AUORA ZAG CHARTERS
ERIC MORROW	BUNNY HUNTER CHARTERS
<del>Willy Hatch</del>	
Philly	CHARGER / SUSAN C III
TOM SMITH	SEA WOLF
Amanda Hart	UMASS Dartmouth
Ash Novak	UMASS Dartmouth
Keith Roberts	FFA FALMOUTH MA
Patrick Cassidy	Cape Cod on the Fly
KEN DEBROWSKI	
Jim Ilkovich	Blue Bandit Charters
JEFF VIANANI	Bad Influence Sportfishing

### Willy Hatch – Machaca Charters

- Supports separating the for-hire allocation from the other recreational modes.
  - eVTRs ensure that their mode is held accountable
  - Historically the for-hire fleet represented a larger proportion of the fishery and this needs to be considered if the for-hire sector is allocated its own quota.

### Joe Weinberg – charter tours

- Supports separating the for-hire sector from the private and shore guys. However, he has reservations on how MRIP data are collected and doesn't have faith that the separate sector allocation would improve the situation.

### Bob DeCosta – Nantucket charter

- Supports recreational separate allocation because for-hire has many attributes similar to commercial fishery - we are businesses, we fill out logs, we are professionals

- Want for-hire captain VTRs used instead of angler intercept data in MRIP
- Supports commercial quota being shifted to charter fishermen, particularly in instances where it won't be used by commercial sector
- Recreational sector separation in the scup fishery (MA specific) has worked well
- Socio-economic benefits to charter fleet needs to be considered (including tourism to area)
- For-hire fleet needs more tools to “control its own destiny”

#### **Eric Morrow – Bounty Hunter Charters**

- Supports for-hire allocations
- Supports the application of mode-specific discard mortality rates; for-hire discard mortality rates are less than private anglers
- Value of fish to each sector needs to be considered in rec/com allocations; value of charter fish to local economy is high
- Frustration with more restrictive regulations on numerous species all at once (striped bass, bluefish, bsb being status quo); need to be able to fish for something
- Allowing transfers between com & rec sectors would be beneficial when there is going to be an underage in one sector
- Need to use state or region discard mortality rates in management; e.g., BSB is 5% in MA, not the coastwide 15% rate that is used.

#### **Joe – Commercial & Recreational**

- Suggests a pilot program in MA whereby all rec permit holders have to report their catch. This would be valuable to compare to MRIP estimates for MA.

#### **Joseph Huckemeyer – Helen H Offshore Party Boat**

- The fishermen from both sectors need to be given a larger allocation, especially considering the high spawning stock biomass level.
- He sees shifting allocation from the commercial guys to the rec guys as unfair, it just pits one fisherman against another
- No regulation changes should be required until this amendment is completed
- He is in support of breaking out the for-hire allocation
- Should be able to easily transfer unused quota from one sector to another at year's end to account for overages rather than have payback (essentially a buffer)

#### **Brian Curry – Washashore charter, MV**

- Separation of for-hire should be considered, but use of MRIP data to achieve this is problematic
- Distrust of MRIP data; don't see enough (any) intercepts to believe the numbers
- Consider an eVTR requirement for all for-hire vessels; i.e., state-only permitted in addition to federally permitted vessels

#### **Jeff Viamari – Bad Influence Sportfishing Charter**

- Supports consideration of rec private and for-hire separation that considers socio-economic contribution of each; we are business owners
- Wants for-hire catch reports to be used instead of MRIP

### **Mike Harney – Charter**

- Support separate quota and rules for for-hire; we are distinct from private anglers as being businesses, have lower discard mortality rates, and provide accurate catch data that should be used.

### **Jonathan Joyal – commercial fisherman**

- He doubts summer flounder discard estimates
- He thinks the minimum size limits are too high for summer flounder. Reducing the min size would reduce dead discards
- He would like to see greater transparency in how the MRIP estimates are generated.
- MRIP methods need to be explained to stakeholders better; need outreach workgroups, etc. to increase our confidence in it

### **Willy Hatch – Machaca Charters**

- Supports increasing the allocation within the recreational sector. On a per fish basis, scup have decreased in value in the commercial fishery and add a lot more value economically to the recreational sector. The commercial quota for scup often goes unused.

### **Brian Morganson – Charter, Nantucket**

- All fishery participants (com & rec) agree that the MRIP data are not accurate; need another method for recreational accountability; want catch reports from all recreational fishermen.
- Also upset about the small bag limits and the associated discard issue for black sea bass

### **Joseph Huckemeyer – Helen H Offshore Party Boat**

- MA ought to get credit for its lower release mortality rate for BSB

### **Brian Curry – Wasashore charter, MV**

- Increasing dead discards needs attention; discard mortality rates are overestimates for MA
- BSB redistribution needs to be considered in reallocation (state by state)

### **Bob DeCosta – Nantucket charter**

- Supports eVTR requirement for state-registered for-hire fishermen

## **2.2 DOVER, DE**

Wednesday, February 19, 2020, 6:00 p.m.

---

**Summary:** The Dover, DE hearing was attended by approximately 17 people. Most of the comments related to recreational data and accountability, with major themes including: 1) the MRIP data are deeply flawed, 2) recreational for-hire data should be relied on more, 3) the recreational fishery needs better accountability and should use modern technology to improve data collection methods. Staff attempted to clarify some confusion regarding how for-hire recreational estimates are generated and how recreational VTR data is used. There was some support for exploring a separate for-hire recreational allocation, and one commenter supported the use of more dynamic allocation methods as opposed to keeping allocations constant over many years.



Name	Affiliation (Optional)
Earl R. Mind (Sonny)	
Chester Townsend (Chet)	F/V Andrew G
ROBERT WOOLLEY HAN	FV CABRADO WOLLEY BULLY
Wes Townsend	stake holder commercial
Ken Logan	commercial
Wes Townsend	
Pat Francis	
ANDREW HAN	DARBY PARK
MARTIN KRIS	
ERIC BURNLEY	CAPE GAZETTE LEWES
Michael Cerchio	Head Boat
H.D. Parsons	Head Boat Fisherman's Wharf
CHARS CURLETT	FV TOP NOTCH
Linda Chenbetta	
ROY MILLER	ASMFC COMMISSIONER, SALTWATER FLY ANGLERS OF DE
RON SMITH	"
LOUIS PAPP	RECREATIONAL FISHERMAN

**Eric Burnley (Cape Gazette, Lewes):** I've been fishing and filling out reports since 1973. Anything based on this MRIP data is wrong. Everything in this report is wrong. The MRIP data shows 77,709 black sea bass were caught from shore in Delaware in 2015. You are going to take these numbers and try to use them to control us, and to restrict black sea bass recreational measures. Anybody that knows anything about fishing in Delaware or anywhere else knows that no one has ever caught a legal sized black sea bass from shore in Delaware. Not a single person has done what these numbers are saying. The numbers say that 1,455 flounder were caught by charter boats in 2017. One charter boat would have caught that. The data are complete garbage and useless, and you're basing your decisions on useless data. These data were never meant to count fish, they were meant to look at broad trends.

**Wes Townsend (Council member; commercial fisherman):** Has staff looked at the percent of harvest from for-hire fleets from the mid-1990s compared to now? There were a lot more for-hire boats in the 90s, so the percentage should be higher back then. These days more people have center consoles and fish on their own.

**H.D. Parsons (head boat, Fisherman's Wharf):** If you have a federal permit, you have to do electronic VTR reports, and that data should be used. I have several boats and when I'm called about recent trips, it seems like the effort from one boat that is fishing might be applied to all the other boats that may be out for mechanical issues or doing dolphin watching trips. So you're not getting an accurate picture of things through that survey and you should use boat-specific VTRs for fishing trips and it should be on the money.

**Michael Cerchio (head boat):** Yeah, you can't assume if a boat didn't turn in a VTR that it was out fishing and should be assigned the same amount of fish catch as the boats that were fishing. If we have a license

for four large boats, and two of them are out fishing, you're assuming that the other two are catching fish at the same rate.

*[Staff clarifies that non-fishing trips should not be reflected in the for-hire effort data, because the for-hire effort survey and the for-hire VTRs are not designed to be capturing non-fishing trips.]*

**Michael Cerchio:** If those vessels are not submitting VTRs, then those vessels are not actively using their fishing permit. What we believe is happening is that vessels are being counted as fishing all the time even when they are not just because they fish at certain times of the year. Your understanding of the catch and the stock health is flawed given that you're using this data that isn't accurate except for commercial and VTR data. There should be a conversation about why this is occurring. Why should there even be estimates of catching black sea bass from shore? If you know that the method is flawed, you can't continue to use it, right? Why is anyone unwilling to have a conversation about the results produced from the survey? These are our jobs and we're asking you to consider these obvious flaws in the data and to improve it one piece at a time. We should have a sound scientific base for this and not something that's whimsical. We need better data before we can even consider reallocating.

**H.D. Parsons:** We should use hard VTR data instead of the pie in the sky numbers. There's nowhere near as many headboats out there as there was. There should be a little bit of parity for the for-hire fleet. Commercial economic impact gets calculated with shoreside businesses and related businesses incorporated, but for-hire economic impact does not. We have fewer commercial boats now than there used to be too, so there is more commercial allocation per boat. Can we redistribute that or buy that allocation to be used by the for-hire fleet? There should be a separate allocation for the for-hire fleet so we have more flexibility in when we can fish.

**Michael Cerchio:** Could something be considered at the state level where for-hire vessels could buy allocation from the commercial industry?

**Louis Papp (recreational angler):** These sector allocations have been static for 30 years. Nothing should be static: the fishery has changed, and things need to be more dynamic. I'm against leaving it static and think the allocation process should be changed, although I'm not sure how.

**Wes Townsend:** I support status quo because the commercial side is held accountable with AMs. The recreational side is not held accountable and they should not be rewarded for going over their limits. We need to see the recreational folks be held accountable. I would also like to see an allocation for the for-hire fleets as a subcategory of the recreational fishery. The for-hire fleet has hard data because they're required to report.

**Chris Curlett (recreational angler):** In Virginia I recently had to register to fish for cobia. I was required to fill out a survey or I wouldn't be eligible for a permit in the next year, so I did, and gave a very accurate data log of what we've caught. We need to hold people accountable, and with technology and phones these days there are much better ways to gather data. What happened in the 80s is not relevant; it's 2020 and conditions are different. I support a change, and with technology there are better ways to capture this data and hold recreational anglers like myself more accountable.

**Ken "Satch" Logan (commercial fisherman):** I support status quo allocations. Recreational anglers need more accountability.

### 2.3 BELMAR, NJ

Monday, February 24, 2020, 6:00 p.m.

**Summary:** The hearing in Belmar, NJ was attended by approximately 36 people. Several attendees expressed support for exploration of alternative allocation ideas beyond a set percentage allocation between the commercial and recreational sectors in pounds or numbers of fish. Several expressed the need for commercial and recreational fishermen to come together and find a solution and were frustrated that this amendment process may pit them against each other. When polled by a commenter, approximately 7 participants expressed support for revising the allocations based on new recreational data. Several others supported status quo allocations. In general, attendees do not trust the revised MRIP data and several expressed the need for better recreational data and accountability. One participant expressed support for exploring separate for-hire recreational allocation, while another noted that it would not be ideal since it would create animosity amongst recreational participants.

Several commenters criticized the current recreational regulations, particularly minimum size limits for summer flounder which have led to high rates of recreational discards. Additional comments noted that managers need to better account for issues like habitat degradation (beach replenishment was noted), environmental fluctuations, high predation from species like dogfish, and extreme weather events such as Hurricane Sandy.

Name	Affiliation (Optional)
Frank Macalib	FUB Dwe club
RICHARD BOESCH	
Barbara BERTRAM	
Joe Sparadon	
Ben Green	
Gary Southward	Rec Fisherman
Tom Lopredo	
Richard Lapardo	
Cap Seage & Stella	FOR Hire Vessel.
Kenneth Klee	
Paul Haertel	JCAP
DEANER MELANSON	B.F.C.
VERNON BRYAN	BELMAR FISHING CLUB
CHRIS HOOM	Big MOHAWK
Greg Hueth	
Jim Lougren	FD Coop
Geo D. Dimenico	GSSA

ALAN KENTER	
LOUIS MARRELLA	
Bob McEllen	Fishermen Den
Tom Fata	NY GA ASMFC
STEVEN CANNIZZO	NY RFFFA
Joanne Pellegrino	NOAA Fisheries
Stokely Pellegrino	
George Rogers	
Robert Burgstett	
Doug Zwickis	Rogers Cooperative Fisheries
Gina Graham	Belford Seafood Co-Op
David Tauri	Belford Seafood
Richard Isaksen	Belford Co-op
Eric Houghtaling	LA ASMFC Commission
Peter Clarke	NJ DFW
Adam Nowalsky	Multiple Orgs
Tom Palmsano	Fisherman's Den
Tom Anderson	Commercial Fisherman
JAMES WEIR	

**Adam Nowalsky (Council and Board member):** I have been working with several recreational fishing groups and some commercial representatives to find alternatives to our current system. We believe the use of MRIP has not worked for the fish, and it hasn't worked for the recreational community. This has put the management process at risk. We are planning to propose an alternative idea that is not based on allocation of pounds or numbers. We would have recreational measures that are "least restrictive" that most of the community would think is a reasonable level of access, with the understanding that we may not be able to go back to the very high bag limits the past. There is recognition of coastal population growth that need to be considered to identify a reasonable level of access. On the other end, we believe that there are a set of measures that put for-hire vessels out of business, discourage participation in the fishery, and lead to loss of infrastructure. There is a level of recreational regulation, for size limits in particular, that provides no biological benefit for conservation. On the commercial side under this system we would have equivalent bounds in terms of a maximum and minimum level of access, including a maximum quota, accounting for things like new markets being developed. Capacity can be reached in the commercial fishery at a certain point, considering things like available shoreside processing. On the other end, there is a level of commercial restriction at which you lose infrastructure, processing, etc. There is no way the fishery can sustain itself at those levels and measures that drastic are not needed for the conservation of the resource. We propose an analysis of what we've learned in the last 15 years, and a set

of complementary recreational and commercial levels at both the strongest biomass levels and what levels would be when the resource is most in need of restriction. This would be a fair and equitable allocation. Each level of access would move in a similar manner. This approach needs additional technical analysis.

**Gary Southward (recreational angler):** First, I would question why the summer flounder commercial quota for 2019 was increased so much mid-year. Where did that additional quota come from? [*Staff response:* this was a result of the mid-year quota increase for summer flounder in 2019 resulting from the new assessment.] Second, I have some ideas. The biggest problem as a fisherman is releasing a fish under 18 inches that I know will die. I have read some mortality studies but in reality, 80-90% of them are going to die. If we're gut hooking fish, and maybe we should use a minimum hook size, if you're stopped by enforcement, we should be able to show them a picture of the gut hooked fish rather than throwing them back dead. There is nothing more discouraging and this is the biggest issue with the recreational fishery. The other thing is that the largest percentage of commercial quota seems to be taken right before the spawn in September and October. If we're trying to preserve a fish stock, maybe we should let them spawn. For recreational measures, 3 fish at 18" is tough to get. I would not like to see any further allocation go to feeding people abroad if we're going to take allocation from people who live here. Bait shops aren't going to make it if restrictions get tighter on the recreational fluke fishery. If you want catch and release data, I fish with a lot of people who can get you excellent data. Our only concern is that it's not used to further restrict fishery. It would be nice to be able to take something home.

**Richard Lopardo (recreational angler):** I fish some locations and get keeper summer flounder. In other locations keepers are really rare. I have had days catching 32 fish and not one keeper. When I fish the bay, I see the same 50-75 seniors every day. Island Beach State Park has 2 fish at 16", Cape May at 2 or 3 fish at 16". Why not create special measures for seniors 65 and over where he can keep 2 at 16"?

**Paul Haertel (Jersey Coast Anglers Association):** We will submit formal comments prior to the deadline but Adam's idea sounds reasonable and perhaps we would support it. Other than that, if we're going to continue to use MRIP, the allocation must be changed to reflect what we were really catching. What would the split be if we used the last 10 years of data instead? Some good points were raised about gut hooking, but some people would be sticking the hook down in the gut and claiming it's gut-hooked to be able to keep it. Also, if you closed the commercial season during the spawn, they would still have same quota, it would just be redistributed to other times of the year. This would drive down market prices at some points in the year and would also have an impact on the recreational fishery. I would rather see the commercial quota split up seasonally the way it is now.

**Gary Southward:** I wasn't referring to shutting the fishery down during those spawning times but lowering the quota during those times. The other thing I forgot to mention is that 80% of fluke taken in the recreational fishery are females. We are taking all the egg laying females.

**Tom Fote (Board member):** Looking at the base years, the numbers of fish are different than the poundage. The fish we were catching in the 80s were mostly 14" fish, which affected the poundage vs. today's numbers. Even if catch were the same as in the 80s, we would be catching a smaller percentage of fish compared to then. Success rates go down. We need to adjust figures on what we were catching then in terms of numbers vs. pounds. Looking at the scup numbers, the actual split at the time was 70/30 on scup, but they picked the years where the commercial catch was higher, given that they were going to address the bycatch and it would supposedly benefit the recreational fishery too. No one thought there would ever be a bag limit on scup. We didn't even get the 22% we were supposed to get. The commercial fishery has offered us quota, but because of the way the plan is written we can't do that. We need to have flexibility to be able to adjust quotas between the recreational and commercial sectors like we can for

bluefish. Another thing that makes me furious as a manager, someone on staff said "well you're only 15-24% under" but that's a lot of days for a lot of boats to go fishing. That could mean \$100 million dollars. The commercial summer flounder fishery was increased by 49% but we couldn't even get the 3.5% increase on the recreational side that we requested. Because we're mom and pop operations or private anglers, no one seems to care and we cannot get answers. Finally, we need to stop the attacks on New Jersey by states North of us. New Jersey hasn't lost fish. Existing state by state numbers should stay the same especially for New Jersey. There is a study from the 1950s that showed what party/charter and shore-based anglers were doing, including for-hire rowboats which were a big part of the fishery back then. The fisheries looked completely different; we were fishing on all kinds of different species. It pays to look back at history. New Jersey has those numbers from 50-55 and this type of non-MRIP data should be looked at.

**Paul Haertel:** Can we see a show of hands for people who believe the commercial/recreational sector allocations should be adjusted to reflect what was actually being caught? *[Approximately 7 participants raise hands; some also raise hands in opposition]*

**George Steller (charter captain):** The last few years one of biggest problems with releasing undersized fish is the dogfish population. We throw sea bass back and they don't make it to the bottom as there's 5 or 6 dogfish chasing them. They're killing them. Managers should allow more targeting of dogfish and that would save a lot of fish trying to get back to bottom.

**Alan Kenter:** When the recreational surveys are done and they get a number of fish that were caught, how do they get pounds? After Hurricane Sandy, I was out fishing and there were absolutely no fish to be caught after Sandy. Today, you have beach replenishment, and there are no clams anymore in the area. You have to consider environmental impact of what's going on. The fish may be there but we're not catching them due to factors beyond our control, and we shouldn't be penalized for them.

**Richard Isaksen (Belford Seafood Coop):** I would like to see quotas stay the way they are, status quo. On the sport side, I would rather see them catch 3 or 4 fish and go home, because they're killing more than they're bringing home. Your charts are way off. They're not landing fish. The Raritan Bay used to be full of boats, no one is there now. Let people keep fish and go home. You can probably triple your numbers because they're killing so many fish. I don't know where these regulations come from. Half of this stuff is bull.

**Steve Cannizzo (NYRFHFA):** I'm here for Jeff Gutman. He has said to me that the fishermen do all the work on providing comments, attending AP meetings, etc. MRIP is the root of all evil to measure private and shore effort and catch. We've said this so many times. We continually point out such missteps in MRIP data. Jeff said he's so frustrated he doesn't want to go anymore. Time and again we talk to everybody and say try to fix one thing at a time. An amendment takes a long time. This action with all of its elements will probably take 3 or 4 years. The fisheries are in flux, there are a lot of problems with many species. We need better accountability with what's going on with private vessels. It's time for the Council to go to the Regional Administrator and say we need to make a major course correction and separate for-hire vessels away from private vessels. Do we really need MRIP for shoreline people? They're not catching the fish, so what's there to measure? When people go fishing and most of the fish they caught they're tossing back, we have created a discard fishery. Why haven't we reduced minimum sizes? Once we catch them, we could switch to other fish or go home. We're going to have to make a change. Something is wrong. We get spammed about how well the stocks are doing, but some look like they're in trouble. We're wasting time. How many meetings and public comments is it going to take? You're going to have to listen to the people saying maybe there's a better way to manage fishermen and account for what they're catching.

We need to have ground truthing of estimates by looking at things like fuel, bait & tackle trends. We want to see a future in fishing.

**Jim Lovgren (Fishermen's Dock Coop):** I would like to ask a question of the audience. Who actually thinks that the MRIP data is accurate, or at least better than MRFSS? *[No one raises hand]* So nobody has confidence in the data, and they didn't in MRFSS data either. The recreational catch rates have been a problem for a long time. The numbers picked are "magic," it's what you want them to be. We do know commercial landings are basically within 5% accurate, with some illegal landings from certain states. I'm in favor of status quo, and if MRIP data has no confidence in it now, and you're saying basically that the recreational fishery is catching a lot more now even though they're at half of the participation rate they were? You can document this from boat registrations, and party/charter boasts and marinas going out of business. Shoreside support is difficult to find. If you shut down the commercial fishery for 2 months [as suggested by previous commenter], we will lose the market and it will be replaced by cheaper imports. We are making the recreational fishery target 18 and 19 inch summer flounder, which is criminal. The mortality rate from discards negates any gains you get from a size limit. This is a failure of management and not fishermen's fault. Jim Fletcher's idea of a total length limit in the recreational fishery with mandatory retention should be applied.

**Greg DiDomenico (Garden State Seafood Association):** I'm encouraged by some of the audience comments and to see a little unity among stakeholders. It's worth taking a look at Adam's approach especially if it is complementary and fair and equitable. The Council has to understand it's important that at the end of the amendment, there should be a solution that doesn't disadvantage either sector. We have waited for 10-12 years for MRIP to be "complete." No one thought it would take that long. It's about 10 years too late. What the Council is missing is that the loss of fishery potential and access over last 10 years has really damaged the recreational fishery. It's hard to imagine what the quota would have been over last 10 years if the current MRIP data had been used in the assessments. The loss of potential is serious, and the burden that's been put on recreational fishery measures has been detrimental. There has got to be an equitable way to resolve this without pitting stakeholders against each other.

**Greg Hueth (recreational for-hire):** Management is making us fight over scraps. We're fighting for basically nothing at this point. We're friends with commercial folks, they are willing to work with us. Adam's idea may be good. But as I sit here and think about this, we're going nowhere. We have guys that are on both sides that want to work together to come up with solutions. Put us in a room and see if we can't come to an agreement. At this point we have nothing. Recreational guys are being pitted against each other. A different allocation for the for-hire fleet will pit us against regular fishermen and we don't want that. But we're also getting to a point where we're going out of business, so where do we go? Until we can fight over something, and work together, it's pointless. I think we're going to get reduced further on fluke. Down to 1 or 2 fish possibly.

**Greg DiDomenico:** More restrictive recreational measures in 2021 are very possible. The Council should do whatever they can to avoid that.

**Chris Hueth (recreational for-hire):** There are more fish here than we've seen in years. There is nothing to fight with commercial or recreational guys about anymore. It's managers we want to fight with. The surveys are a joke. It's out of control how many sea bass there are. You don't even want to help us, you want to cut back fluke again. Where's the intelligence here? Beach replenishment wipes out everything for miles. I don't want to fight with anyone here. Managers need to get on boats and see what's going on. I've never seen more striped bass and sea bass. Fluke was great and then the season closed. If you want to

put us out of business, just say that. You can't keep on going this way. I'm tired of digging at these guys, I'm digging at you.

**Vernon Bryan (Belmar Fishing Club):** We have a pier on the Belmar beach. I try to teach children because they're our future. When you have 15 or 20 kids on pier and they want to catch fish, but the limit is 18", we're not going anywhere. How many times do you keep going fishing before saying this isn't fun anymore? Pretty soon our limit is going to be 36" and we're going to have nothing out of this. It's a no-win situation and it doesn't make sense. We're fighting against each other for nothing.

**Richard Isakesen:** I hope one of these days I get a letter from Council saying what can we do to help? Instead of putting us out of business. The writing's on the wall. The Council does nothing to help fishermen. You gotta help us, otherwise no one's getting a paycheck but you guys.

**Alan Kenter:** I have a list of 50 party boats in the area that have gone out of business [list provided during comment is included in **Appendix A**]. This list was put together in 2015 and there were 9 boats in Cape May, now there's only 3.

**Tom Fote:** Hurricane Sandy was the determination of me having no respect for the numbers. I thought there was no way in hell we were going over in 2013 with marinas closed and boats out of the water. But we went over. The assessment says biomass has nothing to do with recruitment after a certain point. We have allowed it to increase to this nice level but it kills recruitment. Pat Sullivan found this was happening with west coast halibut. The answer was fish down biomass a bit and see if recruitment improves. We keep protecting spawning stock biomass and recruitment keeps falling, maybe due to overpopulation or lack of food. Maybe the big ones are eating the little ones. What we're doing is not working, and it hasn't worked in last 10 years. We've lost thousands of recreational boats and millions of trips. Yet somehow the data says we're catching more fish. Or killing more fish because we can't take them home. Summer flounder is not supposed to be catch and release. We're supposed to build sustainable fisheries and support recreational and commercial fisheries and not destroy them.

**Greg Hueth:** A victory for us now is status quo. When is the last time someone said we're getting an increase? We can't continue down this path and what we're doing. We need to work together and find a solution.

**Chris Hueth:** There has been some talk about buying fish or quota, what does this refer to? [Discussion of previous Research Set Aside Program] I don't think someone should be able to buy fish and quota and profit from it. That benefits those with more money. This is another flaw in the system.

**Jim Lovgren:** Chris brought up an idea. He's not talking about RSA - the idea is that some states have ITQ fisheries, like Maryland, Virginia, etc. ITQ vessels in those areas bringing in a huge amount of sea bass and collapse the market for a week. Owners are collecting \$1.50 per pound for doing nothing but allowing someone to use their quota. Why not allow recreational guys to buy that quota from ITQ holders? Let the state buy the commercial quota that's ITQ and set up a system to pay it back through license sales or something. There's an opportunity for creativity here. ITQs don't help the commercial industry as long as they are unregulated trips with unlimited possession limits - they are hurting more than helping.



## 2.4 GALLOWAY, NJ

Tuesday, February 25, 2020, 6:00 p.m.

---

**Summary:** 30 people attended the hearing in Galloway, NJ. Seven attendees expressed concerns with the accuracy of the revised MRIP data. Two attendees said they didn't like the idea of taking allocation from the commercial sector and giving it to the recreational sector just because the MRIP methodology changed. Six individuals said the allocations should remain unchanged until better data are available. Three individuals asked about effort trends in the revised MRIP data. Three attendees said the recreational fishery needs to provide better data, for example through expanded reporting or greater use of the VTR data. One attendee raised concerns about the accuracy of the commercial discard estimates for scup.

One for-hire captain expressed support for a separate allocation, or at least separate management measures, for the for-hire sector compared to the private recreational sector. Another for-hire captain said he does not support this approach. Two individuals recommended consideration of a days at sea system for party/charter vessels.

Four individuals expressed support for the idea that, rather than allocating between the sectors, management instead adopt a set of recreational bag, size, and season limits that are acceptable to the recreational community, and a commercial quota that is acceptable to the commercial fishery when biomass is high, with both sectors becoming more restricted in an equal manner when biomass declines.

Five individuals expressed frustration with the recreational management measures in New Jersey, especially the 18 inch minimum fish size for summer flounder. Two individuals said under the current measures, bycatch and discard mortality is far too high. Three individuals said that summer flounder migration poses challenges for management. For example, they described larger fish migrating north and not returning to New Jersey waters. One recreational fisherman said the greatest issue is that commercial vessels from other states are allowed to catch summer flounder off New Jersey. Three individuals said habitat issues are impacting availability.

Name	Affiliation (Optional)
Bob Rust	UNITED BROTHERS OF NJS
Les MURRAY	Atlantic County Fed Sportsman Club
Greg DiDonnicco	GSSA
Rob Diehl	Belford Co-op
Jim Lougren	F.D. Coop
ENDIE YATZIS	UNITED BROTHERS OF NJS
Kevin Wark	GSSA Viking Village
Eleanor Bochench	Rutgers
Joshua O'Connor	NOAA Fisheries
John Pessenant	RFA
Bill Stillingford	SFEA
RUSS TURNURE	FISHER
JEFF KOEUN	LUJDS
Victor A Hartley III	Keyport Princess & Miss OC
Adam Nowalsky	Multiple Orgs
Ken McDERMOTT	CMCFSC
JOHN HOWELL	FN Catalyst II
ED TEISE	CAPE MAY REC FISHER

John Beatty	MAFMC Staff
Joe Cimino	NJ DEP
Peter Clarke	NJ DEP
Jeff Brust	NJ DEP
Chad Power	NJ DEP
Heather Corbett	NJ DEP
Jessica Daher	NJ DEP
Jason Snelbaker	NJ DEP
Cody Meyer	NJ DEP
Carl Benson	
Noel Feliciano	One Stop Bait & Tackle
Alan Dillon	

**Kevin Wark (Viking Village):** It seems like this whole thing is about effort. Do you have any effort estimates? With these changes in allocation, how did that shift occur? You know commercial fishing is

controlled - certain amount of permits, certain amount of effort. You don't see huge swings... Essentially, effort is the face of this whole thing, and how many people are participating. Because otherwise it seems mysterious... Do you feel that you're more accurate now in these assessments? That's the whole issue, is getting it right for everyone. Both sectors have suffered over the years - stuff being missed and not really done properly. I think that's the frustration you hear sometimes from people.

**Victor Hartley (for-hire captain):** The headboats have to be separated out. If you look at the VTR data vs. what's MRIP, we're getting crushed because our data is accurate and the MRIP data is not. The commercial guys don't come to these meetings fighting for what they want because they know what they've got. The party boats need to not have to come to these meetings because they know what they've got. But as long as the for-hire guys stay co-mingled with the recreational guys, we are going to be at the mercy of what they catch. Look at the difference between their data and our VTR reports. If we're going by our VTR reports, we're going to know where our allocation is going to be... They say party boats make up 1% of the catch. I'm not saying I want 1%, but I'd rather be in control of my destiny. I think the commercial and recreational quotas need to stay the same but the for-hire sector needs to be separated, like we did for bluefish.

**Bob Rush (Starfish Boats, United Boatmen of New Jersey):** If trips are staying constant, then effort is not increasing. Do we have the percentage of how many mail surveys are coming back as opposed to how many are sent? If effort is constant, but we're saying effort is increasing, if we're not getting the mailers back, do we truly have accurate data? I don't think the socioeconomics have been taken into account for a number of years for both sectors, commercial and recreational. We are too slow in responding to data. You put piles of crap in, you get piles of crap out. We also tend to smooth over data to make it fit the Council's needs at that point in time. For a fishery that's considered fully rebuilt, 230% rebuilt, the rec. side can't take advantage of anything. Instead of taking advantage of a rebuilt fishery, we now have to take another cut. I've been in the business for 40 years and I am totally against sector separation. Our club is totally against it. We represent a number of for-hire vessels in the state. Most of us are against sector separation because we carry rec. people. So we have to adhere to the rec. data. I think divide and conquer between commercial and recreational is not the answer either. I think both sectors have worked well hand in hand for a number of years. We don't always agree on everything. But we do agree that the data is flawed. What we go to is anyone's guess. Improving accountability for the recreational sector, yes the for-hire sector does have accountability with VTRs, but there needs to be something streamlined for the non for-hire sector. We do have the public surveys through each state. I think that needs to be in the federal plan instead of the states doing it because it is mandated from federal. Let the feds pay for it instead of the states paying for it.

**Eleanor Bochenk (Rutgers):** What percentage of fishermen in the state does MRIP actually canvass?

**Bob Rush (Starfish Boats, United Boatmen of New Jersey):** With all the technology available to us now, this can't be the best science available.

**Eddie Yates (United Boatmen of New Jersey, F/V Susan Hudson):** New Jersey sea bass fishermen cannot survive here anymore, the for-hire sector. I get a 39 day season for the second year in a row, from May 15 to June 22. Then it's closed until October 8<sup>th</sup>. There's a little 2 fish bycatch thrown in there from July 1<sup>st</sup> to September 1<sup>st</sup>. Taking 20-25% with the weather, we have nothing. You're lucky to get 30 of those 39 days. People who fish commercially and in the for-hire sector cannot make a living on 30 days of fishing. Why isn't it open on May 1 instead of May 15? Blackfish closes on April 30. You've got 15 days - I've got to put my people on unemployment or have them scrape and paint the boat that's been repainted 3 times because of all the down time we have in the for-hire sector. The for-hire sector fills out

VTRs. I should be able to pick those 39 days that I fish, the same as a day boat scalloper can. I could spread them out to overlap some of the time when we don't have anything to fish for. There's just too much downtime in the for-hire fishery in New Jersey and other northern states...Bob covered a lot of what I wanted to cover...That burns me up more than anything, that I have to put my people on unemployment. I'm one of two for-hire boats left in Barnegat Light. There was 27 when I started in 1978.

**Carl Benson:** My comments are basically for summer flounder. I believe the sole focus of fisheries management should be the rebuilding of fish stocks. Topics like this consume resources. They do not increase the biomass, which I believe is the goal of fisheries management.

**Bill Shillingford (Stratham Fishing Club):** I tag for the American Littoral Society. I've tagged over 10,000 summer flounder. I track every one of them. I know where they've been caught, from Maine to North Carolina. We're not addressing the 18 inch size limit. 97% of the fish 18 inches and over are females. We're taking out the female population. The smaller fisher in southern New Jersey and Delaware don't come back to the same area. When they come back in, they're going further north. Each year, 95% of the fish I tag have been caught further north than where I tagged them. All the way up to New Hampshire. And every year they've gotten bigger. When we had a 13 inch size limit, I think it was 1984, and 10 fish. Then they kept raising it. The population kept growing until it got to 17.5 inches. Then it leveled out. At 18 inches it's coming down. It's coming down because we're taking all the females out. We've got to address that. The whole population isn't moving to the north, but the bigger population is moving north. We're not seeing the size we used to see in the 1980s and 1990s because we're wiping out the breeding population. We need to address the 18 inch size limit before we do anything else.

**Noel Feliciano (One Stop Bait and Tackle):** What is the impact, economy-wise? What's going to happen to small businesses? What's going to happen to charter companies? Every year there's someone else gone. Something's got to be done. I don't know what. A lot of people are leaving New Jersey with these laws and regulations that we have.

**Tom Fote (ASMFC Commissioner):** We did have a recreational size limit and bag limit in the 1990s. If you look at the size of the fish we were catching in 1992, it was dramatically larger. We were probably catching 20% of the numbers back then, but the fish were bigger. When we rebuilt the stocks, we rebuilt them on 18, 19, 20 inch fish. They weren't there. Summer flounder get sexually mature at 12-13 inches. Those smaller fish would produce high recruitment. Now that we have more bigger fish, there's poor recruitment. No one is considering that when summer flounder, scup, and black sea bass are all at high levels, how they're competing with each other for forage species. And the loss of habitat. MRIP has always been unreliable. After Hurricane Sandy in 2012, no marinas open, no party boats open, no charter boats going out, private boats were all out of the water. They couldn't even get to the beach. We should have a real drop in effort. I had to eat my words. We caught more fish than 2013...I asked Dr. Boreman, when he was head of MRIP, in order to do this properly, we needed \$50 million. We had \$11 million. Now we're still at \$11 million. Garbage in, garbage out. That's what we're doing...We're forced to catch bigger fish. The bigger fish are available, especially in the north... The scup percentages are wrong. Should have been higher than 18%, even back then. There were back door deals to address discards...NMFS doesn't manage fishermen. They manage to avoid lawsuits.

**Adam Nowalsky (MAFMC and ASMFC member, hearing officer):** I'm going to take off my hearing officer hat and speak as a member of the public. I want to speak in favor of an alternative method for allocation. I've been working with a number of recreational groups, also in consultation with commercial fishing members. This concept of pounds vs. pounds simply doesn't work. If the goal is to provide fair and equitable access to both sectors. What defines access to the average angler is not the RHL. It's size,

season, and bag limit. The majority of them follow the regulations. At the end of the year, they are told they performed X manner. They have no control over what the recreational harvest is as a result of the MRIP program. The groups that are working on this alternative mechanism for allocation would offer that recreational allocation is defined as size, season, and bag limit. Over the last 15 years of management, we've learned that there are a set of recreational measures that are so restrictive when biomass is at a low level and needs the most extreme level of conservation, that those measures simply provide no more conservation benefit. The fishery just isn't going to respond. It's at a level of biomass due to predation, loss of habitat, it's no longer a function of fishing pressure. We also believe the same thing is true on the commercial side. There's a level of quota at which you're not affecting the population the way you would otherwise. In conjunction, when you have restrictive management, you're doing damage on so many levels. You're discouraging people from participating. You're losing infrastructure. You're losing commercial markets, bait and tackle shops, for-hire vessels, marinas. On the other end of the spectrum, you have a set of measures that the average angler can be very satisfied with and say, "This works for me. I don't need anything more than that." The majority of these species, with the exception of maybe black sea bass, aren't available year round. There would be no benefit of being open 365 days a year. I don't think anyone in the recreational fishery would realistically be looking to go to a 13 inch summer flounder anymore. There's some other number in the middle, maybe 16 inches, where there's a conservation benefit and an angler satisfaction level that's a better place to be. That would be the most liberal set of measures that the recreational sector would ever need to have angler satisfaction. On the commercial side, I think we've learned that above a certain level of quota you have a lower price and there's diminishing returns. There needs to be room for expanding markets, but I think the commercial fishery could say, this is all the quota we need given capacity and market demand. What we would propose as allocation is to synch those two up. Take the most liberal set of recreational measures and the highest commercial quotas when the biomass is at its highest level of availability, both of those should be in sync with each other. When biomass decreases and there's a true need for conservation, you would move both of those sliders the same way. That would provide fair and equitable access in the minds of anglers and do away with this estimate that the angling community has no control over. Who's to say that in the future there's not another MRIP change that says we're going to take another 15% from commercial allocations? This is a zero sum game we're playing right now. There are no winners with how we're playing the game right now.

**John DePersenaire (Recreational Fishing Alliance):** The stock was increasing while we had these massive recreational overages and those catches were more of a function of availability. I know there's a formula NOAA Fisheries uses for the number of participants. There's still a big departure. If you look at the agency's estimate, it's something like 890,000 anglers in New Jersey. We have a state registry here where at max we'll do 220,000 anglers. Can you explain that big departure?

**Julia Beaty (MAFMC staff):** The effort estimates are not number of people, they are number of trips.

**Jeff Brust (NJ DEP):** I wouldn't count the state registry as an estimate of anglers. It's not enforceable. It's not mandatory. If you go out on a for-hire boat, you don't need one.

**Joe Cimino (NJ DEP, MAFMC and ASMFC member):** Since it's counted as angler trip, avid anglers are counted many times.

**Bob Rush (Starfish Boats, United Boatmen of New Jersey):** Where's the estimate for the average angler coming from? This is what we keep asking and what we can't get an answer to.

**John DePersenaire (Recreational Fishing Alliance):** I think the mail survey has introduced some kind of bias. For someone to read it, fill it out, and mail it back, that's a different angler than someone who would pick up the phone. I think there's an avidity factor that's being captured in the mail survey. I think

it's more avid anglers. I want to support what Adam is talking about. The recreational sector has been disadvantaged by MRIP. It's so damaging from a management and monitoring standpoint. It has limited our growth, which we definitely need in our recreational sector now. So I would definitely support an approach that would tie our recreational opportunities to the stock status as opposed to relying solely on MRIP.

**Eleanor Bochenek (Rutgers):** I think there is something going on with the effort survey that we should look into. Who are they sending the surveys to and are they getting many zeros back? I get my license every year and I rarely go fishing except on a party or charter boat. I fish but I've never gotten the survey. I think most people never have, with the telephone or by mail. So are they really reaching the people who don't fish? Or are they just reaching avid anglers? It'd be nice to look into that to see if there is something going on there to account for the higher effort when less people are fishing now.

**Noel Feliciano (One Stop Bait and Tackle):** Through the registry, they have everyone's email. Can't they do it that way?

**Ken McDermott (Cape May County Federation of Sportsmen's Clubs):** Flounder fishing sucks. It's down. The fish are not there in Cape May county. You have commercial fishing boats from Virginia and North Carolina that have landings permits. They're fishing off New Jersey. The fish migrate. They come east to west. The North Carolina boats come up here and they keep coming north. There's no global warming in this. There's a peer reviewed study that the water temperature has only increased 0.1% in a decade. Not 4%. It's well within the flounder range. So they're wiping the fish out and they keep moving north. They should be restricted to their waters and not working on our flounder up here. By the time it's the recreational season and they're supposed to be coming into the back bay, they're not there. I have four decades of documentation of catch rates. Take a look at the Flounder Pounder off of Delaware. There was 1,500 people in that tournament. There was hardly any fish caught. They had already been caught and landed in Virginia and North Carolina. The best thing you could do for this fishery is to restrict them to staying off their waters and we'll stay off our waters. Until that happens, you're never going to see good flounder again.

**Ed Teise:** About 15 years ago I became a flounder fisherman. 5-6 years ago, once they increased the size to 18 inches, the amount of fish in the back bays started decreasing. For every 10 fish you discard, one is counted as a dead discard. I bowed out of flounder fishing this past July when my dead discard was greater than my legal harvest. The solution is that if commercials can keep 13 inches, recreational should be able to keep somewhere between 13 and 18 inches so you decrease your dead discards. The real numbers, if you could ever find them, would show that the dead discard rate is greater than the recreational harvest.

**Jim Lovgren (Fishermen's Dock Coop, F/V Shadowfax):** Party/charter boats have VTRs. They report their catch. It's the most accurate recreational data you have. As a commercial fishermen, I would love to be able to call up NMFS and say I caught 500 pounds of fluke when I actually caught 1,000. Because who's there to say? In reality, we have enforcement at our dock every day. I have to notify the state two hours before I come in to pack. Our landings are a constant. Recreational is total guess work. This figure on the screen here shows it. This shows that fully 2/3 of the estimates are so far out of whack, you've got to wonder what's going on. The government spent 12 years and \$50 million on this information that's more useless than the Muller report. It's not accurate data. The only truly accurate recreational data you're going to get is from VTRs. They know they have to report the truth because they may have a secret agent on board or they may get a dock interception. You get true information from dock intercepts. Nothing else is true. Raise your hand if you think the MRIP data is accurate. Not one hand. That's a telling statement. You've got all these landings for a recreational industry that probably has 40% less participation than they

had 10 years ago, that many less boats. This is what management is doing to the fisheries. It's destroying them. If no one believes MRIP is right, you can't turn around and use that data from the 1980s and 1990s and say we're going to use it for the allocations because it will give recreational guys more quota... We'll take quota from the commercial fishery to hopefully cover up recreational overages. That's what's happening...I support Adam's efforts. The best way to solve it is for people who are knowledgeable on these issues to get together and come up with something workable that everyone can have faith in. The main problem with summer flounder is the 18 inch size limit. It's 19 up east. A 19 inch fish probably weighs as much as three 14 inch fish... When I was on the Council, I said there was a balancing point of around 15.5-16 inches. When you go higher than that you create more discards, more mortality than keeping in low. You know the 10% discard mortality rate is wrong. You've got gut hooked fish, jaws ripped out. When you throw them over they get eaten by dogfish. Jim Fletcher has the idea of a cumulative length. When you reach a total of 60 inches, you're done. And that's no discards... National Standard 9 - reducing bycatch in our fisheries. And yet you've continually increased bycatch and discard mortality in the recreational fishery.

**Greg DiDomenico (Garden State Seafood Association):** We're committed to working with you, Adam, and the recreational guys. If it's a suitable and equitable proposal, we'll give it a lot of consideration. We think the existing sector allocations are appropriate at this time... The Council has to initiate a framework to deal with the potential overages that will cause more restrictive measures in 2021 on the recreational community. This isn't going to be done in time. The Council should also consider whether recreational fishing tournaments should have mandatory reporting.

**Alan Dillon (recreational fisherman):** I have a 24 foot boat. My wife and I fish once a week, weather permitting. I have to put a new motor on my boat and all new electronics. I'm here tonight to see if it's worth doing. I'm probably going to spend \$25,000. With the recreational catch limits and size limits, why bother going out and spending all that money if you're going to spend all day on the water and bring home a couple fish? Right now the bag limit is 3 fish, right? If you take it down from there, you might as well forget the recreational fisheries and all the economics that go along with it. I can't believe a guy like me is causing the problems in the fishery. They say 10% of the fishermen catch all the fish. 90% of the people go out there and don't catch squat. I think you're taking the easy way out with the recreational fishermen because it's the low hanging fruit.

**Kevin Wark (Viking Village):** I'd like to support Greg DiDomenico's comments. Viking Village has 34 vessels. I have the authority to speak for the dock and we support his comments.

**Bob Rush (Starfish Boats, United Boatmen of New Jersey):** I support what Adam said as well. It's a common sense approach, which we've never had in fisheries management. We've been told, take the hit and you'll reap the benefits. Well, the benefits haven't come and we've gone out of business. Effort has decreased over the years. Effort has not gone up... I think the allocations we have now are fine. If we can't get our numbers right with MRIP, how are we going to reallocate? ...We've been rolling the dice with management every year and we've lost every time...When does the trend start going the other way? People aren't getting into the business.

**Jim Lovgren (Fishermen's Dock Coop, F/V Shadowfax):** The Fishermen's Dock supports status quo for allocations. Ed, I like your idea for days at sea for party/charter boats. At a minimum, we should devise a pilot program for it. With the revised commercial scup discard estimates, we're at 20% discards. How is that happening when we have no more small mesh fisheries and we have the gear restricted areas? The discards of small scup are just not happening. Are we dealing with an MRIP-type issue with commercial discards now? ...Delaware Bay used to be loaded with summer flounder...In the 1970s we didn't have a

fluke fishery along the beach off Point Pleasant... In the 1990s, they changed their behavior and were caught closer off the beach during the summertime. Until the beach replenishment started and there hasn't been much fish there since. Now the bottom has changed. We have a problem with fish migration. In the last 5 years, we're not even catching flounder in Manasquan Ridge. Is it due to temperature? Something is going on. We're not catching them where we used to. They're migrating past areas where we used to catch them... Over 15 years ago I suggested an expert fishermen's panel to review the data from the spring and the fall surveys. They could fill in the holes that the Science Center is missing.

**Bob Rush (Starfish Boats, United Boatmen of New Jersey):** One other thing in regard to fish migration is what happens when the wall goes up 15 miles off the beach? And the wall is windmills. We still don't have enough science on that. We have a lot of concerns about that.

**Tom Fote (ASMFC Commissioner):** I built my house in Tom's River 1979. I live in a lagoon. When I first moved there, I had to hire pile drivers every year to put my dock back in after the ice left. I haven't had to do that in years. The water temperature is changing. Beach replenishment, dredging, and lots of environmental factors have hurt us. Fish don't come inshore anymore.

## **2.5 BERLIN, MD**

Tuesday, February 25, 2020, 3:30 p.m.

---

**Summary:** Approximately 17 individuals attended the public hearing in Berlin, MD. Approximately two commercial participants and one recreational participant supported status quo sector allocations. Commercial participants commented on current commercial accountability and how they are held responsible for overages. Two attendees supported separate allocations for the for-hire and private/shore modes within the recreational sector. A total of 4 attendees commented in favor of improved recreational accounting, including increased reporting, and accountability. In addition to the comments on the scope of the allocation amendment, many comments expressed a lack of confidence in the MRIP estimates and the need to improve recreational information.



Name	Affiliation (Optional)
Frank Tortalla	OP ANGLERS - ACSA
JOHN McFALLS	OP ANGLERS - ACSA
Finn McCabe	ACSA / CBSFA
Merrill Campbell	Southern Connection CFD
Buddy Siegel	ACSA / ASMFC
Steve Doctor	DNR Staff
George Toppin	F/O RITA DIAW E
Wm [unclear]	
Scott Clary	FISH IN OC
David Trade	
Jeff Nottingham	
Steve Doctor	MD DNR
Kane Bonds	Charter
Edmund Smith	FN Pelican
Eric Durrell	MD DNR
Victor Bunting	DC MD PARTYBOAT
[Signature]	ACSA

**Buddy Siegel (Atlantic Coast Sportfishing Association, ASMFC):**

- On the table of allocations, we are looking at coastwide but for us to understand what the allocations mean locally, the table needs to be broken down for Maryland. That way we can understand what the effect of a change in overall allocation would be.
- It would be interesting to go back to local side which addresses both commercial and recreational. The local data is available, it's how we get it and use it. Look at what the state would receive by doing their own accounting of MRIP. Take the raw numbers and compare that to the MRIP estimates for the state, and there is a big difference. What is reported as it's reported is good but once it is extrapolated it goes bananas. What recreational fishermen say in actual surveys are real numbers, what comes out isn't.
- From 2016 through part of 2019, there were 800 fish reported on MRIP data from type A and B1 in Worcester County, MD. In all other counties we have a total of maybe 300 fish. The raw numbers are available and can be extracted at the intercept, the expanded data are not reasonable. They are peer reviewed and verified by scientists but are not verified by fishermen.

**Frank Tortalla (OP Anglers, Atlantic Coast Sportfishing Association):**

- Are these allocation percentages/projections driven by the data shown on slides with all the bars? There are a lot of ways to analyze this data.
- For example, look at the big drop off in summer flounder. Is the drop off in flounder because we are catching less flounder or because there are different numbers of people fishing? This data is

based on surveys, maybe in 1993 there were more fish than in 2017 but that doesn't mean flounder is being overfished. This might be driven by less effort rather than lower abundance.

**Merrill Campbell (Southern Connections Seafood):**

- This action is about modifications between the commercial/rec fishery and in 1980-1992, when those quotas were developed the methods were different. A good percentage of public in the last 10-15 years have increased recreational fishing and marinas are growing as a result of more disposable income. There are more recreational boats targeting fish. In contrast, the commercial fishery is declining, and commercial fishermen have gotten bigger boats and better technology. The methodology of updating the base years with the new data is unfair due to these changes and we cannot use numbers in retrospect when numbers of recreational fishermen were considerably less.
- Commercial fishermen are held accountable for catch and there is nothing hidden. As a result, commercial seasons are cut short. In the recreational fishery, they are not held accountable all the time. For example, the recreational effort shown in the black sea bass graph doesn't seem like they have been held accountable for their proportions.
- I represent a lot of commercial fishermen and I also represent consumers. I recommend status quo for the record.

**Finn McCabe (Atlantic Coast Sportfishing Association, Chesapeake Bay Sportfishing Association):**

- The biggest issue is the recreational data. After the 2018 change to MRIP methodology, a lot of ridiculous estimates have come out.
- If you look at MRIP data, 75,000 lbs of keeper sea bass from shore were caught in MD. Maybe once or twice per year you hear about keeper sea bass from shore.
- It would be best if we went to a survey conducted at point of sale of licenses and surveys every angler rather than the current MRIP system. While the new system is created, revert to pre-July 2018 methodology that fit better with current allocations and regulations.
- A separate for-hire allocation could be appropriate, but that does not need to be broken down to private boat vs. shore modes.
- More dynamic allocations that allow regulators to regulate based on realistic data seems more appropriate.

**Edward Smith (Commercial Fisherman, F/V Pelican):**

- Like Merrill said, fishermen that have black sea bass quota make sure they do the best to fill it so that commercial proportion is their 50%. On the recreational side it is unfortunate but at some point, if they reach their cap, they should have some repercussion. If there was a decline in the future it would not be because of the commercial side.
- It would be good to have recreational sector separation between the for-hire and private anglers because they have different motivations. The for-hire sector could harvest their own quota and should not be affected by what's going on with the unmonitorable portion of the recreational fishery.

**Kane Bounds (Charter Boat):**

- The data is flawed and blown out of proportion, but what it does show is the trend of more recreational activity. There is no doubt that there are more little rec boats fishing than 20 years ago.
- Non for-hire people might not realize that charter fishermen do have to record what we catch. Before we hit the dock we are submitting an eVTR and we have to be compliant.

**Victor Bunting (Ocean City Party Boat):**

- Agree with Merrill.
- I have a party boat in Ocean City and if I were getting more quota for sea bass recreationally, theoretically I should be happy about that, but I'm not and I don't know how anyone could be because we are using MRIP. I don't know how you can take any action based on information and data we know is worthless.
- MRIP/MRFSS is only useful for very general fishing trends. It is true that there is a lot more recreational effort than 20 years ago but it does not work for estimating what anglers are catching.
- I am an industry advisor for the charter fleet and can't give an honest recommendation besides status quo.

**George Topping (Commercial Fisherman, F/V Rita Diane):**

- The only way reallocation can even happen is to hold everyone accountable equally. That is how you will understand how much people are catching. There is room for everybody to catch fish but the only way to fix it is to require accountability and fines for those who don't comply. Make recreational anglers report their fish, for example using smartphones.
- The 3-mile line is too expensive to enforce, we need to get rid of that boundary.
- When the Bigelow switched to NEAMAP the commercial side was cut because of bad data and switching to NEAMAP through those commercial vessels, we are getting more fish. We were cheated on the commercial side too and now we are seeing more fish because of better surveying.

**Scott Lenox (Fish in OC, Council Member):**

- This is a difficult process to figure out allocations. The black sea bass shore estimate was 176,000 lb harvested which came from a 7-inch fish on Chesapeake Bay that was intercepted and 2 other fish that were legal size but caught in South Bay. Essentially 3 fish turned into 176,000 lbs, so this extrapolation doesn't work, the MRIP system is flawed. Maybe the angler lied about where they were caught when intercepted. It also looks like data was changed historically so that bases could be covered.

## 2.6 NARRAGANSETT, RI

Wednesday, February 26, 2020, 6:00 p.m.

**Summary:** Approximately 28 individuals attended the public hearing in Narragansett, RI. Eleven commercial participants supported no action to modify the overall sector allocations. Five recreational participants supported changes to the commercial and recreational allocations based on new data. Of those, three supported looking at more recent years rather than the base years used to set the original allocations. A total of 11 attendees supported separate allocations for the for-hire and private/shore modes within the recreational sector (8 supporters were for-hire participants and 3 were commercial participants). A total of 19 attendees (12 commercial and 7 recreational participants) commented in favor of improved recreational accounting and accountability. Commercial participants' comments mainly focused on inequities between how commercial and recreational catch is accounted for and how the sectors are held responsible for overages. Six recreational and for-hire participants commented that recreational accounting needs improvement, specifically highlighting that recreational catch estimates do not adequately incorporate or accurately reflect the for-hire VTR data. In addition to the comments on the scope of the allocation amendment, many comments expressed a lack of confidence in the MRIP estimates and the need to improve recreational information through expanded angler surveys, mandatory reporting, and monitoring.

Name	Affiliation (Optional)
Mike Toureille	
Roger Marchetti	
Donald O'Neil	Town Dock
Eric Lundvall	FH Rappin's Keister
JASON Jarvis	FH off Sakp
Josiah Dase	FH Cicker
Andy Tanguish	Charter boat Woodcock
Elise McCann	Charter Captain
Charlie Julian	FH Great Run
Robert Morris	FH Living Waters
Patrick Kwass	FH CONOR and Michael

<u>Name</u>	<u>Organization/Sector</u>	<u>City, State</u>
Rich Hittinger	RISAA	Warwick, RI
Katie Almeida	Town Dock	RI
Dave Monti	RISAA	Warwick, RI
Paul Johnson	RTPCOA	Norfolk
Mike Dickman	Students URI MRF	Holmdel, NJ
Dave Miller Pherson	RISAA	Pawtucket, RI
Donald Collet	Town Dock	Skingston, RI
Greg DiDomenico	GSSA	NJ
Meghan Lapp	Seafreeze	RI
Walter Anagachian	NOAA	PS, RI
MATTHEW COX	CHARTER "LADY ANN"	STATE HARBOR
ERIC LUNDWALL	F/V RAINIER KRISTIN	Norwamsett RI
Jason Jarvis	Fly Old Jake	
Justin Dodge	Cricket	
Amy Damsig	Charterboat	W. Kingston RI
Carol McClatch	RISAA	Norwamsett RI
Charlie Jules	F/V Glaston	Norwamsett, RI

**Roger Mrachek:**

- Overages of sector specific catch limits, and their impacts on the next year's total allowable catch should be kept separate, and should not negatively impact the other sector's total allowable catch (TAC).
- Recreational data should be released more quickly.

**Dave Monti (Rhode Island Saltwater Anglers Association, RISAA):**

- Supports reallocation.
  - MRIP shows there are more fish in the water, which raised all TACs. We should reallocate based on that.
- The recreational sector needs to be more accountable. Recreational catch could be reported electronically. More angler surveying could be done to get a more accurate picture of recreational catch. Should use all the innovation we can to get better recreational estimates.

**Rich Hittinger, Statement read aloud on behalf of the Rhode Island Saltwater Anglers Association:**

- The Rhode Island Saltwater Anglers Association is in favor of using new data to revise the sector allocations. Reallocation is the only way to address the commercial/recreational landings imbalance. There was a 70% increase to the commercial summer flounder ACL, which was at least partially due to increased recreational estimates. Increased commercial fishing pressure has led to reduced recreational landings, and lower prices at the market and higher operating expenses for the commercial sector. This is not economically or biologically beneficial. The current ACLs should be reversed until allocations based on existing landings estimates are addressed.

**Greg DiDomenico (Garden State Seafood Association, NJ):**

- Opposes any changes to the sector allocations for this amendment.

- The Council and Commission should initiate a framework/addendum immediately to deal with this issue in a way that doesn't impact the commercial industry, but avoids further restrictions on the recreational fishery.
- There should be mandatory reporting for all recreational tournaments.

**Katie Almeida (Town Dock):**

- Supports no action.
- Supports increased accountability for recreational sector, and mandatory reporting.

**Rick Bellevance (Recreational For-Hire/Private Angler):**

- Supports recreational sector separation.
  - There is mandatory electronic reporting for the federal for-hire boats, and this could be expanded to the state level. The Commission could consider state-only vessels also having to report with eVTRs, which would account much better for the recreational for-hire component.
  - Sector separation analysis should not just use MRIP because of low confidence in the data. Prefer the analysis be done using data from electronic vessel trip reports.

**Donald Fox (Town Dock):**

- Does not support any changes.
  - Would not support any kind of reallocation until there is some kind of recreational accountability.

**Kelly Smith (Charter Boat Sea Devil):**

- Need sector separation for the for-hire fleet.
  - Have VTR data for many years which should be used to show catch.
- Private recreational should be accountable for their catch as well. They should also have to report with VTRs or electronic reporting.

**Andy Dangelo (Charter Boat Operator):**

- Supports sector separation for the for-hire fleet.

**Megan Lapp (Sea Freeze):**

- Does not support changes to the current allocations.
  - You cannot manage a stock where only one sector is accountable; it is a shared stock and all sectors need to be accountable. The commercial sector is always held to quotas and has pound for pound paybacks, in season adjustments, reporting, observers, etc. The commercial is not only held responsible for their own harvest, but also becomes responsible for overharvest by recreational sector when the stock responds to the removals. The commercial sector is held accountable twice, and that is inequitable. More allocation to the recreational fishery would not be fair and equitable and would violate National Standard 4. The Court ruling from the judge in the Gulf Council case related to reallocation of Gulf of Mexico snapper fishery applies to this action. The Court ruled it would not be fair and equitable under National Standard 4, because the system never allows the commercial sector can never gain an increase in allocations because they can

never exceed their quotas. This places them at a permanent disadvantage compared to the recreational sector.

- Supports more recreational accountability, including mandatory reporting, in-season adjustments, and in-season monitoring.

**Robert Morris (Commercial Fisherman, FV Living Waters):**

- Supports no change on the allocations.
  - As a commercial fisherman, I am servant to the owner of resource, which is the public consumers. It is important that they get their fish.
- Rhode Island does not have a say at the Mid-Atlantic Council, so this process seems unfair.

**Doug MacPherson (Private Angler, RISAA):**

- The 2019 summer flounder stock assessment was first time the new MRIP numbers were used in a stock assessment, and it had a big impact. The effort by MRIP to try and improve the system is a good step forward. It is showing that historically the allocations were wrong (did not reflect the sector landings at the time). It seems logical to revise the allocations based on the new data for those same base years.

**Paul Johnson (Charter Operator):**

- For potential management approaches, in favor of separating the recreational sector into for-hire and private sectors.
- It is irritating that MRIP doesn't use the actual counts of fish from for-hire data to produce the for-hire catch estimates. Rather than estimates, the decisions should be based on actual numbers provided by the for-hire sector. The model used in RI has been expanded along coast, and now requires all for-hire license holders to do electronic reporting.

**Frank Blount (Recreational For-Hire):**

- Not in favor of status quo allocations.
  - There should be an update with new data, but not with the base years. Should not use data from 30-40 years ago. More current data could change it in different ways but not sure how.
- Need better recreational catch estimates. Party boat landings have been underestimated.
- In favor of considering sector separation.
- In favor of allocation transfers, similar to bluefish.
- Need to “blow up” everything, and looking at this differently and go back to ground zero, change base years, allow transfers, better reporting, etc.
- Need to look at how the fish are counted. Need to count recreational catch in number of fish, not pounds, for measures changes

**Rich Hittinger (Private Angler):**

- Agrees with previous comments. We need better accounting and accountability in the recreational sector. If we have better data from the for-hire sector we should be using it.
- Not adjusting allocations would be arbitrary and detrimental to one sector because you have changed the yardstick that you are using to measure the recreational fishery. You should use the

new yardstick to reset allocations. It is probably better to look at different, more recent, base years and update everything.

**Jasper Coutu (Charter Boat Captain):**

- Supports recreational sector separation.
- Agrees that we need better resources for monitoring recreational catch. Understand this would take lots of resources, but for-hire boats already have those resources in place. VTRs should be used for recreational catch estimates.

**Patrick Knapp (FV Connor and Michael):**

- Supports no change/status quo.
  - Everything is an estimate and there are not hard numbers to go off of for allocations. Until the numbers are more accurate, should not reallocate.

**Josiah Dodge (Commercial Fisherman):**

- Does not support any changes until there is recreational accountability.
  - The commercial quota went up last year for commercial, but the recreational fishery already had their increase. There is no way to keep them from going over. Recreational overages need to come off of their side of the total allowable catch.
- The commercial sector is treated with much more strict accountability than the recreational side. The commercial sector is under the spotlight for everything, and there is not equal treatment for the recreational side. There has to be recreational accountability.

**Rick Bellevance (Recreational For-Hire/Private Angler):**

- Not for status quo.
  - Commercial and recreational allocations need to be looked at. Our understanding has changed and should be incorporated into new allocations. It would be irresponsible to not consider the new data.
  - Recommend that future allocations be frameworkable to update with new data, looking at different base years would be more appropriate for an amendment.
- Supports sector separation.

**Donald Fox (Town Dock):**

- The new data show more fish were caught by the recreational sector, but it doesn't matter because there were no accountability measures. It is not necessarily fair to reward the recreational sector for exceeding their allocation.

**Eric Lundvall (Commercial Fisherman):**

- Supports no changes to allocations for any species.
- Strongly supports better accountability and accounting for recreational sector. They should be held to the same standard as the commercial sector with dockside monitoring.
- Agrees with recreational sector separation, but it should only be taken from the recreational allocation, not the commercial allocation.

**Matthew Cox (Charter Boat Operator):**

- Supports for-hire separation in the recreational sector.



- The for-hire boats provide hard data and it should be put to good use.

**Jason Jarvis (Commercial Fisherman):**

- I believe in sector separation, but also believe you can't change allocations when only two of the sectors have accountability and actual data. Recreational estimates are just a guess. It is pretty frightening to make any changes in data when the data is flawed. This archaic management system has been in place for way too long. We need to get actionable data on a daily basis from recreational fishermen, yet commercial fishermen are held accountable for everything. No one has any confidence in MRIP, everyone is fed up with them because they are a big lie and those numbers are pulled out of thin air. The charter boats give real data and it doesn't get used. All the accountability is put on commercial and not on recreational. There is no way you should reallocate quotas based on numbers that do not exist.

**Mark Phillips:**

- Does not support reallocation.
  - The recreational went over from the beginning and has never been held accountable. Commercial sector has been held accountable since the plan went into effect.

**Mike Tourville (Commercial Rod and Reel Fisherman):**

- Agrees with Jason Jarvis.

**2.7 WASHINGTON, NC**

Tuesday, February 25, 2020, 6:00 p.m.

---

**Summary:** The hearing in Washington, NC was attended by 2 people. Both attendees agreed that recreational accountability should be improved prior to a reallocation of quota from the commercial sector to the recreational sector. They agreed that reallocation should include socioeconomic analyses, but one individual also warned against using economic analyses as the sole basis for reallocation, citing fair and equitable access as equally important. Both participants acknowledged that discards are a serious issue in all three fisheries. One individual thought that a total retention pilot program should be initiated to remedy the discard issue. The two participants thought it incumbent upon the recreational fishermen to propose ideas on how to improve recreational accountability.

Name	Affiliation (Optional)
JERRY SCHILL	NC Fishermen Assoc
Dewey Hemilright	Com. Fisherman

**No action/status quo**

Jerry—the allocations should not be changed until the recreational sector is held accountable

**Updating the current allocation percentages using the existing base years but with current recreational and commercial data**

Dewey—A 5% reallocation is not a big increase for the recreational summer flounder fishery based on the number of anglers and fish they catch; they need more fish and it is unfortunate that the quota can only come from the commercial fishery

### **Using socioeconomic data, analysis, or other considerations to modify the allocations based on optimization of economic efficiency and socioeconomic benefits from each fishery**

Dewey—the economic analysis needs to consider the multiplier effect. The value of fish is worth more to the consumer than its price tag

Jerry—it is important to consider socioeconomic data, but basing allocation decisions on this is problematic due to differences in the methods used to calculate recreational and commercial use of the fishery. We are dealing with a public trust resource where consumers must be considered. A good source of protein should not be up to the highest bidder

### **The option to make future allocation changes through a framework/addendum (a shorter and more efficient action than an amendment)**

Dewey—accountability comes first (before reallocation)

Jerry—prefers public input and transparency; frameworks/addenda should be used on a limited basis and not for big issues like reallocation

### **Improving accountability in the recreational sector**

Dewey—larger allocation to the recreational fishery should come with more accountability

Jerry—recreational accountability must be solved before reallocation can occur. It is problematic that there are different standards of accountability for the recreational and commercial fisheries when overages occur. Accountability between sectors must be fair (held to same standard)

Jerry—surprised by revised MRIP estimates so not sure what recreational accountability would look like

Dewey—accountability must be included in this amendment and should come before allocation changes

Jerry and Dewey—need to hear from anglers about their ideas on better accountability for their sector

Dewey—commercial fisheries are limited access and have to stop fishing when quota is reached

### **Other approaches to be determined**

Addressing discards:

Dewey—allocation problem has existed for a long time; recreational fishery needs more fish and the way the management program is set up it can only come from the commercial fishery. Limited entry is not a feasible option for the recreational fishery, however unlimited access contributes to large discard estimates for this sector

Dewey—the commercial fishery should eliminate dead discards by keeping what you catch when an observer is onboard. A test pilot program could put into place to see how effective this is. Dead discards are unacceptably high for all three species (commercial and recreational)

### **Other considerations**

Jerry—Solve accountability before reallocating

Jerry—Enforceability (or lack thereof) of certain options is frustrating (lack of enforceability makes some options unviable)

Dewey—compliance with regs sometimes improve over time

**General Comments**

Jerry—many people think people’s (voting members) minds are already made up, so they don’t have much confidence in the scoping process (or public hearing process, in general)—and have stopped attending public hearings; the public doesn’t believe MRIP estimates.

Jerry—fewer commercial fishermen now compared to the past also contributes to fewer attendees at hearings

Dewey—he wants to hear how anglers propose to prevent overages from occurring within the recreational fishery

Dewey—really liked the narrated scoping presentations on YouTube—good way of getting information to the public

**2.8 OLD LYME, CT**

Wednesday, February 26, 2020, 7:00 p.m.

**Summary:** Approximately 20 individuals attended the public hearing in Old Lyme, CT. One recreational participant supported status quo sector allocations until better data are collected. Two attendees supported the idea of separating for-hire from private/shore modes within the recreational sector. Two attendees discussed the need for increased reporting and accountability in the recreational sector. In addition to the comments on the scope of the allocation amendment, many comments expressed a lack of confidence in the MRIP estimates and the need to improve recreational information. Commercial participants commented on several state level permitting and fishery access issues.

Name	Affiliation (Optional)
Jim Clank	
TONY NOTARO	
ROBERT RUSSELL	
LOU PELLOUBET	
Dr John	
Dave Flynn	
Michael Pisci	
BUD HARRIS	
Dave Lysic	
Ed Emery	
Ed Emery	
Tered Maden	final piece sport fishing
Amanda Beers	
T.J. Karbowski	Rock & Roll Charters
Paul Whitehouse	
Jim VASANTH	
Daniel Andrien	
Mike Stejski	TARTAN II
Frank Shepard	Tartar Sauce
Walt Sporski	Tartar Sauce

**Mike Pirri (CT Party and Charter Boat Association):**

- Read written prepared comments (also submitted as written comments; provided in full in section 3) addressing volatility in recreational fishing regulations, unrealistic and deeply flawed MRIP data examples, and the need for better reporting and data collection.
  - Comments described the lack of stability in summer flounder, scup, black sea bass, tautog, striped bass, and bluefish fisheries which does not allow for growing business or enjoying catching/eating fish.
  - Emphasized the need for both sectors to unite against MRIP, lower discards by decreasing minimum lengths, and achieve better managed stocks through more required electronic reporting and other means.
  - Cited several examples of unrealistic wave-specific MRIP estimates in Connecticut for tautog, black sea bass, bluefish, summer flounder, and scup, including estimates deemed too high for wave 6 when minimal effort is occurring, and shore estimates deemed unrealistic due to seasonal regulations and availability of fish from shore. Management should not be making decisions based on flawed MRIP data.
  - The for-hire sector makes up a small portion of the recreational fishery and should be managed as its own sector.
- In addition to written comments, support status quo for the current regulations.

**TJ Karbowski (Rock and Roll Charters):**

- The MRIP data is made up and very bad. This is a management issue. One member of the executive MRIP steering committee is now the director of ASMFC and he is doing a poor job. Our regulations have been a mess ever since he started.
- The MRIP steering committee uses experts from the Colorado State University to develop MRIP methods that nobody believes that have resulted in a tripling of fishing effort. A google search shows that at Colorado State University, liberal professors outweigh conservatives 12 to 1. This university had protests when a republican speaker came to campus. This University is one of those liberal sanctuaries and they are all radical leftist tree huggers including the ASMFC. They do not want us to fish and that's it.

**Frank Shepard (Recreational Fisherman):**

- I am an active recreational fisherman, these MRIP numbers are ridiculous and something needs to change. We need to reduce discards. Let us bring it back instead of throwing it back dead. Last month I wanted to sell a gentleman a summer flounder from my own daily creel. If I could sell a couple sea bass and fluke it would help my dock and fuel fees. The fishing is tough now, but there is still good fishing out here. There's not enough enforcement on the shore. I want to help and be a part of it.
- Lastly, we can't buy endorsements from anybody because every one of those has issues, we need more of those available.

**Dan Emery (Commercial Fisherman):**

- I have fished for a variety of species since 1981. You have had to diversify to survive. I feel its time to prune out restrictions and open up permits like sea bass and scup. These species are abundant and detrimental to the lobsters. There has been way too much red tape.
- I should not be told what kind of gear to use to catch my 60 scup.
- It's time to start a lottery system for permit holders, at least for sea bass and scup.

- There's plenty of fish out there and I should be able to catch scup in traps.
- These MRIP numbers aren't feasible especially looking at the recreational fishing in winter.

**Ed Emery (Commercial Fisherman):**

- My family has been permitted since 1968. I deal with vessel monitoring, observers, logbooks, we offload in two states. What is the oversight in recreational? We have to report.
- Its \$50,000 dollars to enter a commercial permit with sea bass scup and fluke, but that is a huge barrier. I don't see the oversight in the recreational side.
- We are modifying our gear, using rope nets to better target species.
- Charter captains are just as reliant on the ocean so I trust them to report, maybe they should be separated out.
- I'd like to see more quota in the summer months when smaller operators can use it.

**John Johnson (Retail, Tackle Industry):**

- I deal with recreational fishermen and charter/headboat fishermen and the arguments said here today are all valid.
- I hope NMFS properly accounts for the socioeconomic conditions. When someone comes into the tackle shop, they bring in money. They buy an expensive license, eat at restaurants, stay in hotels and buy tackle. The regulations are too complex and it is confusing and frustrating for those people that stimulate our economy. I believe that socioeconomic issues should be at the top of this list.

## **2.9 STONY BROOK, NY**

Thursday, February 27, 2020, 6:00 p.m.

---

**Summary:** The Stony Brook, NY hearing was attended by approximately 45 people. Many comments from commercial and recreational stakeholders addressed the need for improved reporting and accountability of private recreational anglers. Approximately 17 attendees supported exploring sector separation between the for-hire and private modes in the recreational fishery as an option, though some noted it that it would depend on what that would look like. Another major theme was that the belief that MRIP estimates are unrealistically high and the sentiment that managers need to get closer to the truth before using them for management. Several commenters from both sectors voiced a desire for more consideration of the socioeconomic repercussions of regulations in the state and noted that several people participate in both the for-hire and commercial industry to make ends meet. Two comments addressed that the commercial sector has accountability and should be allocated a higher percentage than status quo, one commenter supported status quo, while others commented that the sectors should work together to find a solution. Lastly, two stakeholders expressed the need for more flexible solutions such as framework actions to address the immediate recreational fishery issues.

NAME	AFFILIATION
NEIL DELANO	CAPTREE BOATMEN'S ASSC
Vinnie Catalano	
Ken Higgins	Captree Pride Captree Pin.
Richard Jensen	North Fork CAPTS
Phil KESS	FISHY BUSINESS CHARTERS
ARTHUR KRETSCHMER	LISLA
Ed Miodynia	
John I. Miodynia	
Tom Vincent	
Brian Colhane	
Brian Blume	
AL Schaffer	
Greg DiDomenico	GSSA
Richard Campbell	Fish on fishing
Nancy Solomon	LI TRADITIONS
STEVEN CANNIZZO	NY RFHFA
Anthony Testa	NY RFHFA
Frank Morelli	NY RFHFA
Victor Vecchio	NOAA FISHERIES
JAMES SCHWARTZ	NY RFHFA
PETE LAUDA	NY RFHFA
Joe Locascio	NY RFHFA
STEVEN R. WITHHURST	Chamber / New York
John D. Torio	NONE
Dan Sullivan	NON-REG-FISHING
MARK CUSUMANO	COMMS
JAMIE QUARISIMO	Miss Montauk
Ray Cicalese	-
John Quarisimo	Snake IR
Anthony Quarisimo	MISS MONTAUK

JOSEPH DEFALCO	NOXIO
John Maniscalco	NYSDEC
CHARLUS WITUR	—
Bob Danielson	NYSF
Steve Heims	MAFMC NY
JAMES FOLEY	Hobuption LAD g
Aut Augustine	
Ken Hejducek	
Joe DeLito	Laura Lee Fleet
Robert Andersen	Captree Process + Captree Side
Mark Harrington	Nausday
Paul Risi	KINGSBOROUGH CONGRESS
Mark Woolley	Congressman Zeldin
Nick Marchetti	.
Bryan Scizee	Island Princess

**Greg DiDomenico (Garden State Seafood Association):**

- Could this amendment address allocation transfers and set asides? For example, thinking about the actual numbers instead of the allocation percentages. If at the end of the year we are under the ABC, maybe we can avoid more restrictive regulations.
- Is the Council capable of solving this allocation problem before more restrictive regulations are imposed on the recreational sector in 2021?
- Can you identify what the for-hire effort was as a percentage of landings prior to the revised MRIP data?
- We want an outcome that does not disadvantage anybody. We are here to protect our interests, so we are not going to support different allocations at this point. But I do not want to see the recreational side disadvantaged further. The Council will have to contemplate a framework action if the ABC or OFL are exceeded to avoid more restrictive regulations.
- The Council and Board should require mandatory reporting in tournaments.

**Bob Danielson (New York Sportfishing Federation):**

- Can you clarify the sentence in the scoping document discussing the summer flounder stock condition where it states that summer flounder is not overfished and overfishing is not occurring yet it is above the threshold that defines an overfished condition?
- Both sectors will never agree. We've seen the recreational fishery go from a bag limit of 2 fish and a size limit of 21 inches, we've seen the worst it can possibly be. This was based on the fact that we have 40% allocation based on old data that we knew was bad data.
- On top of a sector split we need to reconsider state by state allocations for the recreational sector.

**Neil Delanoy (Captree Boatman's Association):**

- There are some great ideas in the list of alternative topics, however the devil is in the details, have any of these ideas been developed? What does improve recreational accounting and accountability mean?
- If it were a fair allocation, sector separation would be a great thing. For-hire should have 25% of quota in all fisheries.
- Allocations for all three species should be based on the amount of fish that are killed because it makes both sectors more conservation oriented and reduces discards in each sector. If we can eliminate more of the waste we would all benefit.
- New York has treated charter boats differently in the past with bonus seasons, etc, and the states on either side of us do that.

**Arthur Kretschmer (Long Island Sound Lobstermen's Association):**

- This action should increase the commercial quota because we fish a hard TAC and carry observers so have more accountability.
- There should be rollover in scup commercial quotas from Winter I to the Summer period.

**John German (Long Island Sound Lobstermen's Association):**

- We need to give more allocation to the commercial sector because there is no accountability such as filling out VTRs in the recreational sector. The updated percentages column shown in the allocation table should be the opposite (switch commercial and recreational percentages).
- The problem is the New York state allocations. Recreational and commercial allocations were all given away to other states.

**James Schneider (New York Recreational and For-Hire Fishing Alliance):**

- We saved all our fluke racks for cooperative research and they were all females. We have been participating in a female only summer flounder fishery for the last 12 years. This is the same as only hunting does if you are hunting deer. We are accountable for everything on the for-hire side. We are looking at a lure fishery instead of a bait fishery, so discard mortality is a lot lower now. What your information shows is that the recreational fishery is down and the effort is down. The mission of the state is to get more people involved in the fishery and we are failing at our mission. Having a female fluke fishery is a failure.
- Porgies (scup) only live 5-7 years and then die, we catch them by the 1000s. People in different socioeconomic groups like to use them for food. There is no way to fully reach out to the communities that eat scup. Scup is the number one fish caught from the beach here, not striper, and it feeds people. From the recreational side, we have made our sacrifices and done what we were told.
- In terms of socioeconomics, I'm here today with four guys that work for me on a recreational boat. They are all also commercial fishermen, who were forced by rules and regulations to do everything, we do every type of fishing known to mankind. We need to feed our families and want to contribute to society. We are getting hit hard in every direction. I have 17 full time employees and they are all productive members of society; we need fair and equitable regulations to survive. I pay \$1,000 on my license every year. I participate in observer programs, cooperative research, and I've worked as hard as I could possibly work. None of us on the recreational side want to disadvantage anyone on the commercial side, we are all trying to make a living.



**Steve Cannizzo (New York Recreational and For-Hire Fishing Alliance):**

- Does the commercial sector reach their quota for scup? Can the Council and Board consider rollover provisions for scup?
- Did we exceed the ABC for scup and black sea bass?
- Shouldn't we be talking about different bag, size, and season and possession limits implemented through a framework instead of full sector separation. Would that be easier for the Council and Board? Could we have a "sub-ACL" instead of sector-based allocations?

**Nancy Solomon (Long Island Traditions):**

- I am a cultural ethnographer. There is a lot of negative reaction on both the commercial and recreational side here today. I suspect there is a lot of distrust because no one is doing a thorough socioeconomic survey in New York. It is an expensive place to live and fishermen are working very hard to make ends meet. Consider the serious effects of regulations on these groups. NOAA and the Council have not thoroughly looked at the socioeconomics since at least hurricane Sandy, if ever.

**James Foley (F/V Hampton Lady):**

- It would be beneficial to extend seasons by a few days to make up for days lost by storm events.

**Mark Cusumano (For-Hire Fisherman):**

- MRIP numbers are not realistic, especially the multipliers for effort. We need to get better data and the true picture from private recreational anglers.
- For-hire should have its own allocation.
- Are the for-hire VTRs used by MRIP and then multiplied?

**Joe Difalco (Recreational Fisherman):**

- Over the last 3-4 years, there's nobody out there fishing because there are no keeper summer flounder.

**John Mlodynia (Recreational Fisherman):**

- From New Jersey to North Carolina, why do the regulations allow for summer flounder scup and black sea bass to harvest double the amount allowed in New York?
- Can you explain why a commercial dragger from Montauk dragged up 1500 lbs of summer flounder, so much that it was sinking, and then they offloaded it to another boat that sold it in New Jersey.

**Ken Higgins (Captree Pride, For-Hire Captain):**

- MRIP numbers are out of whack with the private and shore-based anglers. There is great reporting for the for-hire fleet so can't we extrapolate from that sector? Shore based anglers keeping thousands of black sea bass. In November when no one could sail there were unrealistically high numbers. The for-hire boats are known, so there should be a way to extrapolate.
- Why do we need to fill out VTRs when they aren't used, and private recreational anglers are not held accountable? We have no good information on private boat performance.

**Ken Hejducek (For-Hire Fisherman):**

- We need to develop our own idea of what is right and can work for us, whether it is sector separation or some other solution. We have to band together and take care of our own.

**Richard Jensen (North Fork Captains):**

- It is beyond time that the party/charter has its own sector. We are regulated by MRIP surveys and they are not allocating our quota with VTRs. For-hire fishermen are far from recreational fishermen. All the data shows that party/charter boats make up a small part of the recreational catch. Nobody believes MRIP surveys, yet they are justifying people's livelihoods. Something has to change drastically with accountability. How can you approach new management when this data is so wrong and failing so badly?

**Dan Sullivan (Recreational Fisherman):**

- When duck hunting, by law, I had to report what we got through the phone. We should have that for private anglers. I agree with others in this room, we need to know what people are catching and no one has ever asked me what I have caught.

**Jamie Quaresimo (Miss Montauk):**

- The shore-based MRIP has changed while for-hire has not. That should tell us this is a major issue.

**Al Schaffer (Commercial Fisherman):**

- Usually these public hearings are divisive between the recreational and commercial sector but not today. When the commercial and for-hire fishermen go fishing, we are going out to make a living. When private anglers go fishing, it is for fun. We should not use the data from the people that go out for fun against those of us that report and fish for our paychecks.

**No name stated for the record:**

- Are we going to update the data for these allocations?
- Why are the recreational state allocations not being discussed in this amendment? We lose our customers to other states with the recreational sea bass allocations.

## **2.10 FORT MONROE, VA**

Monday, March 2, 2020, 500 p.m.

---

**Summary:** Ten people attended the hearing in Fort Monroe, VA, the majority of whom represented the commercial fishery. Six individuals voiced support for status quo allocations. Several participants questioned why reallocation was being considered at all and that reallocation was tantamount to rewarding the recreational sector for exceeding its limits. Several participants thought that the Board and Council should devise a plan to hold the recreational sector accountable while not implementing overly restrictive bag and minimum size limits that would lead to higher rates of discards. In addition, the majority of people in attendance emphasized the importance of improved recreational catch accounting and accountability. Participants shared general mistrust in the MRIP estimates and called for improved methods that generate more believable estimates.

Name	Affiliation (Optional)
Greg DiDomenico	GSSA
Jeff DeBar	REDC
James Dawson (Kate)	Fisherman
Joe DeCampo	Watermen
Mark HONGES	- 11
Robert Hallowell	11
Harry Doernite	11
David Wright	Waterman + Charter
Tom POWERS	RECREATIONAL FISHERMEN

**David Wright – charter and commercial fishermen, Rudee Inlet VA**

- Supports a separate allocation for the for-hire sector.

**James Dawson – commercial hook and line and drop pot fisherman, Chincoteague VA**

- Thinks that MRIP should be using eVTR data as opposed to the FHS estimates. The reallocation decision should factor in the fact that the commercial fishery in VA does not have very many black sea bass dead discards.

**Greg DiDomenico – Garden State Seafood Association, NJ**

- The Garden State Seafood Association has no desire to disadvantage the recreational sector in any way. It is up to the council and commission to develop a fair and equitable outcome for this amendment, specifically regarding the allocation.
- Congress mandated that the MRIP program update its methodology in 2009 – why is this change coming ten years too late?
  - Very few people have any confidence in the MRIP estimates.
- The bag and size limits have been overly restrictive in the past ten years while discards have been quite high.
- To avoid overly restrictive measures in 2020 that may result from an ABC overage, the Board and Council should initiate a framework or an addendum to create an administrative process that allows for the recreational sector to continue harvesting at the same rate in the short term, to allow time for this amendment to be completed.
- The Council and Board need to develop an outcome that doesn't penalize either the recreational or commercial fishermen. He doesn't think there is any reasonable amount of quota that could be transferred from the commercial sector to the recreational sector that allow the recreational fishermen to keep fishing with the same regulations.
- The Garden State Seafood Association would like to see the sector allocations to remain the same.

- The Council and the Commission should have mandatory reporting for recreational fishing tournaments.

**Harry Doernte – commercial hook and line fisherman, Poquoson VA**

- Recreational fishermen are not held accountable to the recreational harvest limit in the same way the commercial fishermen are. There needs to be recreational accountability within the fishery management plan to keep things fair and equitable.

**Joe DelCampo – commercial fisherman**

- Doesn't think that there should be a reallocation from the commercial to recreational sector

**Mark Hodges – commercial black sea bass fisherman, Virginia Beach VA**

- Draws issue with the 1986 estimate of recreational catch, there is no way that recreational landings went from 3 million to 11 million back down to 2 million pounds in a span of three years
- In 1983 to 1992 there was a lot of black sea bass sold for cash, which wasn't accounted for in the trip reports. If this data was incorporated into the records, the commercial sector allocation would be much larger than what it currently is in the FMP.
- Concerned that the recreational industry has the people, the political sway, and the money to influence the outcome of the allocation amendment. He sees this as an allocation grab by the recreational sector.
- The recreational sector should be held accountable if it exceeds the recreational harvest limit. There should be closures if the recreational sector exceeds its RHL.
- There should be mandatory retention of fish to mitigate the discard issue. High grading should be banned.
- The recreational side should not be rewarded for going over there limit historically.
- Supports status quo

**David Wright – charter and commercial fishermen**

- There should not be commercial closures. Simply a quota that allows fishermen to fish until they reach the quota.
- The black sea bass and blueline tilefish fisheries overlap spatially but have seasonal closures at different times, which causes discarding issues and economic inefficiency. If there is a fishery closure it should be done at the same time for both fisheries.

**James Dawson – commercial hook and line and drop pot fisherman, Chincoteague VA**

- The Memorial Day to Labor Day season is important for the rec fishery and that timeframe should be left open.
- Virginia dead discards are low. When you look at his personal observer data, he doesn't have dead discards, because the fish are released alive.
- He thinks that the commercial fishermen should be allocated the same poundage year after year based on historical landings.
- You should not reward the recreational sector with additional quota because they are going over the RHL. Recreational accountability needs to be included in the amendment.

**Mark Hodges – commercial black sea bass fisherman, Virginia Beach VA**

- Recreational accountability is important. There are many recreational fishermen that don't go through a marina that are probably not being accounted for in the MRIP estimates. Fishing during closed seasons goes unreported. There has to be a better system for measuring recreational catch than MRIP. Not having a grasp on what is being caught is problematic.

**Joe DelCampo – commercial Fisherman**

- It doesn't make sense that there isn't any penalty for the recreational sector if the RHL is exceeded
- In favor of status quo

**Tom Powers – Recreational fisherman**

- Points out that recreational fisherman did not greatly exceed the RHL based on the old MRIP estimates.
- He finds the MRIP estimates to be unbelievable.

**David Wright – charter and commercial fishermen**

- In favor of status quo, no action for black sea bass

**James Dawson – commercial hook and line and drop pot fisherman, Chincoteague VA**

- He wants managers to look into recreational landings for 1986, this year seems to be an anomaly.
- Supports status quo for the allocation

**Robert Haldwell - Commercial fisherman**

- Supports status quo

**Harry Doernte – commercial hook and line fisherman, Poquoson VA**

- Supports status quo

**2.11 INTERNET WEBINAR**

Tuesday, March 3, 2020, 6:00 p.m.

---

**Summary:** Around 30 people attended the webinar hearing. Nine individuals commented on perceived inaccuracies in the MRIP data. Their main concern was that the harvest estimates are unbelievably high. Six individuals said no changes should be made to the allocations until the data are improved. Suggestions for improving the data included mandatory private angler reporting, electronic vessel trip reports for state-only permitted for-hire vessels, and cooperative research. Two attendees said keeping everything status quo until we get better data is not a viable option as it would have devastating impacts on the recreational fishery as the new MRIP numbers must be used in management, even if they are not used to revise the allocations. Two individuals said it is not fair to take allocation from the commercial sector and give it to the recreational sector in response to changes in the MRIP data. Two attendees noted that the number of commercial fishermen has remained unchanged due to limited access programs, but the number of recreational anglers has increased over time. One individual requested that the Council consider limited access in the recreational fishery. Four attendees expressed support for separate management for the for-hire sector, either through a separate allocation from the private recreational sector or through use of different management measures. One individual did not support sector separation. One attendee proposed

that allocations be considered in terms of bag, size, and season limits for the recreational fishery. He also recommended that allocation base years could be based on socioeconomic or biological considerations. One individual recommended that the recreational fishery be managed with a total cumulative length limit and mandatory retention. He also recommended that the recreational allocation be set at 16%, which he claimed represents the proportion of the U.S. population which fishes recreationally. The higher commercial allocation would allow for a reduced dependence on imported seafood.

**Attendance:** Chris Batsavage (NC DENR, MAFMC and ASMFC member), Julia Beaty (MAFMC staff), Rick Bellavance (Priority Fishing Charters), Marc Berger, Bonnie Brady (Long Island Commercial Fishing Association), Steven Cannizzo (NY RFHFA), Liz Cerny-Chipman (Ocean Conservancy), Sarah Close, Karson Coutré (MAFMC staff), Mark Cusumano, Kiley Dancy (MAFMC staff), Tony DiLernia (MAFMC member, hearing officer), Michelle Duval, Daniel Farnham, James Fletcher (United National Fishermen's Association), TJ Karbowski, Aaron Kelly, Louie, Luciano, Wendy M, MC, Michael Pirri, Rokal, Robert Ruhle, Erik Tirpak, Mike Waine (American Sportfishing Association), Steven Witthuhn, 4 unidentified phone numbers

**James Fletcher (United National Fishermen's Association):** The commercial vessels have stayed the same. We need to know what percentage of people were fishing recreationally in the 1980s. Has the number of recreational fishermen increased since the 1980s and, if so, what is the percentage of increase? ...Do we have any way of restricting the number of recreational fishermen? Because we have restrictions on the number of commercial fishermen. Why hasn't the Council done it? The United National Fishermen's Association has asked for recreational permits in the EEZ for the last 20 years.

**Mark Cusumano (For-Hire Fisherman):** On Long Island we see a lot of intercepts in Montauk. It's very high volume, party/charter sportfishing. You hear little about intercepts on the west side of Long Island and smaller ports. There's concern about the amount of landings being reported since it seems like they are focused on New York's number one port and averaging them across the state.

**Rick Bellavance (Priority Fishing Charters, Rhode Island):** Any allocation discussion needs to consider use of electronic vessel trip reporting for the for-hire sector. I believe that MRIP under-estimates the for-hire catch. I think they over-estimate the private angler and shore-based catch. That's why I think it's very important to consider VTR data in allocation discussions. I think sector separation is essential for the viability of the for-hire fleet in the future. I think it needs to stay in the document and be analyzed and considered. I think it's also important to remember that while we have good landings data for the commercial sector, the discard data could be improved. When we consider improvements to the data, I think we need to consider the recreational community first, but there are improvements that could be made to the commercial data as well.

**Michael Pirri (For-Hire):** In my state, if you do not have a federal permit, electronic reporting is not mandated for for-hire. I think that's a failure for not mandating that. There are many examples of inaccuracies in the MRIP data. There are instances of shore anglers catching hundreds of thousands of fish when the fish are not available. There are other times when private boats are harvesting 270,000 blackfish when they are on land. There is zero confidence in the state of Connecticut in MRIP's data. I don't see how you can make fishing policy off such awful data. I cannot comment on allocations because the MRIP data that's behind them are not accurate. What I propose is that we slow down. We need for-hire sectors to keep us in business and keep us fishing with certainty. Customers call and want to know what the regulations are. It's difficult to plan your business when there's such volatility for every species. Let's take three years to get good data. Let's not change the regulations for three years. Let's mandate electronic reporting for the for-hire fleet.

**Bonnie Brady (Long Island Commercial Fishing Association):** We believe that status quo is the only option for now. The MRFSS data was not appropriate. The MRIP data seems to have gone too far in the other direction. I don't believe you should take from the commercial fleet to solve a problem that management created. Some sort of cooperative research between the for-hire sector and the science center could help give us some real numbers.

**James Fletcher (United National Fishermen's Association):** Until we know what percentage of the recreational fishermen are landing the fish, which can only be done with cell phone reporting, it should be status quo. The Council can put in mandatory reporting in the EEZ on cell phones. It must be done. It would do away with the MRIP uncertainty. It would also give us a number of fishermen so in the future we can constrain recreational landings by not allowing any more permits. MRIP does not get 80% of the fishermen that go back to private docks and they get much more than the allowed limits. Rather than doing all this, why don't we discuss ocean ranching and aquaculture as methods to increase the number of fish? Dead discards, mainly on the recreational, are too high. Your slides show only dead discards. That number should be higher. We need better information. We're doing nothing to get it. Stay with status quo. Take the time to discuss ocean ranching and how releasing large female fish would increase the populations. If only 16% of people in this nation recreational fish, then the Council must consider that the recreational proportion only be 16-18% until we get back to where the U.S. is producing 80-90% of the seafood consumed. Right now, the U.S. only produces 8% of the seafood consumed. Imports make up 92%... When summer flounder landings went through a drastic decline in the 1980s, most of the boats that had landed summer flounder were in Florida calico scallop fishing. That accounts for over half of the decline in landings. The whole system needs to be reviewed. Until the Council puts mandatory cell phone reporting on all recreational fishing, and they have to report before they go fishing so the Coast Guard can check them when they're in the ocean and then report when they go back to shore, we do not need to go down this road.

**Steven Cannizzo (NY RFHFA):** It's not sound data. It should be status quo...No one size fits all recreational boats. The for-hire sector has to be removed from private vessels and the shore mode. We have the best data of the recreational group. Recreational fishermen count fish. Conversions to pounds gets us into trouble. The ABC goes up 52%, what did we get? Status quo. It's a problem. This amendment should focus on allocation within the recreational sector. We don't know how many people are fishing in the private sector, there are compliance issues. We are working on the tightest size, season, and bag limits. It's putting boats out of business. Private angler estimates are driving up the overall estimates and it's impacting both the for-hire and commercial sectors. There has to be some point where you say separate them out. It may not be sector separation. You could do separate bag limits. Private vessels need mandatory reporting. MRFSS was wrong. MRIP is MRFSS on steroids... People say they catch nothing from the shore anymore, but it's amazing what MRIP says they are catching.

**Mike Waine (American Sportfishing Association):** We understand the frustration with the MRIP data. We've been trying to think of alternative approaches to management. One of our ideas is could we base allocations on management measures instead of a poundage quota for the recreational sector. The measures would move relative to stock status. They would be the least restrictive and provide the most amount of access when stock status is good and would become more restrictive as stock status becomes poor... We may want to consider allocation time frames based on changes in the fishery or stock status. For example, using the five years after each stock was declared rebuilt. The justification would be that availability to both sectors would be highest during that time frame. We also think socioeconomic data should be used to inform the allocation time frame. We prefer treating the recreational sector as a complete unit rather than doing sector separation. The time and energy needed to develop sector separation would

be better spent trying to come up with management measures that would benefit the entire recreational fishery.

**Robert Ruhle (commercial fisherman):** I think we should stay status quo. MRFSS was a questionable data set. MRIP seems to be worse. A few months ago, we were looking at a 116% payback for the recreational scup fishery. I don't know how you're going to make 16% of fish! Commercial and for-hire are mandated to report. The recreational angler, you have no monitoring in place. With no monitoring, you can't hold them accountable. You're creating collateral damage on the for-hire sector. Blueline tilefish has created a precedent for private reporting. We need mandatory reporting on all end users, commercial, party/charter, and regular recreational. I don't see how we can have the possibility of changing allocations unless you have a handle on how all three components interact in the fishery. If we make any changes, there's no way to monitor if the changes have any effect or if they even abide by it. The MRIP numbers are just absurd. I realize we have no choice because it's best available, but that doesn't mean it's good.

**Rick Bellavance (Priority Fishing Charters, Rhode Island):** I'm troubled by the notion that we can consider status quo. It's important to understand that we have a different understanding of what the recreational catch was. That number is higher than what it used to be, but the allocations are based on the old, lower numbers. Going forward, we're going to judge the performance of the recreational fishery on this new way of estimating recreational catch estimates. If we don't do something with the allocation, the recreational sector will be set up to fail because there won't be enough fish. We'll be measuring the performance of the fishery based on the new estimates and they won't match the old allocations. I'm sympathetic to the idea that we shouldn't change the allocations with this horrible data, but in the interim we're going to make it impossible to go recreational fishing at all, and that includes the for-hire side. That worries the crap out of me. I don't know what's in the Council's toolbox to be able to leave it at status quo, unless we leave all the measures alone and not touch anything until we get better data. I think it's also important to remember that these new numbers went into the stock assessments. If you're going to use the data for the assessment, then you've got to use it for management. If you're not going to use it for management, maybe you should use the old data in the assessment. In New England, we took a simple approach where we updated the allocations for cod and haddock with the new data. I guess that's an easy way out. I don't think people understand that status quo is going to mean very limited recreational fishing moving forward.

**Daniel Farnham:** I think calibrating these base years is dangerous. I don't know how you can accurately do that with the three year side by side when the base years are from before the advent of the cell phone. Since that time, we've limited commercial permits and had actual paybacks. To now reallocate quota to the recreational side at the expense of the commercial side is unjust. We have had an increase in population and recreational usage over those years. We've kept the number of commercial harvesters steady over that time. This will set a dangerous precedent for other commercial and recreational fisheries moving forward.

**Mark Cusumano (For-Hire Fisherman):** I want to reiterate a lot of the comments that have already been said. My opinion is status quo until we can get a better feel on the real private recreational landings. We don't believe these MRIP landings numbers are even close. We don't believe that the effort levels are this high. Up and down the ports in Long Island, we don't see private vessels fishing as much as they did in earlier decades when some of this data was looked at to allocate in these fisheries. I'm in support of sector separation of party/charter from the recreational fleet until this is worked out. I'd hate to see the fleet take more cuts and possibly more boats going out of business because these MRIP numbers are not accurate.



**Steve Cannizzo (NY RFHFA):** I think we need to prioritize what we can do immediately. These are having biological implications on the stocks. The data is not sound. What can the Council do for 2021 for the for-hire sector?

**TJ Karbowski:** We need to take the new MRIP data and throw it out the window. We need to go back to at least the old MRIP calculations. They were high, but they were at least closer to reality. The numbers that we have now literally defy the laws of physics. What they have us taking in December - everybody's boats are out of the water! They are fake, made up numbers. In 2012, Robert Beal became the director of the ASMFC. Our regulations have been a disaster since then. He is coincidentally on the executive steering committee for MRIP. He was one of the people who hired these liberal hippies from the University of Colorado who came up with these new MRIP equations.

**Tony DiLernia (MAFMC member):** Mr. Beal is very open and is a very considerate and accommodating individual. I do not believe he has any agenda to do anything other than what he's directed to do by his commissioners.

**James Fletcher (United National Fishermen's Association):** If the Council will put in a total recreational limit of 45 inches for summer flounder and the like for the other two species, there would be no discards. The recreational would have fish to take home. The Council could do that immediately, but it takes the will of the Council... The EEZ, the Council can require it.

### 3 WRITTEN COMMENTS

This section includes all written comments on the amendment received or postmarked from January 7, 2020 through 11:59 pm, Tuesday, March 17, 2020, including those received by email, web form, fax, mail, or hand delivery. Comments are organized first by individual comments followed by group or organization comments, in the order received except that multiple comments received by the same individual are grouped together.

**Name:** Harry Backus

**Email:** habackus@mchsi.com

**Check all that apply:** Private Recreational Angler

**Comments:** Scoping Hearings for Summer Flounder, Scup, and Black Sea Bass Recreational Allocation Amendment

I would like to see the following amendments made to recreational fishing.

Summer Flounder slot limit of 16” to 20” and no closed season for recreational fishing.

Sculp a size limit of 8” with a creel limit of 25 and no closed season for recreational fishing.

Black Sea Bass size limit of 12” with a creel limit of 12 and a season from May 15 till December 15 for recreational fishing.

Thank you

**From:** Vetcraft Sportfishing

**To:** Beaty, Julia

**Subject:** fluke/scup/sea bass allocation amendment

**Date:** Thursday, January 9, 2020 12:18:56 PM

Good morning Julia. I would like to submit the following comments regarding the fluke/sea bass/scup allocation amendment

I always like to suggest comments that will benefit the most individuals and businesses as possible and at the same time suggest the most fair alternatives.

While I am not in favor of the modifications made to the stock analysis based on new mail based MRIP data, I think it is only fair to use those analytics to adjust allocations since we have already used them to adjust harvest parameters for the recreational and commercial sectors. While many alternatives are possible and many highlighted in the scoping document, I think the most fair and least disruptive is to update current allocations using existing base years but with current allocation data.

These allocation changes will be very minor using the above methodology and will be the least disruptive to both sectors. For example, in the fluke fishery, the large commercial increase in quota (based on new stock size parameters extrapolated from new MRIP data) will see a very minor decrease in allocation poundage compared to the recent increase in commercial harvest limit. The minor increase in quota to the recreational sector will help, albeit in a minor way, to support the failing recreational sector components.

Even though I am a charter captain, I do not favor any sector allocation separations for the for hire vs private sector as fisheries allocations are problematic enough without creating additional regulatory separations. I also do not favor limited access in the for hire sector as I feel this will not benefit the recreational fishing industry as a whole.

Thank you

Dr Harvey Yenkinson  
AP member fluke/sea bass/ scup

Capt Harv  
Vetcraft Sportfishing  
Cape May, New Jersey  
Call or Text 610-742-3891  
Email: vetcraft@aol.com  
www.vetcraftsportfishing.com

**Name:** Gary King

**Email:** gking5090@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** To whom why put the rules on Delaware fishing Pearson why Delaware what with ocean city Maryland catching everything and don't even eat there share. Taking away our Fishing Sport Is Wrong. Size 17-18 bigger are great meat size —3—4 a vessel is great for flounder. Size for Sea Bass great size

Why Hurt Delaware Sports Fishing People Stop And Think That Delaware is Not Taking Fish Under Size Or Over Fishing Maryland put Rules There Virginia limit Them New Jersey fishing crew come to Delaware go to Maryland Virginia Wiping Delaware Out

Stop Virginia Stop Maryland for Over Fishing then The Fish Will Spun in Delaware Waters No Always Hurt Delaware This is The Truth

Plus Your Great Vessel Dropping necks

I seem these vessels outside on the Shipping Channel

Two three of them close to shoreline

Why

Look at them Cleaning out Anything

That is Your Problem

Stop Them

Go Check out the Stores That Throw Away Fish Clams ECT

More Fish Wasted There's Where's to Stop It Limit Them not Fishing people who want to get out on the water

Fishing Vessels Go Check There Cacth Big Vessel Cleaning Up The Water

Limit Them

Check Them Out Fine Them look Inside Those Vessel's Wiping out All Cleanings Out the Water

Stop Them

I Vote Again hurtling my Fishing Right go After The Big Vessel's Droppings Huge Nest Start Limit There Catch

**From:** Beverly Lynch  
**To:** Beaty, Julia  
**Subject:** fluke scup seabass allocation amendment  
**Date:** Friday, January 10, 2020 12:44:58 PM

Comments from Beverly R. Lynch and Edward T. Smith, Painter, VA 23420

Regrading Black sea bass allocation

No action required

If the cliché, If it ain't broke, don't fix it, ever applied to anything, it applies to this.  
And another cliché, opening a can of worms.

I recall dreadful controversy in deciding the current allocations. You can only estimate recreational landings, whereas all commercial landings are recorded to the pound. Your data states there is a 7% discard rate in commercial versus a 15% discard rate with recreational. Mr. Smith has heard it is much more for recreational boats. With commercial catches, all of it is used. Leave it alone.

**Name:** Shane Groft

**Email:** sgroft13@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** We all know it's not the recreational fisherman I get maybe 5 days a month to fish. Need to stop the drag netting. Why don't you increase fishing License while you at it.  
(Sent via *Mid-Atlantic Fishery Management Council*)

**Name:** Don Kiesel

**Email:** kieseldb@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** I have fished from Cape May to Cape Charles for 55 years, including the Delaware and Chesapeake bays. There is no question that the quality of fishing has declined dramatically. The fisheries statistics I've seen over the last 20 years just cannot be reconciled with what my fishing community and I have experienced. I fish more than 50 days per year. It shouldn't be this hard. Four fish fluke limits are a joke and at this rate 4 fish days will soon be a thing of the past.

Fisheries management is facing a complete loss of confidence from the recreational fishing population. The process to date just hasn't produced observable improvements.

The recreational inshore fisherman has taken a beating. There are certainly multiple elements to the decline of summer flounder and black sea bass, but continuing to permit draggers to harvest the same quantity of fish going forward is just plain nonsensical. In my opinion reconciliation and modeling of old bad data with new unproven data isn't the answer either.

Bringing young anglers into the sport is exponentially more difficult if not impossible.

It is time to quit worrying about the political implications of preserving an economically modest commercial fishing industry. It's time to focus on conserving the resource. Cut their allocation 50% for 3 or 4 years and then look at what recreational fisherman have to say.

**From:** romanaround5246

**To:** Beaty, Julia

**Subject:** "Fluke/Scup/Sea Bass Allocation Amendment"

**Date:** Monday, January 13, 2020 5:02:28 PM

Hi Julia,

I am writing to you today to voice my opinion on "Fluke/Scup/Sea Bass Allocation Amendment". I think that there should be a change in the allocation of fish quotas. But before any decision is made, we need to look at data from both the commercial and recreational sectors. First, we need to include both catch and bycatch on all trips. We also need to include moratorium of species into these figures. We need to subtract these figures from the total allocation before we divide them between sectors. I think your figures don't represent the total picture.

Another issue is in the recreational sector. There should be no difference between recreational and charter/party boat regulations. Allowing the bonus season for porgies is ridiculous. How long will it take before that species becomes depleted? Oh, that's right, we will be decreasing the quota this year by 18% and next year by 21%. If you want to continue to do this then there quota should be come from the commercial sector.

If we had to make a decision right now without any more information, I think we need to change the limits a little in the favor of the recreational sector. The only reason I say that is because the commercial sector has a bigger range in the fish species size limit. Even though they have that option, the market pays a certain price per pound per species. So if a commercial fishing vessel is catching fish at the lower level of the size range, he is throwing it back in order to keep the bigger fish. After they pick thru their catch, they throw back the small ones but they are already dead. None of these commercial boats are counting that against their quotas. The recreational sector is not allowed to cull fish!! We need law enforcement and stronger penalties for violators in both sectors. For example, I see the commercial boats outside the break walls outside the Port of Galilee sitting there for at least twenty minutes attaching huge flocks of sea gulls. What do you think that they are doing?

Thank you for giving me the opportunity to voice my opinion in this matter. Fishing is a strong passion of mine. Over the years and continuing into the future, I will be putting plenty of time and money into this sport.

Sincerely,  
Roman Dudus

**From:** romanaround5246  
**To:** Beaty, Julia  
**Subject:** Fluke/Scup/Sea Bass Allocation Amendment"  
**Date:** Wednesday, February 12, 2020 7:47:42 AM

Hi Julia,

I would like to voice my opinion on the Fluke/Scup/Sea Bass scoping issue. I know it is a difficult decision but there are a number of key issue. First we need to know how accurate the numbers really are? Also, we need at add discard into the equation by both commercial and recreational sectors.

As for scup, I think that there is something wrong with the numbers. The break down is that the commercial sectors gets 78% of the quota and the recreational sector gets 22%. Being able to take 30 fish per person per day is a little outrageous wouldn't you say. Not to be outdone is the 50 fish per person per day on a party/charter boat between September 1st and October 31st. How many fish are we actually taking out of the stock?

As for Fluke, I think that this species needs to be looked at. We need to calculate how much discard is effecting the stock population? The undersized fish being thrown back by both the recreational and commercial sector must be sickening. Recreational sector is complaining that they are throwing back mostly shorts and the commercial sector is throwing back the keeper smalls in favor of the bigger fish because they are worth more.

On the Black Sea Bass species, there are alot of small throwbacks to go with the keepers. I think there needs to be a reevaluation on this species. I hear alot of complaints about this species doing damage to the lobster population. I haven't heard a lot of complaints about the numbers in a negative way. This maybe the only stock that I see as stable the way it is with concerns about scoping.

I think that before anything is decided, we need to see data on what is being caught(and by whom), what is the total(complete) included legal and discard and the overall health of the fisheries. By just setting these allocations because of feelings doesn't make sense. I understand it is a tradeoff between the recreational and commercial sector and making sure the commercial sector gets more of the desirable fish so they can make money, but we need to take everything into consideration. And how we monitor the species.

This is just my opinion and I Thank You for giving me the opportunity to voice my opinion and to you for taking the time to read this email.

Sincerely,

Roman Dudus

**Name:** Bill Rathjen

**Email:** billar@verizon.net

**Check all that apply:** Private Recreational Angler

**Comments:** There should be an allowance to keep 1 fluke 16". Consideration should be given for a slot size also. Large fluke are females and breakers. Let the recreational fisherman go home with 1 fish. Tidalwater throwbacks are 25-1 or better.

**From:** jean public  
**To:** Beaty, Julia; The Pew Charitable Trusts; INFORMATION@sierraclub.org; PETA Info; info; Erica Meier  
**Subject:** Fwd: comment  
**Date:** Saturday, January 25, 2020 3:20:58 PM

public comment on federal register  
they are having local meetings if some fish savers and protectors could show up and speak at these meetings. i am asking for a 50% cut in the quotas of fishing for scup, bass and flounder. this comment is for the public record. please receipt. i am interested in sustainability, not profiteering for commercial fish profiteers who will take them all if they were allowed to. their greed has no bounds since they go out on boats with guns to kill dolphins, and other marine mammals who need to eat fish. we are sick of seeing these animals show up on our shores dead from gunshots. this comment is for the public record please receipt. jean public jean public1@gmail.com

**From:** Jean Public  
**To:** Beaty, Julia; Leaning, Dustin Colson; information@sierraclub.org; info@pewtrusts.org; info@peta.org; humanelines@hsus.org; madraven@gmail.com; info@godscreaturesministry.org  
**Subject:** re below hearing which i cannot attend  
**Date:** Friday, February 7, 2020 11:46:30 AM

<http://www.mafmc.org/newsfeed/2020/mafmc-asmfc-sfsbsb-allocation-scoping-hearings>  
my comment is to cut by 50% all quotas which you have come up with because you work too closely and take the information from commercial profiteers, which is so often inaccurate and misleading since they want to fish unencumbered so they can take every fish in the ocean. the fish belong to the people of this nation 330 million strong. we cannot continue to be robbed by these commercial profiteers who you seem to represent solely. this comment is for the public records please receipt. jean public jena public1@yahoo.com

**Name:** jean public

**Email:** [jeanpublic1@gmail.com](mailto:jeanpublic1@gmail.com)

**Check all that apply:** Other (please describe below)

: noyb

**Comments:** cut all quotas for flounder, scup and bass by 50% immediately and stop working only for fish killers. you are supposed to be working for 330 million of us not just profiteers.

(Sent via *Mid-Atlantic Fishery Management Council*)

**Name:** russ pelose

**Email:** rpelose@opex.com

**Check all that apply:** Private Recreational Angler

**Comments:** It would be nice if you up the limit on fluke to sic per person

**Name:** Joseph Caldaro

**Email:** 1minears@gmail.com

**Check all that apply:** Private Recreational Angler, Commercial Fishing Industry

**Comments:** Hello i am a recreational fisherman and i am wondering why is it allowed for a commercial fisherman allowed to keep 14" Fluke and recreational fishermen can only keep 18". The commercial fisherman are taking all the 14" and not letting them grow to 18" for us. They are robbing the cradle. I think this has to be addressed this year because fishing is getting worse than it has ever been before. Also if you noticed the Asbury park press hardly writes anything on fishing anymore. Why? Because there is nothing to write about. And i am sure all the head boats are saying the same thing. You know when you go out on a head boat and get nothing All day long the captain tells you well we tried but they didn't bite today. You know why he says that because he also knows that the commercial fisherman are cleaning out the bay. And please guy's don't kill the recreational fisherman with more regulations. Move the commercial fishermen out further and let us enjoy a good day out there with our families. Thank you and Happy fishing

**Name:** ROBERT GALDO

**Email:** rfgaldo@verizon.net

**Check all that apply:** Private Recreational Angler

**:** ROBERT GALDO

**Comments:** We throw back all flounders under the legal size. You would think that the following year we would have more legal size fish. NO., WE STILL GET ALL UNDERSIZED FISH. Then I learned that the Commercial Fishers keep every fish 14" and up. In other words, what we throw back the Commercial Fishers keep. No wonder we don't get bigger flounders the following year. IN effect the Recreational fishermen subsidizes the Commercial Fishers. This is not fair. We spend good money to fish and help the local economy. To go home with no fish or only one is frustrating.



**Name:** barbara sachau

**Email:** bsachau@gmail.com

**Check all that apply:** Other (please describe below)

: ciizen of the usa

**Comments:** quota shoudl be zero for this allocation. we need sustainability on fish. quotas have been so large that the species is almost exinct. quota shoudl be zero.

**Name:** Eric plath

**Email:** fatsep@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** If you don't put tougher regulations commercial guy's we're not going to have any fluke for our future. Plain and simple it's not the recreational fisherman that are the problem.

**Name:** Marc Chiappini

**Email:** chipnsnj@yahoo.com

**Check all that apply:** Private Recreational Angler

: Flounder and Black Sea Bass

**Comments:** After spending thousands to maintain my boat, slip fees, fuel etc. each year to enjoy some fishing, it is extremely frustrating to have to throw back fish that the commercial operators get to keep and sell.

Size limits should be the same for all.

As to Delaware Bay, it should be managed as one body of water not two as per the two states. Delaware keeps it's Flounder season open all year and NJ does not. Unfair to those that fish in Del. Bay and have to throw back fish that a Delawarean gets to keep. Same limits both sides of the bay please.

**Name:** Nick Verducci

**Email:** nverducci@comcast.net

**Check all that apply:** Private Recreational Angler

**Comments:** I urge the magic to consider a slot fish from 16"-17.5" for summer flounder with a 3 bag limit. The keeping 18" plus fish has been an incredible failure. The flounder population has been decimated because 95% of the flounder 18" and larger are females. It's time to change this horrible practice by creating a slot limit for flounder.

**Name:** Thomas Smith

**Email:** smith.tom560@gmail.com

**Check all that apply:**

: No affiliations with any industry associations. Comments directed to state of summer flounder fishery.

**Comments:** Ladies and Gentlemen of the Commission, Council and Various Other Committees,

I've updated the analysis involving recreational and commercial weights being used to manage the summer flounder fishery. Weights for commercial, I understand through recent email exchanges with Michael Plaia, arrived at from dealer reports and not VTR's. That being said, there has to be a commonality between the two since landings are landings and numbers involving from both sources should not only be close they should be identical.

With that said, please review the attached analysis I've updated from my 1/31/20 email attachment, which should make clearer to everyone on this email my concern regarding the disparity in weights being used to quantify commercial landings (and subsequently discards) relative to recreational landings. In summary for the period 2000 through 2017, 5.8 million more fish landed by the recreational community resulted in 71 million more lbs. assigned to those fish with no significant differences in landings composition involving age classes. Every additional fish landed recreationally would have to average over 12 lbs for that to be remotely possible. The methods used to assign weight values to commercial catch through dealer reports and recreational catch values assigned through MRIP are off by as much as 25% involving landings of similar age class fish.. That's not possible based on the data since we're harvesting from the same biomass and a huge problem needing correction before 2020 regulations are finalized.

If you compare mean weights from the 66th SAW, commercial weights assigned to landings in total for the 18 year period 2000 through 2017 illustrate over-reporting of weights in 5 of those 18 years and under-reporting for the remaining 13 years. Interestingly the first 5 years are over-reported and the last 13 under-reported. Comparably for recreational, weights for all 18 years are significantly over-reported. This coupled with the use of size minimums as the preferred management measure for the recreational sector to manage reductions leading to as much as 75% of the harvest-able biomass (fish over 14") becoming exclusively eligible to the commercial sector, it's no wonder average catch on 2018 angler directed trips was a mere 1.3 fish.

I'll repeat the same in the hopes of someone on the Commission or Council listening.. We have an enormous recruitment problem in this fishery caused by the harvest of older age classes and too many sexually mature fish heavily weighted toward fecund females being removed from SSB. Same problem primarily leading to the 1988 crash. The analysis based on science's own data makes that statement irrefutable, but how we got here doesn't matter. What we do next does or this fishery crashes a second time by 2024. Between 2000 and 2009, the biomass population increased by 48 million fish from 146 million to 194 million. Recruitment for that period was almost 600 million fish and combined landings were 131 million, which excludes discard mortality. Assuming a 33% discard rate, total removals or F would be about

170 million fish. Recruitment at 600 million, F at 170 million or a surplus of 430 million fish additive to the fishery and the biomass population increased by a mere 48 million fish. The difference I've been told is M or natural mortality assumptions which is a material number at 25% annually as the SAW states that's the standard. 430 million fish net added to the fishery for the decade and the biomass population increases by a meager 46 million fish. If that doesn't emphasize the importance of recruitment to this and every fishery, nothing will.

image.png

Scroll forward to the decade we're in, 2000 to projected 2019. Recruitment will be down by over 200 million new recruits from the prior decade referenced. Combined landings are projected at between 90 to 95 million or ~40 million less fish from the prior decade with discards factored in. The biomass population has already declined from 2009 to 2017 by 72 million fish as a result.

Based on the above, I challenge one person on this email to provide a plausible reason to believe this fishery has any direction to go but down. 70 million less fish in the population over the years 2009 - 2017. A major decline in the female proportion of SSB. Estimated 40 million less females in the population over the same period reducing egg production by an estimated 30 - 40 trillion less eggs annually causing recruitment levels to plunge. Every relevant age class making up SSB has experienced severe declines in gender composition, recruitment levels have fallen off the cliff yet we continue the practice of commercial harvest during the spawn coupled with a significant percentage of the overall commercial harvest in the winter months when the biomass is densely concentrated and most vulnerable. That's not management, that's politics and blatant disregard for the health of the fishery. Discard rates are at historical highs both commercial and recreational. To illustrate that point, new MRIP statistics state between 2010 and 2011 the recreational sector generated 107 million discards in the process of harvesting 7.8 million fish. Incomprehensible statistics. It's what happens when you increase size minimums to manage catch. 7.8 million fish harvested over a 2 year period that resulted in 107 million fish being caught and discarded. Same is happening with commercial when they target older age classes, discard rates surged higher and since commercial carries an 80% discard mortality rate, the impact to the fishery conceivably might be greater.

No one can or has provided a reason to believe this fishery isn't headed towards a second crash which will be far worse than the 1988 crash due to the number of variables involved. When it fails, it'll fail for for both the commercial and recreational sector. For all practical purposes, recreational has already essentially lost the fishery if 91% of 2018 recreational angler trips as reported at the December Annapolis meeting ended in an average harvest of 1.3 fish per angler. The damage done to the recreational sector is indeterminable but significant. Twenty years of sacrifices and this is what the public, both commercial and recreational, get in return. Unfathomable.

The Commission, Council, SCC, MC, AP and NEFSC have to start managing this fishery with the following in mind. For every female harvested, we're not harvesting one fish we're destroying between 400,000 to 4 million eggs for every subsequent year that fish might survive. In a fishery with the dynamics between growth rates, fecund levels between younger and older age classes, low levels of egg survival etc, managing catch and the overall fishery in

general by mandating or promoting the harvest of older age classes might be the most inefficient and ineffective approach as opposed to the most effective as the Commission and Council have stated.

If what I've outlined doesn't prove that point, truthfully I don't know what else to add. This is marine fisheries and sciences own data, not mine nor third party. If my facts or trends are wrong, pointy them out BUT support your position with data.. If regulations aren't changed and problems causing a catastrophic failure in recruitment not addressed, this fishery crashes again by 2024 at latest and will take decades if ever to recover. When, not if, that happens, everyone loses and lives will be ruined.

In the absence of substantive replies to address the issues outlined this week, I'll forward the analysis to the governing bodies mentioned in my 1/31/20 email to push this forward. The ocean's fisheries are a public resource, failure to address a decline and misappropriation of this magnitude is a failure of fiduciary responsibilities managing this resource for the fishery itself and equitable apportionment of it's constituents.

Sincerely,

Tom Smith

**Name:** Thomas Smith

**Email:** smith.tom560@gmail.com

**Check all that apply:**

: Summer Flounder / MRIP Assignable Recreational Values

**Comments:** I've written the Commission, Council, SSC, MC, AP and NEFSC multiple times regarding the issue I'm raising without reply. Allocations are a weight measurement whether in the form of OFL, ABC, ACL, RHL or ACT. If we're in agreement, any disparities involving the weight values being assigned between commercial and recreational catch involving dealer reports and MRIP will impact allocations, annual quotas and estimated catch levels within every fishery under management. If both sectors are harvesting from the same biomass and comparable age classes, there shouldn't be discernible differences in weight values being assigned. It appears there are and will impact the allocation of catch quotas, valuation of catch levels and policy decisions. In at minimum the summer flounder fishery, I believe weights being used between sectors are substantially different to the degree of ~30%. I've submitted my analysis multiple times without as much as one reply. This process of revised allocations can't be finalized until the issue I've raised is addressed since weights are the underlying foundation of the allocation process.

Additionally, there's a major issue, which I believe represents a violation of MSA and FMP, regarding the allocation not of catch quotas but the availability of the biomass available for harvest by industry sectors, the direct result of size minimum disparities between sectors. In the case of summer flounder, dependent on the year and age composition of SSB and let's use 2010 as an example, 60 million fish or 75% more of the harvestable biomass (fish over 14") are eligible for the exclusive harvest of the commercial sector.

FMP in 1982 mandated management strategies implemented are equitable to the major

recreational and commercial components of the fishery. Allocating 75% of the biomass to any one sector is not an equitable allocation of the fishery which needs to be addressed.

Third and final point is in 2018 91% of self-directed summer flounder angler trips resulted in the harvest of on average 1.3 fish per angler trip. That being the case, how would a reallocation of quotas benefit the recreational and commercial sectors or the fishery as a whole. Allocations are important, but don't address any of the issues effecting the health of the overall fishery and as such should be subordinate to those issues being given priority and the full attention of the management bodies..

**Name:** Thomas Smith

**Email:** smith.tom560@gmail.com

**Check all that apply:** Private Recreational Angler

: Scoping Process / Summer Flounder Fishery

**Comments:** Additional comments regarding the scoping process specifically as they relate to the summer flounder fishery.

For summer flounder, 60% of the annual total allowable landings is allocated to the commercial fishery and 40% to the recreational fishery based on 1980-1989 landings data. These allocations were implemented in 1993 through Amendment 2 to the Fishery Management Plan (FMP).

While I agree the allocation of a stock between industry sectors should reflect an historical perspective, using statistics from 30 to 40 years ago is outdated and obsolete as every aspect of the fishery at that time is different than today when you consider the regulations in place, the prevailing catch statistics of the fishery and the stock's current attributes. In addition, that decade can be summarized as one of overfishing the stock ultimately leading to the collapse of the fishery in 1988 when recruitment statistics hit their record low of ~12 million new recruits, SSB hit a record low the following year in 1989 at ~7,000 metric tons and the biomass population collapsed to a mere ~62 million fish, a low water mark for the fishery as well. Hardly statistics or a period in the history of this fishery I would base current management or allocations decisions on. FMP needs to be amended to incorporate an allocation methodology using a rolling average assumption of catch characteristics between sectors reflective of the current fishery. A trailing 10-yr average would be a more current and relevant methodology of allocation the stock reflecting a more current representation of both regulatory drivers and catch statistics. I would argue the same is true for all fisheries under management. No business operates on statistics from 40 years ago, why should fisheries management.

As a side note, I find it interesting in light of the FMP mandate to use 1980 to 1989 as the baseline period determining quota allocations, that the 80's represented the only decade of the past four where weight values based on age groups for recreational landings were lower than weight values assigned to similar age classes used to calculate commercial landings. Size minimums at the time were the same at 13" for both sectors so average landings weights by age by sector arguably should have been identical but were not. Today, 70% of landings in

both sectors represents age classes 2 to 4, but if you compare weight values assigned in 2017 to both sectors recreational values on average are 43% higher than commercial. The direct result is lower valuations for recreational landings in the 80's creating a higher allocation percentage for the commercial sector. To compound the problem, currently higher relative weight values recreationally based on new MRIP for comparable age classes has driven annual recreational landings higher leading to more restrictive regulations. More restrictive regulations ultimately leading to a higher allocation of annual catch quotas to the commercial sector which is precisely why that sector was granted a 104% increase in commercial quota over the last two years while the recreational sector on a net basis maintained status quo. New MRIP statistics, in all their uncertainty, are reflecting a 60 / 40 split in favor of the commercial sector driving this allocation process but for the years 1990 to 2017 the same allocation methodology shows a 55 / 45 split in favor of recreational. A 15% difference in allocation percentages being completely ignored in this scoping process for this particular fishery.

In 2018, directed angler trips of ~1.6 million resulted in 2.4 million fish landed recreationally. That equates to angler trips, specifically targeting summer flounder, resulted in on average 1.5 fish per trip. In the process, landings came in at 7.6 million lbs., slightly under our 2018 recreational harvest limit "RHL". What that means is in spite of the higher daily possession limits the recreational sector has based on individual state regulations, those possession limits are theoretical limits. Practical possession limits for the recreational community have been reduced to a one possession trip limit as if we over fish that number we'll exceed the annual RHL triggering even more restrictive regulation in the future if that's even possible. Can't really go lower than a one fish practical possession limit without simply allocating the entire fishery to sole exclusivity of the commercial sector, not far from where we are today. No possession limits were changed to 10, then 8 and for all practical purposes are now at 1 to the recreational angler today.

For comparison sake, the commercial sector was just given a 104% increase in their landing quota from 5.66 million lbs. in 2017 to 11.53 in 2020. Number of fish landed recreationally in 2000 was 13.05 million compared to projected 2.22 million in 2019, an 83% decrease in fish landed over the last two decades. For the same time frame, commercial landings in 2010 at 5.6 million fish are projected at 5.1 million for 2020, a decrease of 9% as a result of the 104% increase they received in commercial catch quota.

This fishery for all practical purposes has been taken away from the recreational sector. Regulations are killing a family tradition arguably shore based communities have been founded on, causing significant economic consequences to the recreational sector and if not addressed will eventually destroy this fishery which is currently experiencing a slow death. Starting with the allocation methodology mandated by FMP and continuing with the use of size minimums recreationally and the unabated harvest by the commercial sector of older age classes, a high percentage from the EEZ during the spawn and winter offshore fishery, this fishery is trending in the wrong direction. Regulations have wreaked havoc on the fishery and this allocation methodology and new MRIP statistics have wreaked havoc on the recreational sector. Both need to change.

The above disparities outlined in this fishery have to be a direct violation of MSA National Standards 4 - "Allocations" as well as FMP 9.2.1.4 (A), (B) and (C) "regarding nondiscriminatory

measures between fisherman of all states”, “fair and equitable allocation of the resources” “carried out in such a manner not to prejudice any individual, corporation or other entity acquiring excessive shares of such privileges”.

**From:** Boat Whisperer  
**To:** Beaty, Julia  
**Subject:** Fluke/Scup/Sea Bass Allocation Amendment  
**Date:** Tuesday, February 4, 2020 11:22:40 AM

Julia,

I live in Fort Monroe, VA. Please do what you can to reduce the amount of fish that is harvested by commercial fishermen using nets. The "Wanchese" fleet is located next to our marina, and it breaks my heart seeing those massive steel boats and deadrise boats going in and out every day with tons of fish from the Chesapeake bay and the local mid Atlantic. The local recreational fishermen report catching tiny croakers that get through the nets, if anything at all. The striper population has been decimated. The menhaden are a tiny fraction of what they used to be. Flounder are smaller and fewer than ever. We need help. The commercial fishermen will go after the last fish if you show them where it is.

Recreational fishermen add a hundred times as much to the local economy per fish as the commercial fishermen, and they do not wipe out the entire population. I would even like to see a limit of two fish per person, and a ban on commercial fishing in the bay, until fish populations return. Menhaden fishing in the bay should be permanently banned. Omega Protein has gotten too efficient at removing entire schools and populations, and has proven (repeatedly) that they can't be trusted.

Please help.

Thanks,

John Doucette

" Commercial fishermen in the Mid-Atlantic region harvested 570.9 million pounds of finfish in 2011 compared to 41.8 million pounds of fish caught by anglers. Commercial landings of species that matched those of anglers were worth \$105.2 million. Including multiplier effects, this revenue generated \$451.8 million in sales, \$162.6 million in income, \$224.9 million in value added (GDP), and supported 7,373 jobs. Anglers spent \$3.7 billion in 2011. Including multiplier effects, these purchases resulted in more than \$3.8 billion in sales, \$1.3 billion in income, \$2.0 billion in value added (GDP), and supported 26,714 jobs."

**Name:** Ronald Onorato

**Email:** captron1@optonline.net

**Check all that apply:** Charter/Headboat For-Hire Captain, Commercial Fishing Industry

**Comments:** The commercial allocation for New York State (all three species) needs to be adjusted more equitably to reflect the northerly migration of the fish. The data originally used to establish initial commercial allocations was inaccurate and outdated. State allocations need to be readjusted. The commercial /recreational allocations also need to be readjusted. The recreational sector is continually over harvesting its allocation. The commercial sector should

receive a higher percentage of each species allocation.

**From:** John Caruso

**To:** Beaty, Julia

**Cc:** John

**Subject:** Fluke regulations

**Date:** Wednesday, February 5, 2020 12:02:35 PM

I'll like you to consider my opinion on the upcoming fluke regulations. I contend that fisherman like myself who adhere to size and catch limits are killing too many fish deemed to be small. I use circle hooks and never dead stick while fluke fishing. Still, many undersized fish aggressively swallow the entire bait and hook. I do my best to remove hooked fish but many times, I'm concerned that it is not enough and the fish won't survive. Keep the catch limit but lower the size of the allowable keepers. I am positive this will actually be beneficial to the continued health of this fish population by cutting down on damaged fluke that do not survive de-hooking.

Thank you.

Dr. John B Caruso

**Name:** Christopher Yoda

**Email:** cyoda6@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** It is increasingly more difficult to catch a keeper summer flounder let alone a limit. I fish over 150 days a year, mostly from land and have only caught 7 keepers in the last 3 years. Clearly there is an issue with management. i'd like to see a reduction in commercial as well as recreational take. Perhaps a slot limit for recs. The current management is a joke and this species is vanishing from our waters.

**Name:** Matt Scirpo

**Email:** matt.scirpo@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** I hope that regulations on Scup are left unchanged. I am a recreational shore angler who mainly fishes from public beaches and fishing piers. In my experience, the last few years of Scup fishing have remained very productive and I don't personally see reason to restrict what I can take home. On a regular day (not too slow, not too fast) I will typically catch a fish every 3-5 minutes or so, most of them legal size and taken home. If changes are to be made, I would support only raising the legal fish size 1 or 2 inches, but keeping the bag limit the same. Thank you for listening.



**Name:** John BAPTISTE

**Email:** jackbrosi@aol.com

**Check all that apply:** Private Recreational Angler

**Comments:** I am a recreational angler that has been fishing Vineyard Sound for the past 40 years primarily for the table. In addition to the decline in Striped Bass which is being addressed, the following is my personal observations of the following species:

Black Sea Bass, has been excellent for the past couple of years with many large fish especially in the spring before the fish move off to the area SE of the Vinyard.

Fluke, has been horrible the last few years with the past year the poorest I have seen in the 40 years I have been fishing for them, please consider keeping the day trawlers out of Vinyard Sound as they are decimating the species!

Scup, have been about the same for the past few years with a drop-off in 2019, especially in larger fish.

Blue Fish, have definitely been on the decline the past few years.

**Name:** Eric Olson

**Email:** eolson83.capecod@gmail.com

**Check all that apply:** Commercial Fishing Industry

**Comments:** Hello. My name is Eric Olson. I'm a hook and line commercial fisherman from Chatham, MA. I write simply to share that I feel MA needs to reopen access to commercial Black Sea Bass permits. Our quota keeps getting cut and on top of that we can't get a permit if we didn't have one before 2011 I believe. Spending time on the water around the cape it is quite clear that the species is abundant and thriving. As is scup and fluke. I believe we deserve a period of open access with increased commercial quota. For us small boat fisherman, having access to these fisheries is essential for profit to be made. As it stands now striped bass is one of the only things hook and line guys can target inshore. It's frustrating to have an ocean full of delicious tasty fish that we can't access due to poor policy. Or perhaps the policy was good and the species rebounded, but in MA we certainly need to have more access to Black Sea Bass for hook and line fisherman (and pot fisherman) As far as I'm concerned the draggers are our main issue but...deep pockets. Maybe someday we will truly kill the beast and fish sustainably. Would be nice to think my children will be able to follow in my path. Remove dragger quota and put it in the hands of the rod and reel guys. Sea to table sustainably caught fish is the way of the future. Let's move forward. Take care

**Name:** Michael Grundy

**Email:** mgarmy@hotmail.com

**Check all that apply:** Private Recreational Angler

: Michael Grundy

**Comments:** For many years now, at least in South Jersey, it has been difficult to catch any keeper flounder and the size limit prohibits all but near doormat size fish. Ever taken a little kid fishing and you have to throw back everything you catch? Would like to see something that allows one or two fish at 17 inches. I believe we had that in the past. I will admit, the days of 50 and sixty flounder from Delaware Bay are over and need to be over to sustain the fishery, however the pendulum has swung way to far in the other direction.

Thank you for your time.

V/r

Mike Grundy

908-852-8160

**Name:** Henry Genthe

**Email:** voodoo2two@verizon.net

**Check all that apply:** Private Recreational Angler

: Henry Genthe

**Comments:** I would suggest closing the summer flounder season until the fishery rebuilds itself . There are to few quality fish caught recreationally anymore we can point at the daggers and they at us but the truth of it is OVERFISHING has occurred by both parties. Also if a short fish is gut hooked it should be kept rather than thrown back to die that practice is foolish and a wasteful use of the fishery sincerely, Henry Genthe

**From:** James Salvaryn

**To:** Beaty, Julia

**Subject:** Scoping hearing regarding fluke

**Date:** Monday, February 10, 2020 9:06:11 PM

After reading the data on fluke catches, one thing stood out to me: "Recreational dead discards averaged 14% from 2009 to 2018". If multiple 16 inch slot fish were allowed, the dead discards would decrease and the fluke stocks would not be as impacted. That would create enough additional live fluke to enable the commercial fishers to be able to catch more and the recreational fishers would go home with fish, rather than go out for a day of fishing and wind up killing and discarding a bunch of fluke between 16 to 18 inches. If you let the recreational fishers hit their daily bag limit, by including slot fish, the catch percentages between commercial and recreational fishers would not have to be changed and you could probably even increase the daily bag limit for recreational fishers. It would also allow for big breeders to be left in the ocean, as recreational limits would be filled with smaller fish.

**From:** Mike Griffin  
**To:** Beaty, Julia  
**Subject:** Fluke/Scup/Sea Bass Allocation Amendment  
**Date:** Monday, February 10, 2020 8:04:28 PM

As an active fishing and diving boat captain for fifteen years I'd like to offer a few thoughts on "Issues for Consideration" in regard to the allocation amendment being considered.

Under "Approaches":

1. I didn't see any mention of the newly planned Offshore Coastal Wind Farm and it's impact of environmental benefits or threats to our fishery.

The Council should play a role in receiving pertinent reports and/or statistical information regarding anything that might explain future changes in our fishery caused by the project or it's ongoing operation.

For example, does the council have a voice or mandatory participation in the approval process, e.g. on tower locations, to avoid disruption to our pre-existing artificial reefs? Is there an environmental risk, to our fishery, regarding ongoing maintenance, repairs and the use and disposal of specially developed lubricants, along the entire coast of NJ? Will the Committee have sufficient ongoing data to explain yet another variable of fishery changes from this new additional stakeholder. Is there a preexisting plan to quantify the expectations of the towers ability to draw any of the three species of fish and how will that new variable be measured and by who?

2. Could the bases of each tower work in conjunction or proximity of our pre-existing artificial reefs. e.g. new reefs could be structured to approach the towers. Or perhaps, combining new artificial reefs around and within the towers base.

3. Have there been studies of vibration, electrical or audible blade sounds, or sheer visual movement, caused by wind farms that has proven to disturb fish populations, especially the three species being considered?

Thank you for this opportunity to provide input into this important effort. Mike Griffin 908-812-3275

**Name:** Frank Boryszewski

**Email:** 40yrsL8@comcast.net

**Check all that apply:** Private Recreational Angler

**Comments:** I have been fishing for fluke since 1975 -2013 in the Raritan bay and now out of TOMS River through Barnegat or manasquan inlets. When size regulations would change to a higher size you would catch a lot of the size limit from the year before. I don't see the fish getting bigger each year since we have been at 18". Where are the fish. The quantity is gone along with bigger fish. Everyone I talk too is doing the same. I had a total of 4 legal fluke this year. It's not worth my time and fuel to go out. I don't expect to limit but I expect to have a fish for dinner. How many fish are we losing to dragger nets? Do we need to shut fishery to commercial rtial recreational fishing like the striped bass was when I started fishing? Thanks Frank

**Name:** blair seitz

**Email:** blairjulia@netzero.net

**Check all that apply:** Private Recreational Angler, Other (please describe below)

: blair

**Comments:** scuba divers , my wife & been scuba diving 32 years mostly off the coast of New Jersey , we are the eyes of the world , we can provide a lot of information , the Black Bass is doing a come back , the stock is small but a lot small Black Bass around. always give 2 to 3 Black Bass all season long & don't close it , . for Commercial fisheries lower the catch if that would help.. Summer Flounder - there is a problem , on scuba trips this past season only saw a few flounder & small stock, keep the 3 fish for the average fishing person but lower the commercial fisheries tonnage . Striped Bass EVER since Sandy Super storm the striped Bass have been less & less , that is the one fish we use a hook on . maybe 1 to 2 fish per boat would help the stock & keep people happy , commercial Striped bass don't know if there is a commercial catch ? lower it & keep China out of our waters. WE seen a lot of net boats this year & one net boat got to close to my SCUBA boat with all the proper flags flying . some net boats on the 3 mile line at times.

in closing contact the SCUBA divers like me & my wife , we see what's going on under the water , give fish per boat lowr but don't close it. thank you , Blair & Julia Seitz  
blairjulia@netzero.net any more info needed.

**From:** Joseph Horstmann

**To:** Beaty, Julia

**Cc:** jpappyhorstmann@gmail.com; Jim Hutchinson

**Subject:** Re: 2020 Allocation of summer flounder, sea bass and scup

**Date:** Monday, February 17, 2020 3:51:13 PM

Dear Ms Beaty,

I am now 73 years old and have been fishing for summer flounder/fluke and sea bass in New Jersey ever since I was a young boy. I am concerned about the viability of the flounder and sea bass fisheries and would like to see a sustainable fishery for my children and grandchildren.

Regarding the fluke fishery, the recent regulations in New Jersey have been three fish, 18 inches or greater/day. From what I've read, most of the larger fluke represent mature females, and the regulations seem to be targeting the breeding stock of the fluke fishery. This seems to me to be totally illogical and counter productive for the preservation of the fluke fishery.

I'm no different from the average fisherman. I like to catch big fish. I also would like to see the recreational fishing industry survive and thrive. Compromise would appear to be necessary on all sides. What I would suggest is that the 2020 fluke regulations for New Jersey be maintained at three fish/angler/day but rather than three fluke at 18 inches or larger, the new regulations would be one fish at 18 inches or larger and two smaller fish, i.e. two fish minimum of 16 inches but less than 18 inches or one fish 15-17 inches and one fish minimum of 16 inches but less than 18 inches. (Some of the smaller fish should represent male flounder.). This should help not only to build the breeding

stock but also allow recreational fisherman to bring home fish for dinner and party boat operators to continue to operate pools for the largest fish.

Regarding the sea bass fishery, what concerns me the most is the dead discards. When I go out on party boats, we often fish at deeper depths and the fish suffer from baro-trauma with dilated swim bladders. I've read articles on venting the dilated swim bladders but this does not appear to be performed by most fisherman. Maybe an educational campaign by your organization would help to decrease the dead discard rate.

Thank you for considering my suggestions.

Sincerely,

Joseph P. Horstmann

**Name:** scott lundberg

**Email:** REELSPORTFISHING@aol.com

**Check all that apply:** Charter/Headboat For-Hire Captain

**Comments:** As a full time charter boat captain in Pt. Judith Rhode Island since 1993, I would support separating private and shore anglers from the for hire industry in the recreational allocations. We have our own accountability through daily electronic reporting and this would give our industry some stability. I often compare our businesses to a shoe store. You can not stay in business if you only have one shoe style in size 13. Our business's have continually given up fish every year. The for hire industry is a very, small piece of the recreational pie. As I stated earlier this would give our industry stability. Sincerely Yours, Capt. Scott Lundberg

**Name:** Jerry Groll

**Email:** jegroll@comcast.net

**Check all that apply:** Private Recreational Angler

: Jerry Groll

**Comments:** I have read the information about harvest of bluefish, flounder, scup and black sea bass. It seems that in this day and age, the lack of change in fisheries management for 30 years is hard to imagine. The improvement in documentation of catches, and biomass stock, contrasts with the way that quotas are calculated. I strongly urge that the commercial and recreational quotas be recalculated, on a regular basis (every 5-10 years), to correspond to the changes in both commercial and recreational fishing catches over time. It seems to me that a more scientific and realistic quota evaluation can be made over time, especially with the changes in our abilities to evaluate stock and spawning stock biomass, and for all fisheries, their inter relatedness.

**From:** Louis Papp  
**To:** Beaty, Julia  
**Cc:** Clark, John (DNREC); Stewart Michels; Jerry Groll; Allan Cairncross  
**Subject:** Fluke/Scup/Sea Bass Allocation Amendment  
**Date:** Thursday, February 20, 2020 7:39:13 PM

Dear Julia Beaty,

This e-mail is my submission of my comments associated with the “Fluke/Scup/Sea Bass Allocation Amendment”. Below are my thoughts on the various issues offered for consideration:

- 1) No action/status quo – I am totally against this option. To allow this option to continue after 30 years is a terrible injustice. Our world ,our fishery, are dynamic systems in constant change and need to be treated accordingly.
- 2) To change to a new allocation system, I feel it should be developed by using the last 5 years of data and then changed every 5 years based again on the last 5 years of data.
- 3) Allocation should be based on catch including discards.
- 4) I agree socioeconomic data, analysis and other considerations should be used to modify the allocations based on optimization of economic efficiency and socioeconomic benefits for each fishery, assuming this can be done in a fair, logical and accurate manner.
- 5) I do not feel there should be a special allocation for-hire versus private boat and shore based fisheries. Our management system is complex enough without adding more variables.
- 6) I am against allowing the transfer of allocations from one sector to another.
- 7) I don’t have a problem using allocation set asides to adapt to unforeseen circumstances if they are logical and makes sense, are fair and can be calculated accurately.
- 8) Catch limits should be defined in pounds or /and numbers of fish as they now are.
- 9) Allocations should be dynamic never static
- 10) The option to make future allocation changes through a framework/addendum being shorter and more efficient makes sense.
- 11) While much progress has been made improving catch accounting and estimating methods in the recreation sector, more improvement is still needed for greater reliability.
- 12) I agree that improving accountability in the recreation sector is necessary.

Best Regards,

Louis Papp  
306 west Cape Shores Drive  
Lewes, DE. 19958  
302-645-0230  
Loudot2@verizon.net

P.S. I am your common everyday recreational fisherman who likes being outdoors and enjoys fishing as a sport and relaxing exercise. I also feel our fishery needs to be managed for sustainability for future generations, like my children and grandchildren who just love the sport.

**From:** Robert Matthews

**To:** Beaty, Julia

**Subject:** Fluke Regulations

**Date:** Tuesday, February 25, 2020 2:38:36 PM

I propose we go to a 17 1/2 inch 3 fish limit, we are in the rental boat business and Bait and Tackle shop these larger size limits are killing us.

Robert Matthews

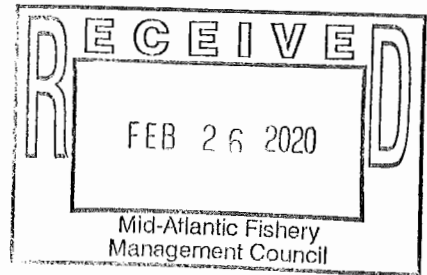
Fishermen Den

905 Rt 35

Belmar N J 07719

February 23, 2020

TO: Dr. Christopher Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901



FROM: James A. McCauley  
34 Blossom Court  
Wakefield, RI 02879  
401-783-6472

SUBJECT: Fluke/Scup/Sea Bass/Allocation Amendment

The beginning of my comments focuses on the size of the fishing grounds where all three species are known to be located and the probability of a much greater expanse for sea bass. The proposed amendment has the recreational landings nearly equal to the commercial landings for sea bass and the fluke landings slightly favoring the commercial sector at 60/40.

By definition, the recreational fisheries take place in state waters which extend out to three miles from shore. By comparison, Federal waters extend out to 200 miles beyond state waters. Looking at a nautical map, the extent of the available fishing grounds out to 200 fathoms and the US exclusive economic zone line to the east, which includes all of Georges Bank and the Gulf of Maine, minus a few closed areas, the recreational fishery sector would be less than 3% of the commercial sector. In addition, the recreational sector landings occur primarily between May and September.

The Magnuson Fisher Conservation and Management Act was passed by Congress in 1976. The significance of that statement is that forty-four years have passed since there has been any significant pressure on our east coast fisheries. I personally witnessed the efforts, night and day, every day, of the many Russian, Japanese, Spanish and Italian vessels from 1962 when I started fishing my eighty foot side trawler, the "Jerry and Jimmy".

Despite twenty years or more of foreign fishing efforts, fluke commercial landings in the 1980's were in the 30-million-pound range. Part of the reason for that level of fluke landings was the increase in the number of new steel boats built in the late 1970's and 1980's. These new entries were encouraged as part of government policy – government guaranteed loans, etc. Many of those boats are still in service though close to the end of their useful life. I build my 85 ft stern trawler "Alliance" in 1971.

Because of the current state landing allocations, it is not financially feasible for a commercial vessel with a federal license to fish the winter offshore, 60-90 fathoms, for a few pounds of fluke and sea bass even if they consolidate their daily quota. As a result of this elimination of log book information available from these offshore lucrative fishing grounds, which I have fished extensively in years past, there will be no current knowledge now or in the future of the size of the fish or the quantity



of both fluke and sea bass. For instance, sea bass are being caught in lobster traps around the Hydrographer Canyon area in depths from 100-150 fathoms.

Based on my initial comments on the fishable sector versus the recreational sector, my suggested ratio for fluke would be to start at a minimum of 80% commercial and 20% recreational instead of 90% and 10%, which would be more realistic. The current 40% of 20 million pounds would remain the same at 20%. The commercial 80% would then be 80 million pounds for a total of 100 million pounds, which is still below the very conservative target level of 126 million pounds. I believe that once the new landing information is reported, there will be a significant reappraisal of the fluke resource.

I would also suggest, to the great benefit of the recreational sector, that state waters should be increased to nine miles for fishing purposes, as it is in the Gulf of Mexico.

Using the same 80% commercial and 20% recreational for sea bass, the 20% would be the same at 5.81 million pounds, the same number of pounds as proposed for 2020. The commercial sector at 80% would be four times that much at 23.24 million for a total of 29.05 million pounds, which is still below the conservative target level of 31 million pounds.

Based on my calculations of an 80/20 percent split in the way it was presented, there would be approximately an additional 20 million pounds of fluke and 15 million pounds of sea bass available to the commercial sector. There is no doubt that both species are expanding their territory both north and east. In all fairness these new additions should be distributed to the northern states from New Jersey to Maine. In addition, it is critical that the state allocations be distributed only to commercial vessels with a federal fishing license.

I know that the comments of this letter should be on the allocation issue, but the comments in the ASMFC Review of the proposed plan, at times, refers to millions of fish which I assume relates to discards, but the number of fish is very significant. The size of fluke for the commercial sector should be increased to at least 16 inches. A 14-inch fish weighs one pound. A good fillet individual may get one pound of fillets from three fish, a 33 to 35% yield, plus the labor involved, the market value for a single fish to the boat runs from one dollar up to two dollars a pound up to two pounds. If boat catches all 14 inch fish when the state allocation for the day is 100 pounds, there is a removal of 100 individual fish. At 16-inches that number drops to 75 fish. At 18 to 19 inches, the usual recreational size, the fish weighs two pounds therefore a fifty fish removal and instead of being considered a "medium", it is now a large category and brings a boat price of four to five dollars a pound up to four pounds. A "jumbo" size", if four pounds, would be a twenty-five fish removal at five to six dollars a pound, meaning a "jumbo" fish of four pound could be worth 20-25 dollars, instead of a dollar per fish. The same analysis applies to the offshore fishery in that every fish caught may be worth 30 dollars. This same applies to sea bass which has a similar price structure. An increase in the size from 11 to 13 inches would not only increase the price per fish, it would extend the breeding potential by another season as it would with fluke.

Going forward, the whole commercial fishing catch should be managed in the same way the scallop fishery controls landings, that is controlling the amount of removals from specific areas. The scallop fishery basically manages itself and has been very lucrative.

If, for example, the area from 60 to 90 fathom was to be divided from Hudson Canyon to the US exclusive economic zone line as follows Hudson Canyon at 72°30' to block Canyon at 71°, Block Canyon to Veatch Canyon at 70°30' outward at the same intervals for a total of five designated sectors. The same number of sectors with the same spacing could be designated from 90 to 250 fathoms. There would be similar sized blocks from North Carolina to the Canadian line. Based on logbook data,

managers would know what the removals are for the whole region. If it is determined, once enough data has been collected, an area could be closed for a season or like scallops, limited removals by the number of trips allowed.

One such area is the current fishery closure south of Nantucket which has been closed since 1995. I was one of two N.E. Council members assigned to determine the final boundaries that exist. The initial proposal was for an area twice the size. If the proposed system ever is adopted, I would like to see that closure re-opened. It was a principal area for the New Bedford Ground Fish Fleet.

In closing, I believe the management council and ASMFC have to take appropriate actions that will improve the commercial finfish landings to the point where that sector would be capable of supplying fresh seafood for the whole country as the resource did when the foreign fleet was feeding their respective countries. Major chain stores are now selling fresh fish from Iceland, Norway and Canada. The rest of the displays are mostly farm raised. If at some point like we are now experiencing with an outbreak of a deadly virus, imports, especially seafood, may be restricted or stopped altogether. Then, the question would be asked why can't we supply the fish?

*THERE ARE ONLY  
WINNERS IN THIS PLAN!*

James A. McCauley



**Name:** Ross Baker

**Email:** rvbaker15@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** The cuts are always to the recreational angler limits or seasons and the stocks keep dwindling. Why can't you guys ever cut back the commercial take? Us rec guys with a rod and reel can't possibly do the damage all these nets do. I guess it'll never happen, keep letting the commercials do whatever they want. There's no flounder fishery left in Virginia anyway.

**Name:** HEATHER MAIN

**Email:** HEATHEREMAIN@GMAIL.COM

**Check all that apply:** Private Recreational Angler

**Comments:** BAN ALL GILL NETS AND POUND NETS. BAN FLOUNDER AND BLUEFISH FISHING FOR 5 YEARS IN NC TO LET THEM RECOVER. CLIMATE CHANGE IS CAUSING MANY FISH AND SEA ANIMAL NUMBERS TO GO DOWN. WITH CLIMATE CHANGE COMES IMPACTS OF WARMING WATER AND POLLUTION FROM RUNOFF UPSTREAM AND FROM LARGE FARM FERTILIZER RUNOFF.

DO SOMETHING BEFORE IT IS TOO LATE FOR NC WATERS. USE THE SCIENTIFIC DATA ON FISH AND ENVIRONMENTAL CHANGE THAT IS AVAILABLE. MAKE POLICIES TO PROTECT THE ENVIRONMENT FOR ALL PEOPLE, NOT PROTECT RICH CRONIES AND DEVELOPMENT.

**Name:** James Paganetti

**Email:** jim@paganetti.com

**Check all that apply:** Private Recreational Angler

**Comments:** Attended the Old Lyme, CT meeting on Feb. 26th. I agree with the commercial and recreational fisherman that the MRIP data for the recreational fisherman is too high. I fish in the RI, CT and NY waters, predominately targeting fluke, and black sea bass when in season. I average about two days a week fishing between mid may and the beginning of November. I would say my limit on each species was two or three times over the season. The "keeper" rate was approximately 30%, meaning 70% were released. When fishing in water around 100', I cannot imagine the survival rate of that 70% being very high, That said, I am in favor of keeping the current allocations the same, pending better MRIP data. Also, I would be in favor of CT, RI and NY having the same regulations. Fishing in the eastern LI sound, Fishers Island area, Block Island sound along with the North and South Fork of Long Island creates confusion to limits for the recreational angler.

**Name:** Charles Julian

**Email:** zionlion31@gmail.com

**Check all that apply:** Commercial Fishing Industry

**Comments:** I oppose the amendment to re-allocate catch and/or landings between the rec and commercial sector. Re-quantifying 40 year old data is not a fair assessment of real catch/landings. If re-allocations should occur, they must be based on solid data collected from all sectors. Since the commercial and for-hire sectors are already reporting, the recreational sector needs to be responsible as well. I believe the current phone/mail surveys are not enough to present an accurate picture of this sector. I also believe any data collected from these types of surveys are skewed due to dishonest or inaccurate reporting. Relying solely on commercial catch and landings as the only real data puts commercial fisherman at a disadvantage. Improving accountability in the Rec sector by gathering data on catch, landing, and dead discard would be a fair and equitable way to then consider re-allocations between sectors.

**From:** Anthony Testa

**To:** Seeley, Matthew

**Cc:** Beaty, Julia; Leaning, Dustin Colson

**Subject:** Scoping comments Bluefish, Scup, Summer Flounder and Black Sea Bass

**Date:** Monday, March 2, 2020 12:24:44 PM

Good afternoon Matt

First I want to thank you for excellent presentation at the meeting last week at Stony Brook. I did not write down the other presenter that did the summer flounder, scup and sea bass part of the meeting but wanted to get the thank you to her as well. I attend most of these meetings and this one was very well done. I do not have her email so if you could please send this to her it would greatly be appreciated.

My comments:

I am a recreational fisherman and board member of the NYRFHFA and have been fishing off Long Island for just about 50 years and have seen the ups and downs of fishing stocks including times when regulations did not exist. Few points for my opinion:

- 1) There has to be regulations that are fair and equitable for both the fish and people that fish! It is my opinion that the regulations in place and what is being discussed for the future is only hurting the fish and the people that fish for them. This applies to both recreational and commercial fisherman. I understand that your following past laws and procedures but it is time to revisit these laws and procedures as they are failing terribly and doing much more harm than good. I base this opinion on my many years of fishing and adapting to fish and bait migration patterns, disruption to the ecosystem that these fish call home and other problems that are both environmental and due to not education people on how to better take care of the fishing resources and waters. I speak to many people about the problems if fishing regulations and 9 out of 10 times the people have either no idea or the wrong information about how to correctly help if the fish management process.
- 2) Second and also very important is the MRIP data used for the assessment of the fish stocks. I can tell you first hand that since Hurricane Sandy fishing off the south shore of long island

has changed a lot. These changes are having me run my boat to totally different areas to find the fish we are trying to catch and the fish are not really where they used to be. This does not show that there are no more fish but that due to the changes listed in my point #1 the people that fish have to adapt as well. I keep a log book and have not really found a measurable decline in my catches but find myself fishing in areas that no other boats fish because they just don't understand that fishing patterns change. The MRIP data is most troubling as this is the main problem we are facing and if not fixed there is a high percentage of failure in the fishery management efforts.

- 3) I believe that 10% of the people that fish catch 90% of the fish. This is a very important statement as if you ask the average person that really does not know how to fish how fishing is they will say it is terrible and there are no fish. I see this just about every time we come back to the dock. These "weekend warriors" that are out there are fishing right next to me and they cannot catch. Why is that? It is because they don't understand or adapt to fishing conditions. It would be a very good idea to reach out to some of the captains that really have a handle on what's going on and use that info in your work. At the meeting at Stony Brook there were some of the top guys both recreationally, commercially and for hire captains at the meeting and although comments were made, they often get ignored.
- 4) NYRFHFA: This group was started 2 years ago to fight for fair and equitable fishing regulations. We assembled a board of the top captains so we could try and work together with the powers that be to put a plan together that works for all. We want the fish stocks to be as strong as possible but cannot make any headway with this due to the process and current laws in place. Our group stands ready to help with any and all of our knowledge and experience so all can benefit from the best plan for our goal. Too much time is wasted at these meetings just kicking the can down the street with no positive impact on the problems.

In closing I want to stress again that in order to fix this problem we should start over from scratch and come up with a more sensible approach to fishery management as we owe it to the fish and the people that fish for them. Fishing regulations are without question needed for all but these regulations have to work and in my opinion are not and if not will make things much worse than they seem to be right now.

Thank you

Capt. Anthony Testa

1075 Tooker Avenue  
West Babylon, NY 11704  
February 27, 2020

Chris Moore, PhD, Executive Director  
Mid-Atlantic Fishery Management Council  
North State Street, Suite 201  
Dover, DE 19901

Dear Dr. Moore:

I am taking this opportunity to comment on the proposed Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment (the "Amendment"). The comments will generally follow the order of issues listed on page 4 of the Scoping and Public Information Document for the Amendment.

**I**

**Reallocation of the summer flounder, scup, and black sea bass resources should occur, although the basis for such reallocation need not necessarily be the updated recreational landings estimates provided by the Marine Recreational Information Program**

**A**

**New base years, which reflect recreational and commercial effort in response to a healthy fishery, would best be used to reallocate the summer flounder, scup, and black sea bass resources; one possibility would be to use the five years immediately following the year in which each once-overfished stock was declared to be recovered**

The current base years used to allocate summer flounder, scup, and black sea bass reflect the state of the fisheries during a period when all three fish stocks were poorly regulated and in a state of serious decline. In such times, fish are not distributed somewhat evenly along the coast. Instead, the remnants of a depleted stock tend to concentrate in areas of local abundance, while being absent from much of their former range. Such circumstances favor the commercial fishery, which is willing and able to travel relatively long distances to concentrate its effort in areas where fish remain relatively available, and severely disadvantages the recreational fishery, where vessels are small and must generally fish within, at most a few dozen miles from port. Under such conditions, and absent regulations, commercial fishermen can maintain relatively consistent annual landings, while recreational fishermen are often unable to access areas of localized abundance, and see annual landings decline. That tends to bias historical landings data in favor of the commercial sector.

Summer flounder landings during the 1980-1989 base years illustrate that fact very well. While recreational landings peaked in 1983, when summer flounder were still relatively abundant and recreational fishermen caught 55 percent of overall landings, the recreational share of the overall

landings steadily declined along with summer flounder abundance, declining to a mere 24 percent of landings in 1989, when recreational harvest reached its nadir.<sup>1</sup>

While the base years used for scup and black sea bass don't capture the years of lowest abundance quite so neatly, both still encompass periods of relative scarcity. The 1988-1992 base years used for scup contemplate a time when the scup spawning stock biomass was between four and six percent of what it was in 2018.<sup>2</sup> The black sea bass base years of 1983-1992 also reflect a period of relative scarcity; although the time series used in the most recent operational assessment only reaches back to 1989, and so doesn't include the earliest base years, spawning stock biomass for the later base years, 1989-1992, was at best about 15 percent of its 2018 level.<sup>3</sup>

None of the base years, for any of the three species, reflect a time when the spawning stock biomass approached target levels.

At the same time, 2018 spawning stock biomass for both scup and black sea bass were well above the respective biomass targets. Including a period of unusually high abundance in the base years determining an allocation could bias such allocation against the commercial fishery, which is constrained by a hard quota, and give undue advantage to the recreational sector, which is bound only by a soft harvest limit which, in times of abundance, is often exceeded.

That being the case, the most appropriate base years to determine allocation for each of the three fisheries would arguably be the five years immediately following the year in which the once-overfished stock was first declared fully rebuilt, a time when the biomass was acknowledged to be at a healthy level, yet not at an extremely high level of abundance.

If basing allocation on such base years is not practicable, either because of concerns that the hard quotas imposed on the commercial fishery would bias the allocation against the commercial sector, or because of concerns that the court decision in *Guindon v. Pritzker*,<sup>4</sup> which found that increased recreational allocations based on years when anglers exceeded their Annual Catch Limit are inherently unfair and thus illegal would prevent such base year's use, then a reallocation that does not employ base years, but recognizes that the base years currently used unfairly disadvantaged the recreational sector, should be put in place.

---

<sup>1</sup> Mid-Atlantic Fishery Management Council, Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment, Scoping and Public Information Document, January 2020, pp. 8-9

<sup>2</sup> Mid-Atlantic Fishery Management Council, *Operational Assessment of the Black Sea Bass, Scup, Bluefish and Monkfish Stocks, Updated through 2018, 2019*, p. 37

<sup>3</sup> *Ibid.* p. 26

<sup>4</sup> 240 F.Supp.3d 191 (Dist. Ct., D.C., 2017)

## B

### **If new base years are not adopted, the allocation should be revised to reflect the latest estimates of recreational catch and landings**

The current commercial/recreational allocations of summer flounder, scup, and black sea bass reflect the Mid-Atlantic Fishery Management Council's (the "Council") best understanding of commercial and recreational landings during the base years selected for each species, and were intended to reflect each sector's historical shares of each fishery. However, updated estimates provided by the Marine Recreational Information Program ("MRIP") now reveal that such understanding was flawed, and that the recreational sector's landings were higher than previously believed.

That being the case, if new base years are not adopted, equity demands that the commercial/recreational allocations be recalculated in accordance with the new MRIP estimates, in order to best carry out the original intent of the Council, when it initially established the allocations, and to take advantage of the best available data.

## C

### **Scup present a special case that justifies an allocation approach that recognizes both recreational demand for the scup resource, and the commercial sector's chronic failure to harvest its entire quota.**

The updated MRIP catch estimates reveal that anglers' landings were significantly above the recreational harvest limit, and that recreational regulations would have to be made much more restrictive if the recreational catch is to be constrained to no more than 23 percent of the overall catch.<sup>5</sup> At the same time, the commercial scup fishery has chronically underharvested its quota, failing to catch its entire allocation in every year since 2007. Such failure is not due to a shortage of fish, but rather to a market that is unable and/or unwilling to absorb additional scup.<sup>6</sup> As a result, the chronic commercial underharvest has offset recreational overharvest, and the Council was able to maintain 2019 recreational scup regulations for the 2020 season, without exceeding either the Overfishing Limit or the Acceptable Biological Catch.<sup>7</sup>

In maintaining status quo recreational regulations for the 2020 scup season, the Council knowingly strayed from the allocation that it had established years before. While that action was technically contrary to the express terms of the management plan, it did no harm to the scup stock and was arguably reasonable given the circumstances facing the Council. However, the Council should not be forced into the position of having to choose between doing what is reasonable and adhering to the clear terms of the management plan.

The current recreational demand, paired with chronic commercial underharvest, make scup a special case with respect to reallocation. Even without the updated MRIP catch estimates, reallocation would

---

<sup>5</sup> Mid-Atlantic Fishery Management Council, "Summer Flounder, Scup, and Black Sea Bass Monitoring Committee (MC), September 16-17, 2019 Meeting Summary," pp. 5-6

<sup>6</sup> Mid-Atlantic Fishery Management Council, Allocation Amendment, p. 10

<sup>7</sup> Mid-Atlantic Fishery Management Council, presentation "Scup 2020 Recreational Measures," made to the Council on December 11, 2019



clearly be called for. Such reallocation might reasonably begin with the approaches described above; either selecting new base years based on the health of the spawning stock, or using the existing base years, but applying the new MRIP estimates. After that first step is taken, if the resultant reallocation would still make it likely that the commercial fishery, based on its average landings, would not harvest its entire quota, while recreational demand was not completely met, then additional fish should be allocated to the commercial sector.

The goal of reallocation should be to come as close as possible to satisfying recreational demand, without reducing commercial landings below their average percentage of the overall harvest.

## II

**There is no compelling argument that justifies sector separation in the summer flounder, scup, or black sea bass fisheries; however, if such program is adopted in any fishery, the Council must take concrete steps to assure that sector separation does not create a de facto reallocation of fish between the private boat, shore and for-hire fisheries, and that no sub-sector of the recreational fishery should suffer for another sub-sector's overharvest**

## A

**There is no compelling reason to initiate sector separation in any Council-managed fishery**

Marine fish stocks are public trust resources which should be managed, in the words of Magnuson-Stevens, to "provide the greatest overall benefit to the Nation."<sup>8</sup> They should not be managed in a way that provides extraordinary benefits to a particular region, sector or sub-sector, at the expense of another region, sector, sub-sector or the Nation as a whole. In adopting a sector separation program, there is a significant risk that such program will distribute the benefits and burdens of management in an inequitable manner. Thus, sector separation should not be considered without a compelling reason for its adoption. No such compelling consideration exists in any fishery managed by the Council.

The most successful use of sector separation in a recreational fishery arguably occurred in the red snapper fishery in the Gulf of Mexico. There, chronic overfishing by the private boat sub-sector forced the Gulf of Mexico Fishery Management Council to impose ever-shorter seasons on the recreational red snapper fishery in federal waters. At the same time, the states bordering the Gulf of Mexico did not conform their state waters regulations with the federal rules; instead, they adopted longer seasons and sometimes other, more liberal regulations (the most extreme example was Texas, which had no closed season, a bag limit that was twice the federal bag limit, and a size limit smaller than the federal size limit). Private boat anglers could continue to fish in state waters when the federal season was closed, which made the overfishing issue worse; at the same time, federally-licensed for-hire vessels were limited to the short federal red snapper season. The excesses of the private boat sub-sector all but forced the for-hire vessels out of the red snapper fishery, and led the Gulf of Mexico Fishery Management Council to initiate a sector separation program as an equitable measure that would allow

---

<sup>8</sup> 16 U.S.C. 1802(33)

the federally-licensed for-hire vessels a reasonable chance to participate in their traditional red snapper fishery.<sup>9</sup>

None of the conditions that militated for sector separation in the Gulf of Mexico recreational red snapper fishery exist in fisheries managed by the Council. Neither the summer flounder, scup, nor black sea bass stocks are overfished or subject to a rebuilding plan; both scup and black sea bass are at historically high levels of abundance, if down somewhat from recent peaks. There is no dichotomy between state and federal regulations; a cooperative working arrangement between the Council and the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board has kept all of the jurisdictions involved in compliance with the jointly-conceived management plan. Federal fishery permits for for-hire vessels participating in the summer flounder, scup and black sea bass fisheries are freely available; there are no limited entry provisions in place, as there are in the Gulf of Mexico red snapper fishery, to prevent the growth of the for-hire fleet in response to increased customer demand. Private boat fishing activity in state waters is not having a disproportionate impact on the ability of the for-hire fleet to participate in the fishery; all fish under the same regulations in both state and federal waters (with the exception of the so-called "bonus season" for scup, which allows anglers on licensed for-hire vessels in Massachusetts, Rhode Island, Connecticut and New York to land more fish than their counterparts fishing from shore or on private vessels during a specified two-month period<sup>10</sup>).

In the case of Council-managed species, the primary argument in favor of sector separation does not focus on equity, but on economics, with some members of the for-hire sub-sector arguing that allowing anglers fishing from for-hire vessels to retain more or smaller fish would benefit their businesses.<sup>11</sup> Yet if the for-hire sector was permitted to fish under more liberal regulations, the private boat and shore sub-sectors would have their landings restricted as a result.

Fishery management presents what is essentially a zero-sum outcome; there is an overall limit on the amount of this that can be landed, and if one sub-sector is allowed more liberal regulations, such regulations must be offset by greater restrictions on other sub-sectors. Economics does not justify such inequitable treatment. As noted in National Standard 5, "Conservation and management measures shall, where practicable, consider efficiency in the utilization of a fishery resource, except that ***no such measure shall have economic allocation as its sole purpose.*** [emphasis added]"<sup>12</sup>

---

<sup>9</sup> Gulf of Mexico Fishery Management Council, *Final Amendment 40 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico*, December 2014, pp. x-xi

<sup>10</sup> See e.g., 6 NYCRR 40.1(f), 250 RICR 90-00-3.81

<sup>11</sup> See e.g., Mid-Atlantic Fishery Management Council, "Summer Flounder, Scup, and Black Sea Bass Advisory Panel Webinar, September 24, 2019, p. 2

<sup>12</sup> 16 U.S.C. 1851(a)(5)

## B

### **If sector separation is adopted, it should not result in a *de facto* reallocation of fish between the various sub-sectors**

As noted in section IIA, above, permitting anglers belonging to a particular sub-sector to fish under regulations that are more liberal than those enjoyed by other sub-sectors would force anglers belonging to such other sub-sectors to fish under more restrictive regulations in order to constrain landings to the overall recreational harvest limit. The only way to avoid such inequity is to establish separate harvest limits for each sub-sector. However, doing so would require allocating the overall recreational harvest limit among the various sub-sectors. It is critical that such allocation process preserve the current patterns of harvest by the various sub-sectors, and not permit a privileged sub-sector from artificially expanding its share of the fishery.

That being the case, any sector separation process that is adopted should base the allocation of fish among sub-sectors only upon recent harvest patterns, which reflect how the resource is being utilized today and best reflect how it will be utilized in the future, and not reach back more than three to five years, to a time when different demographic and economic patterns may have existed, which do not exist today.

## C

### **If sector separation is adopted, each sub-sector should be held accountable for its own performance and no sub-sector should be held responsible for overharvest by another sub-sector**

Regulations always embody some degree of management uncertainty, and when the availability of fish or angler effort is greater than expected, it isn't unusual for anglers to exceed the recreational harvest limit. In such cases, anglers would typically face accountability measures in the form of either more restrictive regulations, if the stock is healthy, or pound-for-pound paybacks, if the stock was overfished or rebuilding, in the following year.<sup>13</sup>

If the entire recreational sector fishes under the same set of regulations, such accountability measures are appropriately imposed on the entire sector. However, if the recreational sector is broken down into sub-sectors pursuant to a sector separation program, then each such sub-sector should have its own harvest limit, and should be solely accountable for its own overage if such sub-sector harvest limit is exceeded, without affecting the regulations governing other sub-sectors.

## III

### **THE COUNCIL SHOULD MAKE GREATER USE OF MANAGEMENT UNCERTAINTY BUFFERS WHEN SETTING RECREATIONAL HARVEST LIMITS**

One of the rationales the Council used when setting black sea bass regulations for 2020 was "Hard to constrain rec. catch under high availability."<sup>14</sup> That statement clearly suggests that there is significant

---

<sup>13</sup> Mid-Atlantic Fishery Management Council, *Omnibus Recreational Accountability Measures Amendment*, 2012

<sup>14</sup> Mid-Atlantic Fishery Management Council, presentation "Black Sea Bass 2020 Recreational Measures," made to the Council on December 11, 2019

management uncertainty associated with the recreational regulation-setting process. In recommending the recommended recreational harvest limit for 2020, Council staff noted that

Management uncertainty is comprised of two parts: uncertainty in the ability of managers to control catch and uncertainty in quantifying the true catch (i.e., estimation errors). **Management uncertainty can occur because of a lack of** specific information about the catch (e.g., due to late reporting, underreporting, and/or misreporting of landings or discards) or because of a lack of **management precision (i.e., the inability to constrain catch to desired levels)**. The Monitoring Committee considers all relevant sources of management uncertainty in the black sea bass fishery when recommending ACTs. [emphasis added]<sup>15</sup>

Reading that statement in the context of the Council's admitted difficulties in constraining recreational black sea bass, one might expect that the Council included a significant buffer between the annual catch limit and annual catch target, in order to account for the existing management uncertainty. But that was not the case.

Instead, Council staff observed that past recreational overages occurred during periods of rapid stock growth when fish were very available to anglers, and suggested that regulations would have prevented such overages if the fact of the rapidly expanding stock had been captured in a stock assessment, and endorsed the Summer Flounder, Scup and Black Sea Bass Monitoring Committee's (the "Monitoring Committee") recommendation that no buffer for management uncertainty be included in the calculation of the recreational harvest limit.<sup>16</sup>

The lack of a management uncertainty buffer seems difficult to defend in view of the statement that black sea bass landings remained "difficult to constrain," particularly when the management measures adopted by the council are predicted to raise black sea bass landings 12 percent above the Acceptable Biological Catch, and only 13 percent below the Overfishing Limit.<sup>17</sup>

The Monitoring Committee also recommended that no buffer for management uncertainty be used in calculating the recreational harvest limit for summer flounder, even though it admitted that "Recreational fishery performance is variable and many factors influence recreational catch and effort," and acknowledges that management uncertainty exists in the recreational summer flounder fishery.<sup>18</sup> Recreational specifications for scup were also set without a management uncertainty buffer.<sup>19</sup>

Given the uncertainty inherent in adapting to the new MRIP catch, effort and landings estimates, and given the problems that the Council has had constraining some recreational fisheries, most particularly

---

<sup>15</sup> Mid-Atlantic Fishery Management Council, Memorandum from Julia Beatty to Chris Moore, Executive Director, "Revised Memo on 2020-2021 Black Sea Bass Specifications," September 4, 2019, p. 14

<sup>16</sup> *Ibid.*, p. 15

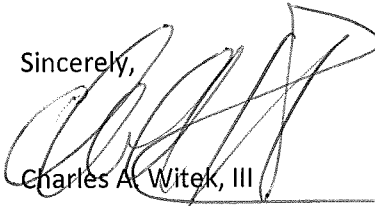
<sup>17</sup> Mid-Atlantic Fishery Management Council, "2020 Black Sea Bass Recreational Specifications"

<sup>18</sup> Mid-Atlantic Fishery Management Council, "Summer Flounder, Scup, and Black Sea Bass Monitoring Committee (MC), September 16-17, 2019 Meeting Summary," pp. 3-4

<sup>19</sup> *Ibid.*, p. 9

black sea bass, to the harvest limit, the Council should give greater consideration to employing a management uncertainty buffer when setting recreational specifications.

Thank you for considering my views on these matters.

Sincerely,  
  
Charles A. Witek, III

Michael Pirri  
2-26-2020

Never in my fishing career have I experienced more volatility with fishing regulations than now, tonight, here in 2020. Scup, Seabass, Striped Bass, Bluefish, Fluke and Tautog are all under attack; future harvest are unknown with no stability insight. There's No chance to plan and grow your businesses under these conditions. Or enjoy fish for dinner if you're a recreational fisherman.

It would be easy tonight to become emotional and try to steal another modes or fisherman's slice of the pie. Commercial vs Recreational and vice versa. But I wont! Maybe these regulators intended to distract all fishermen and have them fight each other for fish. Maybe fishermen wont pay attention to MRIPs awful data being published, which makes over regulating easier for them to achieve.

Tonight I ask that no fisherman turns on each other but unite our fight to discredit MRIP, lower discards by decreasing harvestable length, and achieved better managed stocks.

Id like to share published preliminary 2019 CT mrip estimates:

Tautog- MRIP repots CT recreational anglers harvested 273,170 keepers in wave 6 which is only opened for the 28 days of November that's 9756 keepers everyday regardless of weather by just recreational fisherman with majority boats already hauled for winter.

Black Seabass- (PER MRIP) CT recreational anglers harvested 111,971 keepers in wave 6 November and December. I personally did catch 1 in November or December, Where in CT are these fish being harvested that time of year? again recreational boats are out of the water Veterans Day Nov.11 That's 1866 fish a day harvested by CT. recreational anglers. Does anyone believe CT harvested 495,701 in 2019? (2183 everyday) from May 19 to year end

Bluefish- Wave 3 (May/June) MPIR reports 121,712 from shore when snapper aren't even available yet? Where in CT. is this happening? (2028 per day from shore)

Fluke- Wave 5, fluke are only opened for 30 days of September shore anglers caught 5517 in that period MRIP Says.

Scup- Wave 3 (May/June) Shore harvested 494,619 divide by 60 days 8243 fish every day. Maybe I should sell my boat and start shore fishing.

The fish catch #s were difficult to believe when MRIP utilized a phone survey. Now MRIP reports 300% more fishing effort as data was better submitted by post card. Two weeks ago at the Striped Bass management meeting I polled 30 CT. fishermen in this room, not 1 ever received a post card requesting their fishing habits. In that same Striped bass meeting CT. DEEP terminated the bonus Striped Bass tag program, 4000 tags were handed out and only 100 postcards were returned from angler reporting their catch. In 2020 are postcards really the best we can do? For the last 4 years I have volunteered to participate in Electronic vessel trip reports written by SAFIS software, an IPAD tracks my time of effort, # of passengers and fish harvested. This is an actual fish count not a survey or a guess. Is this data applied to regulation making "NO!" Is it mandated in CT "NO!" Why isn't it used?

How can we continue make management decision based off of awful MRIP data? Bad data IN equals more dead discards, and interrupted breeding OUT! Seabass population is estimated 240% above threshold value, maybe strongest stock of my lifetime, did we get more fish A longer season? Instead Regulators called for a further 38% reduction of harvest, because their mathematical equation didn't work out. Stock was fine but MRIP reported to many people fishing for them.

I started my business in 2008 Bluefish, Striped Bass, Scup, Seabass and Tautog regulations stayed consistent year to year. The regulation you needed to watch changes for, was Fluke. Every year, the minimum keeper size grew an inch. We never knew if this new regulation helped the Stock, because it would further change the next year. Fast forward to 2020 we now know that it was this management tactics that caused low fluke stocks and anglers to pray on the large breeding females. That's years of of dead discards for only crabs to eat.

Three years ago, a few of us attended a Garfo workshop in Portsmouth NH. We were tasked with creating a perfect state of fishing regulations.

My perfect state:

- would immediately dis-credit and throw all of MRIP's data out. Freeze all regulations for 3 years. Immediately begin collecting new data from a localized electronic reporting source for recreational anglers. Mandate all

CT For Hire vessels to use EVTRs. Perform trawl surveys with proper matched doors to horsepower in known fish areas and times, not over empty bottom that fish intermittently only migrate through. This data should be processed and published by our fishery managers and over seen by fishermen, not sent to a third party.

- When public hearing are held, show the meeting complete data don't leave the last three years of data off the slide (like we recently experienced in the Striped Bass meeting only going up to 2016) Lets see what 3 years of 1 @28" did for the stock.
- Passed regulations shouldn't expire for 3 years, so we can clearly see the impact it created. Have a strict cutoff date, all new regulations must be passed before February 1<sup>st</sup> any later they aren't enacted till the following year.
- For Hire has proven it makes up less than 10% of the harvest and provides access to people of all income levels and demographics, we need to create a sector for for-hire of their own this will achieve stability and maintain a resource for all fishermen without boats to enjoy.

I have brought copies to hand out supporting everything thing I have spoken of.

Thank You for your time

Michael Pirri





# NOAA FISHERIES SERVICE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Michael Pirri  
2-26-2020

Scup

### Your Query Parameters:

**Query:** MRIP CATCH TIME SERIES  
**Year:** 2019 - 2019  
**Wave:** BY WAVE  
**Species:** SCUP  
**Geographic Area:** CONNECTICUT  
**Fishing Mode:** ALL MODES BY MODE  
**Fishing Area:** ALL AREAS COMBINED  
**Type of Catch:** HARVEST (TYPE A + B1)  
**Information:** NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MAY/JUNE	SCUP	SHORE	494,619	93.7
PRELIMINARY	2019	MAY/JUNE	SCUP	PARTY BOAT	77,972	25.8
PRELIMINARY	2019	MAY/JUNE	SCUP	CHARTER BOAT	3,830	65.5
PRELIMINARY	2019	MAY/JUNE	SCUP	PRIVATE/RENTAL BOAT	16,972	58.6
PRELIMINARY	2019	JULY/AUGUST	SCUP	SHORE	380,304	85.2
PRELIMINARY	2019	JULY/AUGUST	SCUP	PARTY BOAT	199,370	20.1
PRELIMINARY	2019	JULY/AUGUST	SCUP	CHARTER BOAT	14,969	46.2
PRELIMINARY	2019	JULY/AUGUST	SCUP	PRIVATE/RENTAL BOAT	423,927	21.5
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SCUP	SHORE	408,532	55.9
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SCUP	PARTY BOAT	78,446	36.4
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SCUP	CHARTER BOAT	7,005	60.8
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SCUP	PRIVATE/RENTAL BOAT	399,391	36.9
PRELIMINARY	2019	NOVEMBER/DECEMBER	SCUP	PARTY BOAT	439	11.9
PRELIMINARY	2019	NOVEMBER/DECEMBER	SCUP	PRIVATE/RENTAL BOAT	0	.

PSE  
 Shore 1,281,456 47.6  
 Party Boat 356,226 141.9  
 Charter 25,803 321.9  
 Rec 840,290 201.7  


---

 CF = 2,503,776 Total

Annual PSE  
25.4

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

### Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020.

[Return to Query Page](#)



# NOAA FISHERIES SERVICE

Tautog

### Your Query Parameters:

**Query:** MRIP CATCH TIME SERIES  
**Year:** 2019 - 2019  
**Wave:** BY WAVE  
**Species:** TAUTOG  
**Geographic Area:** CONNECTICUT  
**Fishing Mode:** ALL MODES BY MODE  
**Fishing Area:** ALL AREAS COMBINED  
**Type of Catch:** HARVEST (TYPE A + B1)  
**Information:** NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MAY/JUNE	TAUTOG	SHORE	617	104.3
PRELIMINARY	2019	MAY/JUNE	TAUTOG	PRIVATE/RENTAL BOAT	0	
PRELIMINARY	2019	JULY/AUGUST	TAUTOG	SHORE	0	
PRELIMINARY	2019	JULY/AUGUST	TAUTOG	PRIVATE/RENTAL BOAT	2,306	74.5
PRELIMINARY	2019	SEPTEMBER/OCTOBER	TAUTOG	SHORE	0	
PRELIMINARY	2019	SEPTEMBER/OCTOBER	TAUTOG	PARTY BOAT	1,063	79.2
PRELIMINARY	2019	SEPTEMBER/OCTOBER	TAUTOG	CHARTER BOAT	2,509	63.4
PRELIMINARY	2019	SEPTEMBER/OCTOBER	TAUTOG	PRIVATE/RENTAL BOAT	165,558	37.8
PRELIMINARY	2019	NOVEMBER/DECEMBER	TAUTOG	PARTY BOAT	1,467	40.3
PRELIMINARY	2019	NOVEMBER/DECEMBER	TAUTOG	PRIVATE/RENTAL BOAT	273,170	36.6

(Day open)  
 (21) wave 5      (28) wave 6  
 PSE  
 Shore 0  
 Party 1063  
 Charter 2509  
 Rec 165,558  
 CT = 4461691 Total  
 Annual PSE 26.4  
 Fish Per Dn (97)

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

### Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020 .

[Return to Query Page](#)



# NOAA FISHERIES SERVICE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

B Sea bass

**Your Query Parameters:**

**Query:** MRIP CATCH TIME SERIES  
**Year:** 2019 - 2019  
**Wave:** BY WAVE  
**Species:** BLACK SEA BASS  
**Geographic Area:** CONNECTICUT  
**Fishing Mode:** ALL MODES BY MODE  
**Fishing Area:** ALL AREAS COMBINED  
**Type of Catch:** HARVEST (TYPE A + B1)  
**Information:** NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MAY/JUNE	BLACK SEA BASS	PARTY BOAT	8,102	72.4
PRELIMINARY	2019	MAY/JUNE	BLACK SEA BASS	CHARTER BOAT	1,304	52
PRELIMINARY	2019	MAY/JUNE	BLACK SEA BASS	PRIVATE/RENTAL BOAT	52,380	51.6
PRELIMINARY	2019	JULY/AUGUST	BLACK SEA BASS	SHORE	0	.
PRELIMINARY	2019	JULY/AUGUST	BLACK SEA BASS	PARTY BOAT	38,352	17.9
PRELIMINARY	2019	JULY/AUGUST	BLACK SEA BASS	CHARTER BOAT	4,095	22.6
PRELIMINARY	2019	JULY/AUGUST	BLACK SEA BASS	PRIVATE/RENTAL BOAT	179,594	21.7
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLACK SEA BASS	SHORE	0	.
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLACK SEA BASS	PARTY BOAT	5,964	49.8
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLACK SEA BASS	CHARTER BOAT	4,145	46.2
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLACK SEA BASS	PRIVATE/RENTAL BOAT	89,571	28.7
PRELIMINARY	2019	NOVEMBER/DECEMBER	BLACK SEA BASS	PARTY BOAT	225	18.7
PRELIMINARY	2019	NOVEMBER/DECEMBER	BLACK SEA BASS	PRIVATE/RENTAL BOAT	111,971	56.1

Shore 0  
 Party 52,642  
 Charter 9544  
 Rec 433,515  
 CT = 495,701 Total  
 Annual PSE 16.8  
 Not Possible

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

**Data Sources by Geographic Area:**

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020 .

[Return to Query Page](#)



# NOAA FISHERIES SERVICE

Bluefish

### Your Query Parameters:

**Query:** MRIP CATCH TIME SERIES  
**Year:** 2019 - 2019  
**Wave:** BY WAVE  
**Species:** BLUEFISH  
**Geographic Area:** CONNECTICUT  
**Fishing Mode:** ALL MODES BY MODE  
**Fishing Area:** ALL AREAS COMBINED  
**Type of Catch:** HARVEST (TYPE A + B1)  
**Information:** NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MAY/JUNE	BLUEFISH	SHORE	121,712	87.9
PRELIMINARY	2019	MAY/JUNE	BLUEFISH	PARTY BOAT	567	52
PRELIMINARY	2019	MAY/JUNE	BLUEFISH	CHARTER BOAT	159	61.3
PRELIMINARY	2019	MAY/JUNE	BLUEFISH	PRIVATE/RENTAL BOAT	4,117	67.1
PRELIMINARY	2019	JULY/AUGUST	BLUEFISH	SHORE	11,157	107.7
PRELIMINARY	2019	JULY/AUGUST	BLUEFISH	PARTY BOAT	517	45.3
PRELIMINARY	2019	JULY/AUGUST	BLUEFISH	CHARTER BOAT	603	63.6
PRELIMINARY	2019	JULY/AUGUST	BLUEFISH	PRIVATE/RENTAL BOAT	74,335	38.9
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLUEFISH	SHORE	356,595	78.3
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLUEFISH	PARTY BOAT	336	74.9
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLUEFISH	CHARTER BOAT	6,670	56
PRELIMINARY	2019	SEPTEMBER/OCTOBER	BLUEFISH	PRIVATE/RENTAL BOAT	93,743	34.5

PSE

Shore	489,463	61.1
Party	1420	31.9
Charter	7432	52.3
Rec	172,195	25.2
<hr/>		
CT =	670,511	Total

45.1 PSE  
Near very imprecise estimate

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

### Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020 .

[Return to Query Page](#)



# NOAA FISHERIES SERVICE

Striped Bass

### Your Query Parameters:

**Query:** MRIP CATCH TIME SERIES  
**Year:** 2019 - 2019  
**Wave:** BY WAVE  
**Species:** STRIPED BASS  
**Geographic Area:** CONNECTICUT  
**Fishing Mode:** ALL MODES BY MODE  
**Fishing Area:** ALL AREAS COMBINED  
**Type of Catch:** HARVEST (TYPE A + B1)  
**Information:** NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MARCH/APRIL	STRIPED BASS	SHORE	527	106
PRELIMINARY	2019	MARCH/APRIL	STRIPED BASS	PRIVATE/RENTAL BOAT	783	67
PRELIMINARY	2019	MAY/JUNE	STRIPED BASS	SHORE	3,379	100.8
PRELIMINARY	2019	MAY/JUNE	STRIPED BASS	PARTY BOAT	2	112
PRELIMINARY	2019	MAY/JUNE	STRIPED BASS	CHARTER BOAT	608	41.5
PRELIMINARY	2019	MAY/JUNE	STRIPED BASS	PRIVATE/RENTAL BOAT	34,391	40.6
PRELIMINARY	2019	JULY/AUGUST	STRIPED BASS	SHORE	0	
PRELIMINARY	2019	JULY/AUGUST	STRIPED BASS	PARTY BOAT	7	105.2
PRELIMINARY	2019	JULY/AUGUST	STRIPED BASS	CHARTER BOAT	1,394	52.3
PRELIMINARY	2019	JULY/AUGUST	STRIPED BASS	PRIVATE/RENTAL BOAT	6,425	37
PRELIMINARY	2019	SEPTEMBER/OCTOBER	STRIPED BASS	SHORE	0	
PRELIMINARY	2019	SEPTEMBER/OCTOBER	STRIPED BASS	PARTY BOAT	0	
PRELIMINARY	2019	SEPTEMBER/OCTOBER	STRIPED BASS	CHARTER BOAT	1,553	69.3
PRELIMINARY	2019	SEPTEMBER/OCTOBER	STRIPED BASS	PRIVATE/RENTAL BOAT	2,787	51.9
PRELIMINARY	2019	NOVEMBER/DECEMBER	STRIPED BASS	PRIVATE/RENTAL BOAT	12,822	94.1

PSE  
 88.3  
 89.3  
 37.3  
 32.6  
 Shore 3906  
 Party 9  
 Charter 3,536  
 Rec 57,209  
 CT = 64,680 Total  
 Annual PSE 29.4  
 Not Possi

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

### Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020 .

[Return to Query Page](#)



# NOAA FISHERIES SERVICE

Floke

### Your Query Parameters:

**Query:** MRIP CATCH TIME SERIES  
**Year:** 2019 - 2019  
**Wave:** BY WAVE  
**Species:** SUMMER FLOUNDER  
**Geographic Area:** CONNECTICUT  
**Fishing Mode:** ALL MODES BY MODE  
**Fishing Area:** ALL AREAS COMBINED  
**Type of Catch:** HARVEST (TYPE A + B1)  
**Information:** NUMBERS OF FISH

\*\*Review the [glossary](#) for a description of how the for-hire survey methods have changed over time.

\*\* Results from this query for 1981-2017 now contain estimates resulting from the full application of both the Access Point Angler Intercept Survey (APAIS) and Fishing Effort Survey (FES) calibration.

\*\* Beginning in 2018 wave 1, all catch estimates in shore and private/rental boat modes are calculated using effort based on the FES.

[Return to Query Page](#)

Estimate Status	Year	Wave	Common Name	Fishing Mode	Total Harvest (A+B1)	PSE
PRELIMINARY	2019	MAY/JUNE	SUMMER FLOUNDER	SHORE	0	.
PRELIMINARY	2019	MAY/JUNE	SUMMER FLOUNDER	PARTY BOAT	3	112.8
PRELIMINARY	2019	MAY/JUNE	SUMMER FLOUNDER	CHARTER BOAT	80	99
PRELIMINARY	2019	MAY/JUNE	SUMMER FLOUNDER	PRIVATE/RENTAL BOAT	25,073	51.4
PRELIMINARY	2019	JULY/AUGUST	SUMMER FLOUNDER	SHORE	1,162	111.4
PRELIMINARY	2019	JULY/AUGUST	SUMMER FLOUNDER	PARTY BOAT	502	87.6
PRELIMINARY	2019	JULY/AUGUST	SUMMER FLOUNDER	CHARTER BOAT	121	82.6
PRELIMINARY	2019	JULY/AUGUST	SUMMER FLOUNDER	PRIVATE/RENTAL BOAT	56,333	25.5
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SUMMER FLOUNDER	SHORE	5,517	109
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SUMMER FLOUNDER	PARTY BOAT	0	.
PRELIMINARY	2019	SEPTEMBER/OCTOBER	SUMMER FLOUNDER	PRIVATE/RENTAL BOAT	1,111	72.3

PSE

Shore	6,679	92.1
Party	505	87.1
Charter	201	63.4
Rec	82,516	23.4
CT = 89,902 Total		
Annual PSE		
22.5%		

No Pass

PSE, or proportional standard error, is automatically included in all outputs.

It expresses the standard error of an estimate as a percentage of the estimate and is a measure of precision.

A PSE value greater than 50 indicates a very imprecise estimate.

### Data Sources by Geographic Area:

MRIP: ME-LA (LA through 2013), PR, HI, WA/OR/CA (through 2004)

If you want to cite a reference for data retrieved from our website, use: Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division February 25, 2020.

[Return to Query Page](#)

COMMENTS ON FLOUNDER, SCUP AND BLACK SEA BASS  
COMMERCIAL/RECREATIONAL ALLOCATION AMENDMENT  
BY  
ERIC B. BURNLEY, SR.

Please allow me to introduce myself. My name is Eric B. Burnley, Sr. I was born and raised in Delaware and began fishing at a very young age. In 1973 I wrote my first fishing report for the New Jersey Fisherman and I have continued to cover Delaware for that publication ever since. I have also written fishing reports for the Atlantic coast from Staten Island to North Carolina including the Delaware and Chesapeake bays. Currently, I write weekly reports for The Cape Gazette in Lewes Delaware, the DNREC Fish and Wildlife Department and a daily report for radio station WGMD. I have also written countless articles for regional and national publications including Salt Water Sportsman, Outdoor Life, Field and Stream, Game and Fish, Prop Talk, Dover Post and Marlin.

I have also served on many advisory councils for both state and federal agencies. I represented Delaware on the State-Federal Striped Bass Advisory Council that began back in the 1970s. I was once a member of the Summer Flounder, Scup and Black Sea Bass Advisory Council. I have a grave concern with the current Marine Recreational Informational Program. The numbers I have seen are so totally wrong they would be funny if they weren't taken seriously by fishery managers.

As an example, in September/October of 2015, according to the MRIP, 77,709 black sea bass were caught from shore in Delaware. I can promise you that is totally false. If a single legal black sea bass was caught from shore in Delaware in that time frame, I would be shocked.

In the summer flounder category, the MRIP has 76,496 fish caught from shore in 2019. Once again that is a ridiculous number. Add to that only 1,442 flounder caught from party boats and 4,150 caught from charter boats and you have to see the entire MRIP is worthless.

I would hope someone in the chain of command would have the common sense to stand up and say the Emperor has no clothes before these completely false figures destroy the recreational fishing industry.

**From:** [James Fletcher](#)  
**To:** [Beaty, Julia](#); [Moore, Christopher](#)  
**Subject:** Question for Scoping  
**Date:** Tuesday, March 3, 2020 11:26:20 AM

---

WHY HAS CURRENT MANAGEMENT RESULTED IN IMPORTATION OF 92% TO 93 % OF SEAFOOD CONSUMED IN UNITED STATES?  
WHEN WILL SCOPING DISCUSS OCEAN RANCHING TO INCREASE HARVEST OF SUMMER & SOUTHERN FLOUNDER? ALL MANAGED SPECIES!  
WHEN WILL SCOPING DISCUSS TOTAL RETENTION WITH NO DISCARDS FOR RECREATIONAL FISHERMEN ?  
WHEN WILL SCOPING DISCUSS BARBLESS HOOKS FOR RECREATIONAL FISHERMEN WHO DO NOT WANT FISH FOR FOOD BUT TO BRAG ABOUT?  
WHY DOES SSC CONTINUE "SCIENCE " TARGETING LARGE FEMALE FISH? CAN SSC EXPLAIN WHY STOCK HAS NOT REBOUNDED?  
WHY DOES SCOPING NOT RECOMMEND TO COUNCIL REQUIRING CELL PHONE REPORTING BY RECREATIONAL FISHERMEN?  
WHY DOES OFFICE OF LAW ENFORCEMENT HAVE SCOPING DISCUSS 80% OF FISHERMEN RETURNING TO PRIVATE DOCKS ?  
WHEN THE COUNTRY WITH THE SECOND LARGEST EEZ IN WORLD ONLY PRODUCES 8% OF SEAFOOD CONSUMED **something is wrong with scoping & management!**  
**SCOPING & MANAGEMENT OF FISHERIES NEEDS TO DISCUSS OCEAN RANCHING & AQUACULTURE!**

**3/3/2020**

--  
James Fletcher  
United National Fisherman's Association  
123 Apple Rd.  
Manns Harbor, NC 27953  
252-473-3287



## SCOPING DOCUMENT SUMMER FLOUNDER SEA BASS & SCUP!

Council has a risk policy. Scoping should ask council to publicly state a utilization policy on all recreational caught fish. NO DISCARDS!

### IMPLEMENTING

Scoping should require a recreational smart phone or reporting procedure prior to going fishing & on returning to land. [ prior so law enforcement can enforce] North Carolina may have such a app. TILE FISH MANDATORY REPORTING **IS A JOKE!** WITH NO ENFORCEMENT NO FINES! **A JOKE!**

Scoping must have a barbless hook requirement; for all recreational fishing. [ALL SPECIES] WOULD REDUCE NUMBER OF LINES IN WATER!

Scoping must require a total length as a part of total utilization. IF NOAA DATA IS CORRECT 2/3 OF ALL RECREATIONAL TRIPS ARE SHORE SIDE this convert discards to landings. [ reducing Council & Atlantic States Marine Fisheries Commission policy of targeting large females! ]

Scoping document shows dead discards all documents **MUST SHOW TOTAL DISCARDS!**

Scoping document shows landings decline in 1980"s. The reason was 80 TO 90 NC & VA vessels were in Florida in the Calico scallop fishery. Additionally southern flounders from NC sounds were impacted from pulp mills & effects of birth control chemicals accumulating in sounds reducing reproduction BEGINNING IN LATE 70'S EARLY COUNCIL PLAN DID NOT ADDRESS SOUTHERN FLOUNDER OFF NC.

SCOPING SHOULD ADDRESS CHEMICALS AFFECTING REPRODUCTION OF ALL FISH. **Scoping should endorse ocean ranching of southern flounders in NC sounds & ocean ranching of summer flounders from Chesapeake bay north. ( HERPAPS BY PRIVATE ENTERPRISE) [ SPAWING & RELEASING MOSTLY FEMALE FISH COULD REVERSE COUNCIL POLICY OF ELIMINATION OF FASTER GROWING FEMALE FISH] SCIENCE: YEAR CLASSES OF MOSTLY FEMALE FISH SHOULD PRODUCE MORE SPAWN. \*\*\*\* READ YAMAHA FISHERY JOURNAL NO. 37 AVAILABLE ON INTERNET \*\*\*\* {previously provided to council}**

SCOPING MUST ADDRESS Intercepts of recreational fishing from EEZ returning to private docks. Law enforcement seldom encounter these vessels for enforcement. [ smart phone above] representing 80% of recreational fishing in EEZ! WOULD REPORT!

ROUGHLY 16 18 MILLION AMERICANS FISH FRESH & SALT WATER.

PERCENTAGE WISE THE ALLICATION SPLIT DOES NOT PROVIDE THE NON FISHING AMERICAN PUBLIC THE CORRECT PERCENTAGE OF FISH! **[HARVESTER BY COMMERCIAL FISHERMEN]**

WHY HAS COUNCIL POLICY & SCOPING RESULTED IN 92% TO 93% OF SEAFOOD CONSUMMED IN AMERICA BEING IMPORTED?

SCOPING SHOULD ADDRESS WHY THE COUNTRY WITH SECOND LARGEST EEZ IN WORLD IMPORT 92% TO 93% CONSUMMED SEAFOOD?

KNOWING THESE SCOPING COMMENTS WILL NOT REACH COUNCIL DISCUSSION BRING DISALISIONMENT WITH scoping & Council PROCESS.

United National Fisherman's Association 123 Apple Rd. Manns Harbor NC 27953.



**2%**  
**Diltiazem**  
 Antihypertensive  
 (0.13 nanograms per  
 gram of fish fillet tested)

**46%**  
**Norfloxacin**  
 Antidepressant by-product  
 (3.2 nanograms/gram)

**20%**  
**Diphenhydramine**  
 Antihistamine  
 (1.4 nanograms/gram)

**33%**  
**Carbamazepine**  
 Antiseizure  
 (2.9 nanograms/gram)

**Carbamazepine**

**Fish Pharm**  
 These pills represent the  
 relative amounts of four  
 pharmaceutical drugs found  
 in fish pulled from Chicago's  
 North Shore Channel and  
 tested by Baylor scientists.

PHARMACEUTICALS EXCEED 100 TIMES THE LEVEL OF POLLUTANTS  
 FOUND IN FISHING GEAR. PHILIP S. COPELAND, BAYLOR UNIVERSITY  
 AND COLLEGE OF THE SOUTHWESTERN BAPTIST UNIVERSITY  
 RESEARCHERS AT BAYLOR UNIVERSITY, DALLAS, TEXAS

The traditional foe of water quality is waste from factories and farms; but now environmental regulators are eyeing pollution source: our medicine chests. Fish caught downstream from sewage treatment plants in five U.S. cities contain pharmaceuticals and toiletries. Baylor University researchers found a recent study. You'd have to eat tons of fish to equal the amount of pills in the fish. To assess the risk, scientists tested the water in the fish. To assess the risk, they analyzed the water in the fish. To assess the risk, they analyzed the water in the fish.

Received via email 3/13/2020

## REREATIONAL FISHING INFORMATION:

Note that while the plan acknowledges that saltwater angling is “*more popular than ever,*” and addresses the number of trips, the number of fish caught and the number of fish released, it doesn’t discuss the number of people who actually participated in saltwater angling.

UTILIZATION OF ALL RESOURCE CAUGHT FOR FOOD MUST BE Mid Atlantic Fishery Management Council GOAL. NO DISCARDS

The United National Fisherman's Association demands the Mid Atlantic Fishery Management Council and NMFS implement mandatory smart phone or electronic reporting for all recreational vessels fishing in the EEZ for a period of four years prior to reallocating resource shares. During the past ten years Mid Atlantic Fishery Management Council and NMFS have ignored UNFA request for vessel permits, operator permits & trip reporting from recreational vessels fishing in the EEZ .

FOLLOWING: CUT & PAST STATEMENTS SUPPORTS THE DEMAND FOR REPORTING FROM RECREATIONAL FISHERMEN FROM EEZ. PRIOR TO REALLOCATING RESOURCE. Do 85% of recreational fishermen fish from shore?

Could it be that an ever-decreasing number of increasingly organized recreational fishing hobbyists and their activist leaders, with the perhaps unwitting complicity of a fisheries management establishment that is dependent on their expenditures for its budgetary well-being as well as its future existence, are involved in a major effort to hoodwink our policy makers? Looking at the data, it seems inescapable that more and more fish from our coastal and offshore waters are going to fewer and fewer people. These are fish that belong to all of us, and 95% of us either can’t afford to or couldn’t care less about catching them ourselves, depending instead on commercial harvesters to get the fish out of the water and onto our plates. Mid Atlantic Fishery Management Council & Atlantic States Marine Fisheries Commission ALLOW MORE DISCARDS THAN HARVEST FROM MOST SPECIES. Atlantic States Marine Fisheries Commission IGNORES ARTICAL 1 SECTION 1 TO Prevent “waste from any means”

More Americans also went fishing. The report indicates an 8 percent increase in angling participation since 2011, from 33.1 million anglers to 35.8 million in 2016. The greatest increases in participation—10 percent—were seen in the Great Lakes area. Total expenditures by anglers nationwide rose 2 percent from 2011 to 2016, from \$45 billion to \$46.1 billion.

n the United States, approximately 8.9 million saltwater anglers support 439,000 jobs and generate \$63 billion in sales impacts. NOAA recently hosted a National Saltwater Recreational Fisheries Summit following constructive round table discussions with the angler community in 2017. The summit brought together saltwater recreational fishing community leaders, councils, interstate marine fisheries commissions, and agency staff under the theme of “Improving Opportunity and Stability in Saltwater Recreational Fisheries

**Die-hard anglers are a small group:** Out of the pool of roughly 33 million people who fish each year<sup>1</sup>, only four percent of the licensed anglers purchase a fishing license every year (10 out of 10 years). The largest proportion of anglers—49 percent—purchases a license only one out of 10 years. Almost as many—47 percent—purchase a license in more than one year but lapse in between purchases

**Findings** Figure 2 shows a snapshot of the distribution across all licensed anglers from 2004 through 2013 by the number of years they purchased a license over that ten-year span.<sup>8</sup> The largest proportion (49%) purchased a license only one out of ten years and only four percent purchased every year. Approximately one-half (47%) purchased licenses in more than one year but also lapsed for a period of time between license purchases. **Figure 2. Number of years that anglers purchased a license over a ten-year span, 2004-2013**

Saltwater angling generated \$63 billion in sales across the economy in 2015, up 5 percent from 2014. Job impacts in the marine recreational fishing industry remained steady from 2014 at 439,000 jobs. Mississippi, Connecticut, South Carolina, Washington and Alaska had the greatest recreational fishing sector job growth in 2015

In their never-ending quest for more and more fish for their constituents, recreational angling advocates have relied on claims that their sport is continuously growing, that it is the “foundation” of coastal communities, that every fish allocated to the consumer (and therefore denied to the recreational angler) represents a loss of tens or hundreds of dollars to the economy, and on and on and on. Anyone who is reading this is probably more than familiar with the litany.

But how true are these claims? What is the “state of the state” of recreational angling in the United States? Is participation in recreational angling on an upswing that is threatening the future popularity of NASCAR and pro football and the seafood lover’s access to ocean–fresh fish from our rich coastal waters?

*“Every year, 13 million Americans enjoy recreational fishing in our oceans and along our coasts...Saltwater recreational fishing is more popular than ever. Over the past decade, the number of angler trips rose nearly 10 percent, to 82 million trips in 2003. Not surprisingly, the number of fish caught by anglers since 1993 has increased proportionately. Although saltwater anglers have caught more fish in recent years, they also have released their catch more often.”*

**Participation in recreational fishing**

Type of Fishing	1987	1990	1993	1998	2000	2002	2003	2004	Change last year	Change last 6 years	Change last 17 years
Fly	11,359	8,039	6,598	7,269	6,581	6,034	6,033	4,623	-23.40%	-36.40%	-59.30%
Freshwater-Other	50,500	53,207	50,198	45,807	44,050	42,605	43,819	39,433	-10.00%	-13.90%	-21.90%
Saltwater	19,646	19,087	18,490	15,671	14,710	14,874	15,221	13,453	-11.60%	-14.20%	-31.50%

The decline in saltwater recreational angling of over 31% that the Sporting Goods Manufacturers Association measured in the last seventeen years is pretty dramatic. (And note that, counter to the NMFS press release cited above, the SGMA data show a decline in participation of 17% from 1993 to 2003.)

When this decline is considered relative to the total U.S. population it becomes even more so. In 1987 approximately one in twelve, or 8.1%, of us fished in salt water. In 2004 that participation had fallen to

less than one in twenty, or 4.7% (based on a population of 242 million in 1987 and 285 million in 2004). This is a decline in the popularity of saltwater angling, as measured by the percentage of the total population that participates, of almost 60%.

And this isn't a phenomena that is restricted to the United States. Recreational fishing in Queensland, Australia declined from 24.6% to 20.6% from 2001 to 2004. According to Queensland's Commissioner of Primary Industries and Fisheries, Henry Palaszczuk, *"the decrease in fishing participation in Queensland reflects trends in other countries that show fewer people are fishing recreationally"* (Survey shows fewer fishers but smarter fishing, [http://www.mysunshinecoast.com.au/local\\_community\\_news\\_display.php?id=1370](http://www.mysunshinecoast.com.au/local_community_news_display.php?id=1370)).

\*\*\*\*\*

*"Marine recreational anglers represent one of NOAA's largest organized constituencies. With their demonstrated conservation ethic, America's 13 million anglers will be among NOAA's most important allies."*

\*\*\*\*\*

And it's definitely more popular with an aging group of participants with an increasing amount of spare time to devote to fishing and an increasing amount of disposable income to spend on recreational fishing gear. As a matter of fact, the author(s) of the planning report cited above, while attempting some of what it's difficult to imagine as anything but totally inappropriate political finessing, wrote in a justification for their conclusion that saltwater recreational fishing is more popular than ever, *"in the past decade, the number of angler trips rose nearly 10 percent, to 82 million trips in 2003."* Are we off base in thinking that if fewer and fewer people participate in a given activity each year, that regardless of how often each of those people participates, that activity is becoming less rather than more popular?

**Average saltwater angling trips per year**

Year	1987	1990	1993	1998	2000	2002	2003	2004
Average trips/year	2.7	2.4	3.4	3.9	5.4	4.9	4.8	5.5

Only two thirds as many anglers are fishing today as fished seventeen years ago, but on the average, each of them is fishing twice as much. And they are using more advanced tackle, faster and larger boats, marine electronics several orders of magnitude more effective and far more affordable than in 1987, and communications technology – cell phones and internet chat rooms – that transmit knowledge of the latest "hot spot" instantaneously.

\*\*\*\*\*

According to the SGMA, and to wide ranging anecdotal observations, the *vox populi* has spoken resoundingly: the U.S. consumer is less and less interested in catching his or her own fish – either to eat or for enjoyment.

\*\*\*\*\*

Determining a rational government policy addressing this fact would seem to be fairly obvious. Fisheries allocation decisions should be favoring the non-fishing seafood consumers, who outnumber recreational anglers by more than twenty to one. But is this the case? Not hardly!

**ponder:**

- If participation in recreational angling is declining, why are federal and state agencies so engrossed in countering this trend, improving angling access and the “quality” of the angling experience?
- If participation in recreational angling is declining, why is so much effort of the National Marine Fisheries Service aimed at decreasing the commercial harvest and the availability of local seafood to an ever-increasing population that is demanding more high quality seafood every year\*?
- If participation in recreational angling is declining, why are commercial fishing representatives increasingly being replaced by recreational angling representatives on our regional fisheries management councils?
- If participation in recreational angling is declining, why does the membership of the Atlantic States Marine Fisheries Commission continue to be so recreationally oriented?
- If participation in recreational angling is declining, why are recreational fishing advocates unceasingly demanding a larger part of every fishery they or their constituents have an interest in?
- If participation in recreational angling is declining, why are our elected officials sponsoring legislation to turn entire species of fish or huge areas of ocean over to recreational anglers, forever excluding commercial harvesters and non-fishing consumers?

Isn't it time that we took a serious look at the designed-in funding conflicts and political leverage that have so severely distorted our fisheries management priorities for the last two decades, a period during which fewer and fewer anglers have been demanding – and often been getting – more and more fish? Isn't it time that we recognized this “public be damned” attitude,

\* Further complicating this question is the potential conflict raised by the federal Saltonstall-Kennedy program. Designed to support fisheries research and development, the S-K program is described in a 2004 report to Congress:

*“The S-K fund is capitalized through annual transfers by the Secretary of Agriculture to the Secretary of Commerce of amounts equal to 30 percent of the gross receipts collected under the customs laws on imports of fish and fish products.”*

However, as the chart below (taken from *Table 1. S-K funding for FY 2004* in the above report) shows, only 22% of the available S-K funding was used to support the fisheries R&D that was the original legislative intent. The rest was absorbed by the NOAA budget to offset agency operating costs (the other \$185 million stayed with the Department of Agriculture).

*Table 1. S-K Funding for FY 2004*

Funding Item	Amount
--------------	--------

	(\$ in millions)
Total Duties Collected on Fishery Products	\$265.75
S-K Transfer to NOAA (30% of above)	79.72
NOAA's costs related to operations, research, and facilities	62.00
S-K Allocation	17.72

The budget for the National Marine Fisheries Service is on the order of \$500 million per year. It's parent agency (the National Oceanic and Atmospheric Administration or NOAA) receives about 12% of that amount from a tax on imported fish and fish products. If fish imports increase, S-K receipts increase. If the domestic harvest of fish and fish products declines, fish imports increase at a more rapid rate than they would otherwise. *Res ipsi loquitor?*

The United National Fisherman's Association demands the Mid Atlantic Fishery Management Council and NMFS implement mandatory smart phone or electronic reporting for all recreational vessels fishing in the EEZ for a period of four years prior to reallocating resource shares. During the past ten years Mid Atlantic Fishery Management Council and NMFS have ignored UNFA request for vessel permits, operator permits & trip reporting from recreational vessels fishing in the EEZ . **NOW IS TIME TO IMPLEMENT REPORTING FROM THE TOTAL RECREATIONAL SECTOR FISHING IN EEZ.**

UNFA 123 Apple Rd Manns Harbor NC 27953  
3/13/2020

## Kiley Dancy

---

**From:** Seeley, Matthew  
**Sent:** Monday, March 30, 2020 10:29 AM  
**To:** Beaty, Julia; Kiley Dancy; Coutre, Karson  
**Subject:** FW: General comments To SCOPING HEARING

**From:** Top Hook <ssofabed@aol.com>  
**Sent:** Friday, March 6, 2020 2:59 PM  
**To:** Seeley, Matthew <mseeley@mafmc.org>  
**Subject:** General comments To SCOPING HEARING

Hi Matt

1) M.R.I.P. 🤔

2) Bluefish, as records show, fish were in decline ,no efforts were made to tweak the decline.Instead business as usual.So ten years go by and BOOM we get hit with" OVER FISHING" WHICH MEANS , REBUILDING MANAGEMENT, In both the recreational and commercial industries. A ten year rebuilding plan , which was one of the options .I'm not getting any younger. We know that we will not see a 15 fish bag limit any more for the recs but hopefully we can get the commercial quotas back up.So I guess what I am asking is we need to make better management decisions, so we don't GET KICKED BELOW THE BELT AGAIN..

3)Sector separation,needs more evaluation. At this point perhaps a sector ALLOWANCE program. ex 3 bluefish, 5 bluefish for-hire. which is now in place. Scup 50/ 30 season, now we work on Sea bass, Fluke AND LOOK FOR THE SWEET SPOT. THE FOR -HIRE SECTOR WILL AND MUST REPORT ACCURATELY ON THE E- VTRS IN ORDER FOR THIS PROGRAM TO SUCCEED.

4) M.R.I.P. 😡

Thank You  
Cap't Steven R. Witthuhn  
AP MAFMC  
AP ASMFC

MRAC N.Y.  
Top Hook Fishing Charters Montauk N.Y.  
35 yrs of Fisheries Involvement



**From:** josephcjordan@aol.com  
**To:** Beaty, Julia  
**Subject:** Fluke size limits  
**Date:** Tuesday, March 10, 2020 8:14:00 AM

Please consider a reduced size limit for summer flounder. Strong evidence and an observation of a history of the fishery indicates that larger size fluke represent mostly breeding class females which are specifically targeted at present. Additionally culling through numerous smaller fish results in higher mortalities to a greater number of fish. Anecdotal wisdom would suggest that catching and retaining a limit of smaller fish would certainly reduce the selective harvest of the larger fish.

Thank you for your consideration

Joe Jordan

**Name:** Eric Lundvall  
**Email:** ericlarslundvall@gmail.com  
**Check all that apply:** Commercial Fishing Industry  
: Eric L Lundvall

**Comments:** STATUS QUO FOR COMMERCIAL/RECREATION QUOTA SPLIT FOR SUMMER FLOUNDER, SCUP AND SEABASS.

THERE IS NO REAL ACCOUNTABILITY MEASURES FOR THE RECREATIONAL SECTOR .

THE DATA COLLECTED BY MRIP IS LIKE PULLING NUMBERS FROM OUT OF A HAT,

NO REAL NUMBERS.

I CAN NOT SEE EVER PONDERING A RE-ALLOCATION UNTIL THERE IS EQUAL ACCOUNTABILITY MEASURES FOR REPORTING, MONITORING, OVERAGES AND OBSERVER COVERAGE FOR THE RECREATIONAL SECTOR TO SUPPORT A CHANGE.

**From:** JACQUELINE LOPARDO

**To:** Beaty, Julia

**Subject:** Fluke/Scup/Sea Bass Allocation Amendment

**Date:** Saturday, March 14, 2020 5:30:56 PM

To Whom This May Concern

Suggestion Follow-up;

My suggestion was originally voiced @ the Belmar council meeting.

As a senior the majority of my fishing is done in the Barnegat Bay. I am a Forked River resident, I fish 4 to 5 days a week, mostly weekdays; the majority of fisherman I see are also seniors.

The main reasons seniors like myself fish the Bay are because most have smaller boats, they cannot maneuver through the physical challenges of the Inlet and Ocean and they cannot afford the fuel to go out into the ocean daily.

Its extremely hard to catch an 18" inch fluke in the bay, this past season I only caught 5 or 6 keepers, most days I catch between 8 and 12 fluke and only maybe get a measurer or 2. Sadly, while trying to keep the mortality rate as low as possible, I know that I am throwing fish back that will not survive.

I feel seniors should be granted a 2 or 3 fluke bag limit @ 16 inches or more.

Currently, Island Beach State Park and Cape May have that limit for All. Commercial Fisherman and Commercial Hook and Line Fisherman have a much smaller limit than 16 inches and a much larger catch allowance.

To be eligible for this a fair age would be 65, for all recreational fishing.

At 77 I have been fishing for over 70 years and I am looking forward to catching some fish I can keep.

Best Regards,

Richard Lopardo

1108 Tahiti Dr

Forked River NJ 08731

732-829-7326

**Name:** BILL SHILLINGFORD

**Email:** BUCKTAIL8@AOL.COM

**How would you describe your primary role in the fishery?:** Recreational (private angler)

**Primary state(s) you land bluefish in::** New Jersey

**Gear type(s) used::** Hook and line or handline

**Comments:** The data is clearly wrong when it comes to summer flounder. Summer flounder population while still rather high in spite of what the experts report, the problem is the average stock size is way down. This is the result of a couple of things #1 The fact that only the females which are flounder over 18" are being removed is having a serious impact on the annual spawn. 18" flounder and above are the most fertile and provide the most prime eggs. The SIZE has to come down to a 16 or 17" size so that there would be a better spread of male vs female being removed. We cannot continue to only remove prime females. Staying at 3 fish with smaller size should bring down the average size retained and allow the population to grow. If you look at past history since a size went in at 13" in 1984 and much longer seasons you will find the population grew until a 17 1/2 size went in and even with the shorter seasons the stock has not grown since. This is resulting in a ratio of 5 or 6 or more being thrown back to every one over 18" . The fatality rate on the throwbacks is much higher than what your reports consider. This is especially true in July and August when water temperatures are high and short flounder are more abundant

#2 Something has to be done to eliminate or greatly reduce the flounder being removed by the commercial fleet during the prime spawning times in the winter. It DOESN'T have to be eliminated BUT some controls need to be put in that reduces the catch during the prime Spawn in offshore waters when population is concentrated from OCT to Feb.

The failure of the Council to recognize these 2 factors is the REASON THE STOCK IS DROPPING

One SOMEWHAT different alternative for the recreational side could be a total length like 60", once a 60" in total length of fluke is met your daily limit has been met and you could go fish for another species.

One last comment ,the methods being used to determine the recreational catch is seriously flawed ,phone calls and letters is totally useless and ineffective .. A better method for more accurate data would be to ONLY get data at the docks when fishermen are coming in. This would be real live data and you could also get a better handle on number of short flounder being thrown back

The regulations being used have been totally ineffective so you need to begin thinking out of the box with new ideas that will produce effective results

I would also like to see this new plan get worked on quickly and some new methods ready for 2021 seasons as current regulations are having serious negative affects on the economies of fishing communities

**Name:** Stuart Fries

**Email:** stutag1@gmail.com

**Check all that apply:** Private Recreational Angler

: Stuart Fries

**Comments:** My comment concerns SUMMER Flounder Regulations in New York State.

We have many thousands of Recreational Anglers in NY. Not sure how many Commercial Summer Flounder licenses, but by comparison VERY few. Apparently, there is NO shortage of Summer Flounder in NY, as you INCREASED the 1,000 lb limit to 2,000 lb for January thru April.

Let us have some fairness. The thousands of angler that fish aboard party boats and other recreational anglers, rarely take home a legal size fish (19 inches or bigger). Commercial fisherman can keep a fish of 14 inches. Give the recreational angler a break. Let them keep at least one fish of 16 inches or bigger and have something to bring home!

**From:** Mike

**To:** Beaty, Julia

**Subject:** Flounder

**Date:** Monday, March 16, 2020 6:30:06 PM

Sir,

Having fished for Flounder for years I feel the current regulations for flounder should allow us to keep some smaller fish. The size regulation makes it nearly impossible to keep any flounder. Also most fish are females which I feel is not good for the stock.

Thanks

Mike Basileo

**From:** David Rider

**To:** Beaty, Julia

**Subject:** summer Flounder

**Date:** Monday, March 16, 2020 7:32:52 PM

We need to lower the flounder length limit to under 18 inches so the productive female fish available to produce young. Do what you can to make that happen.

David E. Rider

728 W Glenview Drive

West Grove, PA 19390

215-699-5748

Cell – 215-370-4737

**Name:** Monty Hawkins

**Email:** mhawkins@morningstargishing.com

**Check all that apply:** Charter/Headboat For-Hire Captain

**Comments:** It would be irresponsible beyond belief to use MRIP - catch data NO ONE should believe and worsening - to make any fisheries decisions, let alone of this magnitude..

I have shown instance after instance of even Shore Mode (but more often Private Boat) are said to have caught more fish than ALL Party/Charter throughout the management unit.

There are even instances where Shore catch more than ALL Commercial AND Party/Charter COMBINED!

Y'all MUST demand better data.

You MUST look at ways of testing the data for plausibility.

You Have VTRs - Use Em!! Compare to what fishers find plausible....

I call it "percentage of the catch" testing.

When MRIP claims Rhode Island Shore Mode caught more sea bass in wave six 2019 than ALL Party/Charter from Hatteras north — and you want to use THAT to determine rec catch AND give away commercial quota based on same?

Your sense of science needs "recalibration" - MRIP needs to be canned and fisheries returned to MRFSS at once.

What a miserable failure MRIP has been.

Regards,

Monty Hawkins

Partyboat MorningStar

OC MD

**Name:** Jackson Aeo

**Email:** jaeo602@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** No way you can catch a legal black seabass from Delaware/ Maryland shores!

The numbers are way off and needs to be counted again!

**Name:** Chris Powell

**Email:** chris.powell0327@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** Think commercial and recreational size limits should be same size

**Name:** Jennifer Koontz

**Email:** jlk21755@comcast.net

**Check all that apply:** Private Recreational Angler

**Comments:** Use real numbers, not the obviously erroneous estimates that are causing irrevocable damage to realistic catch limit setting. Revert to the previously used MRFSS, which was better than the current MRIP. Recreational anglers are not catching more than commercial boats!

**Name:** Jim Beirnes

**Email:** j.beirnes@verizon.net

**Check all that apply:** Private Recreational Angler

**Comments:** Do not, do not continue continue to use MRIP as any estimate for establishing catch limits.

**Name:** Jim Beirnes

**Email:** J.beirnes@verizon.net

**Check all that apply:** Private Recreational Angler

:

**Comments:** Please please stop using MRIP numbers, especially those that are obviously not correct. Monte Hawkins has supplied you with many.

(Sent via [Mid-Atlantic Fishery Management Council](#))

**Name:** Duane Luchaco

**Email:** ddluch@aol.com

**Check all that apply:** Private Recreational Angler

: MRIP data way off

**Comments:** The MRIP data should never be used to set limits. Seeing MRIP data that claims huge amounts of Sea bass being caught from shore. I have fished for well close to 55 years and I have NEVER caught a legal Black Sea Bass from shore ... NEVER !!! Get rid of this extremely inaccurate Data.

**Name:** RAYMOND STRONG

**Email:** rays71778@gmail.com

**Check all that apply:** Private Recreational Angler

**: Comments:** I am a fisherman from Delaware and have fished nj de and md waters from shore and from for hire boats almost every weekend for the past 5 years and from what I have observed and the ppl I've talked to about what everyone is or is not catching and can honestly say the system is a false the numbers are vastly exaggerated and is not fair for ppl like myself to have more restrictions put on what we catch. It's not easy to catch fish sometimes unlike the big boats with hundreds of feet of nets that catch more than what their supposed to and a vast amount of what they catch goes to waste before and after it goes to market cut their limits

**Name:** Robert Haas

**Email:** rahaas@verizon.net

**Check all that apply:** Private Recreational Angler

**: MRIP Data**

**Comments:** MRIP data is incredibly flawed and needs to be scrapped in favor of a more accurate data collection system.

**Name:** Robert Taylor

**Email:** NSFCharters@gmail.com

**Check all that apply:** Charter/Headboat For-Hire Captain, Commercial Fishing Industry

**Comments:** MRIP data is clearly not working can provide many examples need a new system!!!

**Name:** Donald Fox

**Email:** dfox@towndock.com

**Check all that apply:** Commercial Fishing Industry

**Comments:** I believe that none of these quotas should be changed. There are no accountability measures for the recreational fishery. This is rewarding a fishery for going over their quota. It does not make sense to me.

**Name:** David Rissell

**Email:** drrissell@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** MRIP is total junk science fantasy and should not be used in determining any seasons or catch limits

**Name:** Bill Rogers

**Email:** prokat26@me.com

**Check all that apply:** Private Recreational Angler

**Comments:** Stay with the current system please

**Name:** Jefferson Fort

**Email:** jefferson.fort@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** IMHO, MRIP has repeatedly provided crappy Intel and suggestions. Mortality studies need more attention and trawlers rape our oceans. For recreational fishing building more artificial reefs could help many non pelagic fish. Commercial limits are hard to impose due to lobbyists I purpose we tax commercial to build reefs.

Thanks

..j

**From:** Ed DiMarcantonio

**To:** Beaty, Julia

**Date:** Tuesday, March 17, 2020 8:47:40 AM

Councilman,

Please consider allowing smaller catch size for summer flounder and its catch the males under 18 and let the women go free! I support Bucktail Willie's comments.

Thanks,

Edward J DiMarcantonio

Axis Realty Partners

30 N Bacton Hill Road

Frazer, PA 19355

610-687-4600 Ext 307

610-644-3502 FAX

610-960-0200 CELL



**Name:** Andrew Esham

**Email:** salth2ocowboy@yahoo.com

**Check all that apply:** Private Recreational Angler

**Comments:** The math is so badly flawed it's laughable at best, very few sea bass are caught from shore at least not many if any keepers! I truly support the idea of conservation and a plan for conservation but it must be based on science and not guesswork. In the reallocation To take from one groups To merely give to another group is not conservation is particularly heinous that it's based on flawed math

**Name:** Jeff Deem

**Email:** deemjeff@erols.com

**Check all that apply:** Private Recreational Angler

**Comments:** Please leave the allocations as is until we can have more faith in the MRIP estimates. We can live with where we are until then.

Thanks,

Jeff Deem

**Name:** david nolan

**Email:** davidnolan600@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** your figures are wrong  
taking sea bass out of kids fun in july and aug is sad  
shame of you people

**Name:** Vince Cannuli

**Email:** cannulia@gmail.com

**Check all that apply:** Private Recreational Angler, Charter/Headboat For-Hire Captain, Commercial Fishing Industry

**Comments:** Making decisions on Allocations, Creel, Seasons, or Sizes using MRIP is a failure to the resource and all users of the resource.

I understand the aggregate data is believed to be accurate but there are certainly some outliers in the lower levels/details of the MRIP estimates... and I think that if the estimates are so out of line at lower levels, I can't believe the aggregate is a realistic view of our resources.

It appears the lack of intercept data is one contributor but more, the over exaggerated effort data appears to be causing estimates to balloon beyond reality.

No changes in any fishery should be made until MRIP is repaired, as it appears to be quite broken.

**Name:** Joseph Molé

**Email:** Joe@Landscapecreationsny.com

**Check all that apply:** Private Recreational Angler

**Comments:** MRIP DATA AND COLLECTION SYSTEMS ARE NOT ACCURATE AND THIS MUST BE CORRECTED IMMEDIATELY TO ENSURE FAIR AND SUSTAINABLE FISHERIES MANAGEMENT FOR THE YEARS TI COME. PLEASE THINK ABOUT CHANGING THE CURRENT SITUATION  
THANKYOU VERY MUCH

**Name:** Willuam Martin

**Email:** pokerbill65@aol.com

**Check all that apply:** Private Recreational Angler

**Comments:** Please stop hurting the recreational angler. I get that numbers may be down. But we have rod and reel. Not nets that catch tons at a time. Not to mention dead loss of other fish. How about you level the field. Let commercial guys go back to hook and line. Less dead fish going back. Less destruction of ocean bottom. Stop long lining. Just another joke. You worry about commercial guys going out of business, but not bait shops, boat dealers, and all other business tied to fishing.

**Name:** Kyle Krabill

**Email:** kyle.a.krabill@nasa.gov

**Check all that apply:** Private Recreational Angler

: Kyle Krabill

**Comments:** Please work on a new way to collect fisheries data other than the current MRIP. The data is absolutely wrong. extrapolating data does not work for recreational fisheries.

**Name:** Kenneth Murgo

**Email:** Kenneth.Murgo@gmail.com

**Check all that apply:** Private Recreational Angler, Commercial Fishing Industry

: Kenneth T Murgo

**Comments:** I am strongly opposed to any decrease in commercial allocation. As a 30 year old fisherman I am one of the youngest in the fleet and we are fighting to survive. Any decrease in our allocation, especially in black sea bass, will be detrimental to my ability to be profitable.

**Name:** Gary Sargable

**Email:** gsargable@yahoo.com

**Check all that apply:** Private Recreational Angler

**Comments:** MRIP might be this most harmful thing to recreational fishing ever. The recreational catch numbers they claim are so out of touch with actual catches. And to then use these numbers to increase the commercial catch limits lunacy.

We need accurate data.

**Name:** Cristian Terreros

**Email:** cris4tuna@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** Guys, why do private citizens allways get blamed for all the catch. Because of health reasons i dont get to fish. But the one like day I get to go. I cant keep much because it is the receletional that catches the most?  
Makes no sense. Give out tags for each fish. Then you can get a real count. And I can use my tags when I can go fishing. If I am lucky and I get 20. I use them all and I am done for the year. And you will know because I can report it in on the website. It can be done. I pay my boat registration and taxes like everyone else be fair. It is not fair. Your numbers make no sense. Thank you.

**Name:** Gregg Avedon

**Email:** gregg.avedon@nfp.com

**Check all that apply:** Private Recreational Angler

**Comments:** Please do NOT use MRIP data to set seasons or limits, that data is worse than useless, it is way wrong and could destroy recreational fishing as we currently know it. To paraphrase an old saying, "Tthere are lies, there are damned lies, and then there are statistics..."

**From:** Fishthewizard

**To:** Beaty, Julia

**Subject:** BSB Allocation Amendment

**Date:** Tuesday, March 17, 2020 11:40:29 AM

To Whom It May Concern:

The commercial/recreational allocation of black sea bass should remain status quo, unless NJ commercial fishermen are allocated a larger percentage of the quota.

Joan Berko

Commercial fisherman

**Name:** Robert Rodgers

**Email:** bertrodgers@verizon.net

**Check all that apply:** Private Recreational Angler

**Comments:** How is it possible that trained scientists recognize the MRIP system as a viable way to collect data? Very small samples of word of mouth catch reports that do not take into account changes due to weather and other factors cannot be considered good science. The numbers of shore caught seabass derived from the system are physically impossible.

**Name:** James Lee

**Email:** jl\_rotary@yahoo.com

**Check all that apply:** Private Recreational Angler

**Comments:** Catch estimates are a joke. Where are these numbers coming from. It's time to take this seriously and get accurate numbers.

**Name:** Kirk Davis

**Email:** kirk@jettprep.com

**Check all that apply:** Private Recreational Angler

**Comments:** The data you are using is so obviously flawed that you need to throw it out and start anew. Freeze limits to 2019 levels for 2 years and figure a way to fix it.

**From:** David Dow

**To:** Beaty, Julia

**Subject:** Fluke/Scup/Sea Bass Allocation Amendment" Comments

**Date:** Tuesday, March 17, 2020 2:03:03 PM

As a retired marine scientist from the Northeast Fisheries Science Center in Woods Hole and a grassroots environmental activist living on Cape Cod, Ma., I wanted to comment on: the sustainability concept in the development of Fishery Management Plans (FMPs) and the use of adaptive, ecosystem-based management approaches that include human stressors (climate disruption; eutrophication; increased ocean noise; competing human uses like wind farms, US Navy training, oil/gas exploration, etc.; Marine Protected Areas and Stellwagen Bank National Marine Sanctuary management plan changes; changes in fish predators and their prey in space and times; alterations in the "productive capacity of Essential Fish Habitat (including pelagic food chain); etc.

I used to serve as Recreational Fisheries Coordinator in the Northeast and was a member of the New England Fishery Management Council's Habitat Plan Development Team which helped develop Omnibus Habitat Amendment 2 which was released by NOAA Fisheries GARFO in 2018. In addition, I participated in the EMaX (Energy Modeling and Analysis Exercise) research project on a carbon budget for the Northeast Continental Shelf Ecosystem which assumed that a steady state with linear dynamics between plankton/forage fish and top down competition/predation interactions existed. In recent years, fluke/scup/sea bass have migrated into Nantucket Sound, while Winter flounder, sea herring and lobsters have migrated into Cape Cod Bay (which is part of the Gulf of Maine). It appears to me that our local ocean food chain and the recreational/commercial fish catch/abundance relationships have changed into a non-linear system that is not at equilibrium which is not reflected in the commercial/recreational fish allocations developed in the 1980's/early 1990's. The situation has changed drastically in the last 30 years.

The MAFMC and ASMFC should consider supplementing "overfished SSB" and "fishing mortality exceeding its target" with concepts relating to "sustainability". There have been some recent papers on this topic ("Sustainability: A flawed concept for fisheries management" by Richard Stafford Elem. Sci. Anth 7 (8) which focuses on inshore waters in the UK and "Practical use of full-spectrum

sustainability in the Bay of Fundy” by Owen P. Jones and Robert L. Stephenson in *Ecology & Society* 24 (3) 25 (2019) which describes the 4 pillars of sustainability for herring management in Canadian waters- ecological; economic; social; and cultural). Given the changes in the MRIP process for assessing recreational fishing effort and catch & release mortality, many stocks targeted by saltwater angling have been characterized as exceeding “overfishing” and “overfished” targets and lead to decreased quotas (Atlantic striped bass) or exhibited increased "natural mortality" which has decreased quotas for both commercial and recreational sectors (sea herring).

For many local communities the “economic analysis” component of an FMP is related to the amount of fish caught, rather than the number of people that participate in the fishery that provide an economic multiplier effect for local economies. Thus here on Cape Cod, Fluke and Scup caught by the commercial sector is viewed as more valuable than those harvested by saltwater anglers. Given the lack of working waterfront on Cape Cod which constrains the commercial sector more than than saltwater anglers (many of whom fish from shore or use their own boats), I feel that the opposite is true as residents and tourists catch these species. Back in 2003 I helped organized an ecological indicators task force for Fisheries and Aquaculture in which an **EME** indicator was developed for both commercial and recreational fisheries. The **EME** compares direct/indirect/induced economic benefits on a county basis with the level of investments made by the public/private sector). In addition, to this natural resources economics tool, there are ecological economic tools which would allow the MAFMC and ASMFC to make evaluations which include “social and cultural” metrics.

The MAFMC and ASMFC could use adaptive, ecosystem-based management (a,EbM). See some of the following papers for more details: “Inclusion of ecosystem information in US fish stock assessments suggests progress towards ecosystems-based fisheries management” by Kristin N. Marshall et al. *ICES J. Mar. Sci.* 76 (1): 1-9 (2019) and “Planning for change: Assessing the potential role of marine protected areas and fishery management approaches for resilience management in a changing ocean” by Kristy J. Kroeker et al. PISCO Partnership for Interdisciplinary Studies of Ocean Sciences (2019). The use of a,EbM would allow investigation of cumulative impacts (see “A review of cumulative effects research and assessment in Fisheries & Oceans Canada” by Cathryn Murray et al. 2020. *Canadian Technical Report of Fisheries & Aquatic Sciences* 3357: 51 pp.); account for climate in stock assessment (including interaction of ocean acidity, eutrophication and hypoxia inshore); real-time responses to fisheries/ecosystem monitoring; promote social resilience; etc. (see Pew Environmental Trust Fact Sheet "Time-to-Rethink- Fishery Management" (2014)). One of the characteristics of non-linear complex systems is “surprises” (i.e. current COVID-19 virus causing health challenges and negative socioeconomic consequences). Similar “surprises” have occurred in the Gulf of Maine as the pelagic marine food chain has shifted reducing yield of LMRS from primary production and the “productive capacity of benthic Essential Fish Habitat” has diminished inshore from climate change and eutrophication (see EPA Waquoit Bay Watershed Ecological Risk Assessment project report)..

Given these unexpected rapid changes, the MAFMC and ASMFC needs to incorporate environmental and fisheries management research into their management framework more rapidly and find ways to convert this into products accessible by various constituent groups (being data rich but information poor is a major challenge). A good example is the fact that catch and release mortality of recreational species often exceeds targeted commercial catches/discards; changes in the MRIP process have altered estimates of effort and catches by saltwater anglers; and the shifting ocean baseline/changes in the marine food chain reduced the yield of LMRs (Living Marine

Resources) harvested by the commercial and recreational sectors. I discussed many of these items in more detail in my April 5, 2019 comments on the MAFMC strategic plan.

Thanks for your consideration of these comments.

Dr. David D. Dow  
East Falmouth, Ma.

**Name:** charles strenck

**Email:** strenck@hotmail.com

**Check all that apply:** Private Recreational Angler

: charles strenck

**Comments:** I think slot limits should be used to increase breeding in my area of ocean county .The present limit of keeping fish that are breeders (over 18inches) is killing the stocks .So many small fish never reach breed stock size because of mortality from being caught and released . Larger fish should be released and fish from 14 to 17 inches kept .Larger fish tend to be females with eggs and we are killing them off. The release of larger fish works on other species and would do a lot to improve the fishery . I personally released 210 small fish last year. I had 32 keeper fish in 30 trips in my local area .

**Name:** John Haran

**Email:** sector13@comcast.net

**Check all that apply:** Commercial Fishing Industry

**Comments:** Please keep the status quo in regards to the commercial allocation for summer fluke. Landings of summer fluke are a big part of the landings for the Port of Point Judith

**Name:** Jason Grieco

**Email:** [jasongri@msn.com](mailto:jasongri@msn.com)

**Check all that apply:** Private Recreational Angler

: Additional comments regarding the scoping process specifically as they relate to the summer flounder fishery.

**Comments:** For summer flounder, 60% of the annual total allowable landings is allocated to the commercial fishery and 40% to the recreational fishery based on 1980-1989 landings data. These allocations were implemented in 1993 through Amendment 2 to the Fishery Management Plan (FMP).

While I'm in agreement the allocation of the stock between industry sectors should reflect an historical perspective, using statistics from 30 to 40 years ago is outdated and obsolete as every aspect of the fishery in the 80's is different than today considering the regulations in place, prevailing catch statistics of the fishery and the stock's current attributes. In addition, that decade can be summarized as one of over-fishing the stock ultimately leading to the collapse of the fishery in 1988 when recruitment statistics hit their record low of ~12 million new recruits, SSB hit a record

low the following year in 1989 at ~7,000 metric tons and the biomass population collapsed to a mere ~62 million fish, a low water mark for the fishery as well. Hardly statistics or a period in the history of this fishery I would base current management or allocation decisions on. FMP needs to be amended to incorporate an allocation methodology using a rolling average of catch characteristics between sectors reflective of the current fishery. A trailing 10 to 15-yr average would be a more prudent methodology allocating the stock in a manner representative of current regulations and catch statistics. I would argue the same to be true for all fisheries under management. No business operates on statistics from 40 years ago, why would we apply those principles to fisheries management.

As a side note, I find it interesting in light of the FMP mandate to use 1980 to 1989 as the baseline period determining quota allocations, that the 80's represented the only decade of the past four where weight values based on age groups for recreational landings were lower than weight values assigned to similar age classes used to calculate commercial landings. Size minimums at the time were the same at 13" for both sectors so average landings weights by age by sector arguably should have been identical but are not. Today, 70% of landings in both sectors represents age classes 2 to 4, and if you compare weight values assigned in 2017 to both sectors recreational values on average are 43% higher than commercial. The impacts of this are twofold; first lower weight valuations for recreational landings in the 80's giving rise to a higher allocation percentage for the commercial sector. Second, subsequent year weight values relative to recreational age groups based on new MRIP data for comparable age classes has driven annual recreational landings higher leading to more restrictive regulations. More restrictive regulations ultimately leading to a higher allocation of annual catch quotas to the commercial sector which is precisely why the commercial sector was granted a 104% increase in commercial quota over the last two years while the recreational sector on a net basis maintained status quo. New MRIP statistics for the decade of the 80's, with all their uncertain assumptions, are reflecting a 60/40 split in favor of the commercial sector being used as the baseline behind this allocation process per FMP but for the years 1990 to 2017 that same allocation methodology reflects a 55/45 split in favor of recreational. A 15% difference in allocation percentages based on the last 27-yrs. of landings statistics being completely ignored in this scoping process for the summer flounder fishery.

In 2018, directed angler trips of ~1.6 million resulted in 2.4 million fish landed recreationally. That equates to angler trips specifically targeting summer flounder resulting in on average 1.5 fish per trip. In the process, recreational landings came in at 7.6 million lbs., slightly under the 2018 recreational harvest limit "RHL". What that means is in spite of higher regulatory state possession limits, those possession limits are in reality theoretical limits. Practical possession limits for the recreational community have been reduced to slightly more than a one possession daily trip limit. Meaning if on average 2 fish are harvested daily at today's average weight per fish, the recreational community will over fish the RHL by an estimated 2.5 million lbs. triggering even more restrictive regulation in the future. Since going lower than one fish is a mathematical impossibility, the entire stock might as well be shifted to the exclusive harvest rights of the commercial sector since that's essentially what the current regulations combined with new MRIP valuations have taken this fishery to. Recreational sector went from no possession limits, to 10 years ago, to 8, to 5, to 3 and as mentioned for all practical purposes today has been reduced to a 1-fish possession limit.

The commercial sector was granted a 104% increase in their landings quota from 5.66 million lbs. in 2017 to 11.53 in 2020. Number of fish landed commercially in 2000 was 5.6 million. In 2019, with

the recent benefit of the quota increase, it's estimated to decline by 9% to 5.1 million fish. For comparison sake, recreational landings in 2000 was 13.05 million fish compared to projected 2.22 million in 2020, an 83% decrease in fish landed over the last two decades. From a weight perspective, recreational landing in 2000 was approximately 26 million pounds based on new MRIP, projected in 2020 to be 7 million lbs. or a 74% decrease. Commercial over the same time frame was 11.2 million lbs. in 2000 with a projected quota in 2020 of 11.53 lbs. representing a 3% increase. If you thought the fishery was in a state of decline in recent years, see what 2020 holds in store with a 104% increase in commercial harvest pounding these stocks offshore during the fall spawn and mild winter months while staging offshore at the shelf. There's every reason to believe the 2020 season will be one of the worst years in recent memory.

This fishery for all practical purposes has been taken away from the recreational sector. Regulations are killing a family tradition shore-based communities have been founded on, are causing significant economic consequences to the recreational sector and if not addressed will eventually destroy this fishery currently experiencing a slow death. Starting with the allocation methodology mandated by FMP and continuing with the use of size minimums recreationally and the unabated harvest by the commercial sector of older age classes, over 80% of their harvest occurring in the EEZ during the spawn and winter offshore fishery, this fishery is trending in the wrong direction. Regulations have wreaked havoc on the fishery and this allocation methodology and new MRIP statistics have wreaked considerable havoc on the recreational sector. Both need to change.

The above disparities outlined in this fishery have to be a direct violation of MSA National Standards 4 - "Allocations" as well as FMP 9.2.1.4 (A), (B) and (C) "regarding nondiscriminatory measures between fisherman of all states", "fair and equitable allocation of the resources" "carried out in such a manner not to prejudice any individual, corporation or other entity acquiring excessive shares of such privileges".

**Name:** Mark S Phillips

**Email:** mark.st.phillips@gmail.com

**Check all that apply:** Commercial Fishing Industry

: mark s phillips

**Comments:** I support status quo. I do not think that the recreational should be rewarded for their inability to control their harvest. From the beginning of this plan the recreational have not been able to control themselves. When the plan first went in affect the recreational organizations encouraged increased effort while the commercial were held to strict quotas. If the commercial had run over with no punishment would the council be supporting an increased percentage for them, Answer NO so why should this even be considered? Get the recreational under control. Don't punish the people (and the people they feed) that have been held accountable.

They have had more then 20 years to get this under control and instead the option is reallocation absolutely NO!



**Name:** Robert Montevechi

**Email:** brewlugger@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** Good job on destroying another fishery

**From:** Jim Dawson <jimdawson1@verizon.net>

**Sent:** Tuesday, March 17, 2020 4:06 PM

**To:** 'Caitlin Starks' <cstarks@asmfc.org>

**Cc:** (rbeal@asmfc.org) <rbeal@asmfc.org>

**Subject:** Dawson reply for Black Sea Bass due 3-17-2020

**Importance:** High

Hey guys, sorry for the delay, surgery went well:

- 1) The split for recreational and commercial should NOT take anything different until MRIP has been accepted.
- 2) Once those numbers are accepted, we then should NOT divide any other way until a clause has been placed in such as the commercial fishery when the quota has been reached, their fishery closes immediately.
- 3) Party/Charter should have a “known” number because they MUST report already, therefore, only the recreational sportfishermen have the unknown number today.
- 4) Once the clause has been officially placed into written regulation, MRIP numbers accepted, new management measures will place size and bag limits according to MRIP...2020 did not do that even though Magnuson requires it.
- 5) The double standard must be eliminated. Permanently. Year after year the recreational fishery has been allowed to go over quota by tremendous numbers. ANY new regulation shall treat each fishery exactly the same!
- 6) Take into consideration that the recreational fishermen ALL fish basically from Memorial Day through Labor Day. Whether they fish for flounder, bass, or whatever, let them have enough as to not crush their livelihoods.

Sticking with a “status quo” for 2020 was in my estimation a violation and needs to be corrected. It was

a mistake not to have gone at the very least with some reduction because the recreational fishery went

so far over quota. The fact that according to a stock assessment that is “over target” is totally irrelevant. The stock size does not have anything to do with management measures, so far, the seasonal

closures for each state has allowed the recreational fishery to go over quota is a problem that should be

met with ANYTHING but a “status quo”. When states go over, they must reduce either bag limits as suggested and/or cut days from seasonal openings. The commercial fishery is not allowed to go over just because the stock target is at 240%.

James Dawson

**From:** KESS  
**To:** Beaty, Julia  
**Subject:** Fluke/Scup/SeaBass/ allocation Amendment  
**Date:** Tuesday, March 17, 2020 4:11:57 PM

Captain Philip A. Kess  
FISHY BUSINESS Sportfishing Charters  
P.O. Box 129 Aquebogue , N.Y. 11931  
Pkess@optonline.net  
516-316-6967

Fuke/Scup/SeaBass/ Allocation Amendment 3/17/2020

To whom it may concern,

I'm the owner operator of the charter boat FISHY BUSINESS sailing out of Orient Point L.I. New York for the past 25 years .

Below are my main points of concern at this time.

1. I believe we should stay status quo until we can get more reliable data especially in the recreational sector. MRIP numbers have been shown to be unreliable .
2. Explore having a separate allocations for the for hire fleet . With the data obtained from our VTRS, the for hire fleet has been shown to have minimal effect on our fisheries .
3. Much more study and action on the effects of Pollution and Predation on the juvenile and breeding stock . With the explosion of Seal and Cormorant populations as well as the Sea Bass , which are eating tens of thousands of fish daily.

Thank you for your consideration

Captain Philip A. Kess

**Name:** Bill Watts

**Email:** bwatts214@yahoo.com

**Check all that apply:** Private Recreational Angler

**Comments:** Please go back to the MRFSS. The new estimates are ridiculous.

**Name:** Yasar Chaudhry

**Email:** captainyasar@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** Additional comments regarding the scoping process specifically as they relate to the summer flounder fishery.

For summer flounder, 60% of the annual total allowable landings is allocated to the commercial fishery and 40% to the recreational fishery based on 1980-1989 landings data. These allocations were implemented in 1993 through Amendment 2 to the Fishery Management Plan (FMP).

While I'm in agreement the allocation of the stock between industry sectors should reflect an historical perspective, using statistics from 30 to 40 years ago is outdated and obsolete as every aspect of the fishery in the 80's is different than today considering the regulations in place, prevailing catch statistics of the fishery and the stock's current attributes. In addition, that decade can be summarized as one of over-fishing the stock ultimately leading to the collapse of the fishery in 1988 when recruitment statistics hit their record low of ~12 million new recruits, SSB hit a record low the following year in 1989 at ~7,000 metric tons and the biomass population collapsed to a mere ~62 million fish, a low water mark for the fishery as well. Hardly statistics or a period in the history of this fishery I would base current management or allocation decisions on. FMP needs to be amended to incorporate an allocation methodology using a rolling average of catch characteristics between sectors reflective of the current fishery. A trailing 10 to 15-yr average would be a more prudent methodology allocating the stock in a manner representative of current regulations and catch statistics. I would argue the same to be true for all fisheries under management. No business operates on statistics from 40 years ago, why would we apply those principles to fisheries management.

As a side note, I find it interesting in light of the FMP mandate to use 1980 to 1989 as the baseline period determining quota allocations, that the 80's represented the only decade of the past four where weight values based on age groups for recreational landings were lower than weight values assigned to similar age classes used to calculate commercial landings. Size minimums at the time were the same at 13" for both sectors so average landings weights by age by sector arguably should have been identical but are not. Today, 70% of landings in both sectors represents age classes 2 to 4, and if you compare weight values assigned in 2017 to both sectors recreational values on average are 43% higher than commercial. The impacts of this are twofold; first lower weight valuations for recreational landings in the 80's giving rise to a higher allocation percentage for the commercial sector. Second, subsequent year weight values relative to recreational age groups based on new MRIP data for comparable age classes has driven annual recreational landings higher leading to more restrictive regulations. More restrictive regulations ultimately leading to a higher allocation of annual catch quotas to the commercial sector which is precisely why the commercial sector was granted a 104% increase in commercial quota over the last two years while the recreational sector on a net basis maintained status quo. New MRIP statistics for the decade of the 80's, with all their uncertain assumptions, are reflecting a 60/40 split in favor of the commercial sector being used as the baseline behind this allocation process per FMP but for the years 1990 to 2017 that same allocation methodology reflects a 55/45 split in favor of recreational. A 15% difference in allocation percentages based on the last 27-yrs. of landings statistics being completely ignored in this scoping process for the summer flounder fishery.

In 2018, directed angler trips of ~1.6 million resulted in 2.4 million fish landed recreationally. That equates to angler trips specifically targeting summer flounder resulting in on average 1.5 fish per trip. In the process, recreational landings came in at 7.6 million lbs., slightly under the 2018 recreational harvest limit "RHL". What that means is in spite of higher regulatory state possession limits, those possession limits are in reality theoretical limits. Practical possession limits for the recreational community have been reduced to slightly more than a one possession daily trip limit. Meaning if on average 2 fish are harvested daily at today's average weight per fish, the recreational community will over fish the RHL by an estimated 2.5 million

lbs. triggering even more restrictive regulation in the future. Since going lower than one fish is a mathematical impossibility, the entire stock might as well be shifted to the exclusive harvest rights of the commercial sector since that's essentially what the current regulations combined with new MRIP valuations have taken this fishery to. Recreational sector went from no possession limits, to 10 years ago, to 8, to 5, to 3 and as mentioned for all practical purposes today has been reduced to a 1-fish possession limit.

The commercial sector was granted a 104% increase in their landings quota from 5.66 million lbs. in 2017 to 11.53 in 2020. Number of fish landed commercially in 2000 was 5.6 million. In 2019, with the recent benefit of the quota increase, it's estimated to decline by 9% to 5.1 million fish. For comparison sake, recreational landings in 2000 was 13.05 million fish compared to projected 2.22 million in 2020, an 83% decrease in fish landed over the last two decades. From a weight perspective, recreational landing in 2000 was approximately 26 million pounds based on new MRIP, projected in 2020 to be 7 million lbs. or a 74% decrease. Commercial over the same time frame was 11.2 million lbs. in 2000 with a projected quota in 2020 of 11.53 lbs. representing a 3% increase. If you thought the fishery was in a state of decline in recent years, see what 2020 holds in store with a 104% increase in commercial harvest pounding these stocks offshore during the fall spawn and mild winter months while staging offshore at the shelf. There's every reason to believe the 2020 season will be one of the worst years in recent memory.

This fishery for all practical purposes has been taken away from the recreational sector. Regulations are killing a family tradition shore-based communities have been founded on, are causing significant economic consequences to the recreational sector and if not addressed will eventually destroy this fishery currently experiencing a slow death. Starting with the allocation methodology mandated by FMP and continuing with the use of size minimums recreationally and the unabated harvest by the commercial sector of older age classes, over 80% of their harvest occurring in the EEZ during the spawn and winter offshore fishery, this fishery is trending in the wrong direction. Regulations have wreaked havoc on the fishery and this allocation methodology and new MRIP statistics have wreaked considerable havoc on the recreational sector. Both need to change.

The above disparities outlined in this fishery have to be a direct violation of MSA National Standards 4 - "Allocations" as well as FMP 9.2.1.4 (A), (B) and (C) "regarding nondiscriminatory measures between fisherman of all states", "fair and equitable allocation of the resources" "carried out in such a manner not to prejudice any individual, corporation or other entity acquiring excessive shares of such privileges".

It's important for everyone to understand what's happening here. The fishery is dying and the recreational community's rights to a fair share of the resource have been violated. Today is the last day of public comments for the scoping meetings on the MAFMC website. If you want to get involved and voice your concerns, here's the link to leave an email with your comments to Julia Beaty at MAFMC.

Received by email from Carl Benson, 3/17/2020  
RECREATIONAL COMMERCIAL REALLOCATION  
**OVERVIEW OF LIMITED RESOURCES**

I BELIEVE THAT THE NUMBER 1 PRIORITY OF FISHERIES MANAGEMENT SHOULD BE THE REBUILDING OF THE FISH STOCKS.

FISHERIES MANAGEMENT STAFFS SHOULD BE ADDRESSING THE DECADES OLD FAILURE TO REBUILD THE STOCKS, SPECIFICALLY SUMMER FLOUNDER. THE USER GROUPS HAVE LIVED THROUGH DECLINING STOCKS AND THE RESULTING QUOTA CUTS.

NO INOVATIVE CONCEPTS HAVE BEEN PROPOSED AND EVALUATED. I RECOMMENDED YEARS AGO THAT OUTSIDE FOCUS GROUPS SHOULD BRAINSTORM CONCEPTS FOR POSSIBLE BIOMASS SOLUTIONS. IF CURRENT MANAGEMENT OR STAFF IS LACKING IN THIS LEADERSHIP SKILL SET, THE NORTHEAST REGION OF THE USA HAS SOME OF THE BRIGHTEST MINDS IN THE MEDICAL AND TECHNOLOGICAL FIELDS. SOLUTIONS COULD HAVE WORLDWIDE IN IMPACT.

IN FAIRNESS, A RECREATIONAL SLOT LIMIT FOR SUMMER FLOUNDER WAS MATHMATICALLY REVIEWED. I EXPECTED A COMPLETE EVALUATION OF SIZES FROM 18 INCHES, LOWERING IN QUARTER INCH INCREMENTS. IN INDUSTRY WE CALLED THAT COMPLETE STAFF WORK. IT CAME AS NO SURPRISE THAT A 16 INCH SLOT FISH WOULD LIMIT HARVEST TO A SINGLE KEEPER, DUE TO THE RELATIVE AVAILABILITY OF 16 INCH FISH.

PROJECTS, REALLOCATION AND COMMERCIAL QUOTA SHIFT NORTH, CONSUME RESOURCES AND DO NOT INCREASE THE BIOMASS. THE SUMMER FLOUNDER STOCKS STILL HAVE NOT BEEN REBUILT AFTER NEARLY THREE DECADES OF MSA

WHO BUT FISHERIES MANAGEMENT HAS BEEN RESPONSIBLE FOR THIS FAILURE?

**REALLOCATION**

HAS THE 30 TO 40 YEARS OF RECALCULATED HISTORY OF RECREATIONAL HARVEST BEEN PEER REVIEWED AND WITH WHAT DEGREE OF ACCURACY?

SINCE THE NEWEST GENERATION FOR ACCOUNTING OF RECREATIONAL HARVEST IS "BETTER" THAN THE LAST, HOW DID THE LATEST DATA ADDRESS FISHERMEN WHO SOLD FISH. IN THE 1970 AND 1980'S, PIN FISHERMEN, CHARTER AND PARTY BOAT CUSTOMERS AND CREWS AND OTHER RECREATIONAL FISHERMEN SOLD UNREPORTED CATCHES AT

THE DOCKS AND TO FISH MARKETS.

HOW DID THIS "BETTER" SYSTEM CAPTURE THOSE FISH? SOME OF THESE INDIVIDUALS WENT ON TO QUALIFY FOR COMMERCIAL STATE LANDING PERMITS, OTHERS DID NOT MEET THE STATES MINIMUM TO QUALIFY, AND OTHERS DID NOT ATEMPT TO OBTAIN PERMITS.

**From:** Eddie Emery

**To:** Beaty, Julia

**Subject:** Fluke, Scup, Seabass, Bluefish meeting

**Date:** Tuesday, March 17, 2020 7:18:56 PM

I am writing in response to the meeting concerning the quota situation regarding recreational fluke, scup, seabass, and bluefish fisheries.

My name is Edwin Emery and I am a third generation commercial fisherman based in Stonington, CT. As one of 7 current owner operators between the ages of 35-45 in our fleet of nearly forty boats, I came of age in the industry during a time of complete government oversight and regulation. First the permit moratoriums of the middle '90s to the trap allocation/ reductions, Days at Sea program of the offshore scallop fishery and the current implementations of catch shares and Individual Transferable Quotas. As we stand now regulation has been a way of life and unfortunately for an entire generation under mine, a possible death. In the port of Stonington there are zero permitted owner operator commercial fishermen under the age of 35. A way of life is being lost along with the knowledge and skills to operate these small businesses and if nothing changes our fleet and community will die. As a member of this community I found it incredibly alarming and worrisome that the charter/ for hire sector operates with no oversight.

First I would like to propose that there be three sectors;

1. The commercial Fishing Industry

\*currently the industry operates under strict government oversight, only second to the IRS in regulations

2. Commercial Charter/ For hire Industry

\* Members of this sector made it abundantly clear that they were operating "for profit" and were concerned with their ability to be profitable if regulations were tightened on there participation. I find it incredible that and industry that harvests stock from todays oceans for profit has virtually no government oversight. I believe this industry should be monitored first through logbook entrees, on board monitoring, VMS monitoring, and strict creel limits similar to those in the Commercial sector. I also feel that a permit moratorium and control dates should be established to further understand the effect this industry has on fish stocks and environmental well being. It was surprising to see the amount of Connecticut's quota that was being harvested from this sector and the variables associated with the estimation of harvested species. This is an industry and these number need to be concrete.

3. Recreational Sector.

\*I feel these permits and their participation would be virtually impossible to monitor. there should be a variation in quota set aside as a margin of error to try to somehow guesstimate the effect on fish

stock. continued patrols at sea and in and around popular sport locations and landing areas would be useful.

In conclusion I would like to express my appreciation for the council and the opportunities that were given to the industry to participate in deciding a path to rebuild the bluefish fishery. So many times we have attended fishery meeting only to be told what was to be reduced. I didn't feel that from this council. If there ever was a time to bridge the gap between industry and regulators its right now. Our commercial fleet operates here in New England at an average age of 60 years old. Its scary to think our maritime traditions and our seaside community could be gone in the next decade or two.

Yours Truly  
Ed Emery  
F/V Restless  
Stonington, CT

**Name:** Larry Range

**Email:** pamrange3@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** The MRIP data is totally inaccurate! Common sense shows how flawed it is. Please find another way that will be more accurate to everyone.

**Name:** Roy Miller

**Email:** fishmaster70@comcast.net

**Check all that apply:** Private Recreational Angler

**Comments:** Allocations of harvest between sport and commercial sectors should be based on the revised MRIP estimates if we are going to continue using revised MRIP estimates for our stock assessment purposes. This process should be followed for all three species. For example, if the historical 60/40 split between commercial and recreational allocations for summer flounder has changed because of using revised and back calculated MRIP estimates, then these allocation ratios should similarly change.

**Name:** Joe Bahun

**Email:** itsmejoeb@aol.com

**Check all that apply:** Private Recreational Angler

**Comments:** I have been fishing for summer flounder for just over sixty years , but this has been slowly taken away from me because of unfair regulations . Limiting recreational fishermen while commercial men kill tons of spawning fish makes no sense , please be fair !

**Name:** Brandon Schrager

**Email:** bschrager@aol.com

**Check all that apply:** Private Recreational Angler, Commercial Fishing Industry

**Comments:** I fish the west end south shore Long Island and the current recreational season and bag limits for sea bass in NY is outrageous. Commercial can usually start keeping sea bass in The spring plus NJ season is open so by the time rec fisherman in NY where I live can keep sea bass all the fish over the current 15” limit are all caught up. We’re all fishing the same waters, have no issue that commercial size is smaller but let the rec guys start sea bass fishing the same time the commercial guys can.

Same for fluke, western south shore bays are littered with commercial fisherman, no issue the can keep smaller fish but let the rec guys start fishing at the same time. By the time the rec season starts in NY the commercial guys have caught all the good fish in the bay.

**Name:** Percival Reese

**Email:** skipreese@gmail.com

**Check all that apply:** Private Recreational Angler

**Comments:** Seeing this ,I just don’t understand why these people are are so blind.



The North Carolina Fisheries Association feels it would be irresponsible for the ASMFC and MAFMC to consider reallocation of the Summer Flounder, Scup, and Black Sea Bass quotas without first adopting accountability measures for the recreational sector. These measures should include improved catch accounting and estimation methods in the recreational sector to avoid quota overages and required payback when overages do occur.

For years, the inability of both State and Federal managers to properly manage recreational fisheries has jeopardized rebuilding efforts and unintentionally reallocated our marine resources. While the commercial quota for these three species has been strictly managed with trip limits, seasonal closures, and overage paybacks, the recreational sector has been allowed to continuously exceed their approved quotas, resulting in an unofficial reallocation of the resource. If the current management is allowed to continue, recreational overharvest of these three species may jeopardize future allocations for the commercial, for-hire, and recreational sectors. Because of this, we believe any discussion of reallocation between sectors is a moot point until both the Council and Commission prove they can properly manage the current allocations to the recreational sector.

While the North Carolina Fisheries Association recognizes the complexity of this issue, we firmly believe recreational accountability has to be addressed if we wish to achieve fair and equitable management of our fisheries.

- Glenn Skinner  
Executive Director, North Carolina Fisheries Association



**RHODE ISLAND**  
**SALTWATER**  
**ANGLERS**  
**Association**



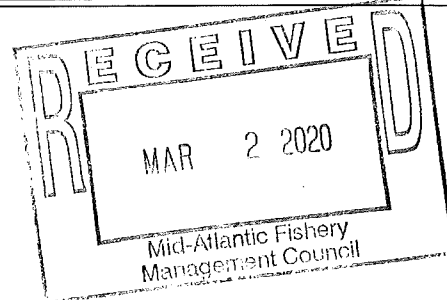
P.O. Box 1465, Coventry, Rhode Island 02816

401-826-2121 FAX: 401-826-3546

www.RISAA.org

February 25, 2020

Dr. Christopher Moore, Executive Director  
 Mid-Atlantic Fishery Management Council  
 800 North State Street, Suite 201  
 Dover, DE 19901



RE: Fluke/Scup/Sea Bass Allocation Amendment

Dear Dr. Moore,

The following comments are presented on behalf of the Rhode Island Saltwater Anglers Association, which represents over 7,500 recreational saltwater anglers and 28 affiliated clubs throughout New England.

We are in favor of using the revised MRIP process to revise previous estimates that were used to establish allocation of landings between the commercial and recreational sectors for summer flounder, scup, black sea bass and any other species for which recreational harvest is estimated using the MRIP process.

The changes and methods in the recreational fisheries catch estimates and the interpretation of the effort portion of recreational fishing estimates have further increased the imbalance of allocations for important recreational fisheries. This reallocation is the only way to address the allocation of commercial versus recreational landings following the recent updates to the MRIP estimating process that show dramatically higher estimates of recreational landings.

In fact, we believe that any changes in commercial quota or ACL, that have been in any way influenced by the revised MRIP, must be immediately reversed before more damage is done to fish stocks which are so vital to the survival of the recreational fishing industry. The 70% increase of commercial ACL in the summer flounder fishery starting in the 2019 season with the large increase in spawning stock biomass (SSB) was at least partly in response to the increased estimates of recreational summer flounder landings from the revised MRIP process. This increased ACL resulted in increased commercial fishing pressure which has led to reduced recreational landings.

What is also true is that in many cases, even though the commercial effort was significantly increased, profitability of commercial fisheries actually *decreased* due to lower price at market and higher operating expenses. This situation is not beneficial to commercial fishermen, recreational fishermen and especially not beneficial to the fish. We believe this is not the correct way to manage a fishery and we are very concerned that the same approach is being used in the scup, black sea bass and other fisheries.

The only fair method is to cease all modifications and reverse those that have been recently made for commercial ACLs until reallocation based on existing landing estimates can be run to completion for all MRIP species.

Thank you for your consideration,

Stephen J. Medeiros  
 President

Richard C. Hittinger  
 1st Vice President

# FISHERMEN'S DOCK COOPERATIVE, INC

PO BOX 1314 – 57 CHANNEL DRIVE

PT. PLEASANT BEACH, N.J. 08742

732.899.1872 FAX 732.899.3294

COOP.DOCK@VERIZON.NET

March 12 2020

## Comments on Summer Flounder, Scup and Black sea Bass allocation amendment

These comments are submitted from the members of the Fishermans Dock Co-op Inc. of Point Pleasant NJ. This proposed amendment is very important to our members in that these three fisheries are, along with Scallops the most valuable and crucial to our business. Point Pleasant ranks in the top three of landings for these three species along the east coast in most of the last ten years. 90 % of the landings of these species in Point Pleasant are landed at the Co-op, as there are virtually no other operational docks for fresh fish left in the port. Since the Magnuson Act was enacted Point Pleasant has lost about a half dozen commercial docks, and almost all of the support industries that helped sustain it. Point Pleasant Packing still exists but it is primarily a clam facility and the fish unloading portion of it is derelict but undergoing slow renovation. There are no longer any diesel mechanics, or electronics technicians, no more railway, and only one Iron working shop. If the government helps out our business anymore there will be no fishermen either.

In regard to this proposed amendment it seems that the ASMFC has decided that since they simply have no idea how many fish are caught by the recreational industry according to the best science available, the new MRIP data, the recreational catch is much greater than they thought it was, and the only way to address the problem is to steal quota from the commercial side. This will not solve the problem, the rec's will still overfish as long as any type of telephone or letter questionnaire is being used as the primary source of data collection. This type of survey is a total waste of taxpayer dollars and about as accurate as guessing how many jelly beans are in a five gallon jar. Imagine trying to estimate commercial catch if you relied on a commercial fisherman's good faith reporting of his catch, especially if he knew there was no one observing them, [I believe the research set aside fiasco is a good example of that]. The only way to get accurate catch data for recreational fishermen is by dock intercept where the actual fish can be observed and catch data such as how many anglers on their boats, what type of gear did they use, what were they targeting, etc. All else is simply conjecture.

Since millions of dollars have been spent creating this great new improvement of the old MRFS collection system it seems that nobody in management wants to admit that it is no better than MRFS, maybe worse. I attended two public hearings in New Jersey and asked the audience at both of them [and they were predominately recreational fishermen] if anybody in the room thought that the new MRIP data was accurate, no one raised their hand. I then asked if anybody thought the data was better than the old MRFS data, once again no one raised their hand. So management has a real credibility problem with their recreational catch data, and the millions spent on the new collection system was a waste of time and money that won't be corrected by reallocating fish from the commercial sector. I think currently the most accurate recreational catch data comes from VTR's from party/charter boats, it

may not be perfect but it is probably 90% accurate. Captains have no way of knowing if there is an under-cover enforcement agent on board their vessel, and also know that accurate data is a good thing for the industry as a whole.

I have included three charts here that show the actual landings data from P/C boat VTR's and the MRIP data using the new formula that shows the difference in estimates between the actual data, [VTR's] and the fairy tale data of MRIP from 1995 to 2018. The estimates are strikingly different especially with Summer flounder where two thirds of the MRIP annual estimates are way higher than the actual VTR data. I cannot believe that any scientist when reviewing this data wouldn't have come to the conclusion that there was something seriously wrong with the MRIP data. The NEFSC has to stop relying on mathematical equations for their science and get out into the real world and get accurate data collection from the only accurate source, dockside intercepts. Stop deceiving yourselves and the public. Judging by the public hearing comments they're not fooled. Surprisingly, I also heard very few recreational fishermen saying that they thought taking commercial quota was the answer to their problem.

Multiple people pointed out that the recreational industry has been in a downward participation spiral for 20 years now, with about half the participation rate of the general public as there was in the 1990's, which leads to the obvious question, with such minimal bag limits and large minimum sizes and half the fishermen as there used to be, how can they possibly be catching more fish now than years ago? New Jersey alone has lost over 50,000 registered boats in the last fifteen years. Those people are not going out on party boats now, that fleet is almost extinct, so who's catching all these supposed fish that MRIP claims is being caught? If the general fishing public does not believe the MRIP data is accurate and that it over estimates their landings, then its hard to see how that data could then be used to go back in time and claim that the data from the 80's under estimated recreational catch and use that to justify a resource grab.

This plan should be dead on arrival. The council and Commission should reevaluate recreational data collection and devise a new system that uses only VTR and dock intercept data. Nothing else will ever be accurate and MRIP data will never gain the confidence of the public. The council and Commission should have better uses of their meager resources then this. I make a motion to stop work on this plan and move onto more productive uses of the council/commission's resources. Seconded by the general public.

The Co-op members fully support status quo and also strongly urge you to not even go out to public hearing with this proposed plan, it is a house built with no credible foundation. There should be no changes to the present allocation percentages, or timeframes. Maybe a study should be done that documents the destruction of both the recreational and commercial fishing industry since the Magnuson act was passed in 1976 using fishery participation numbers as the primary data source.

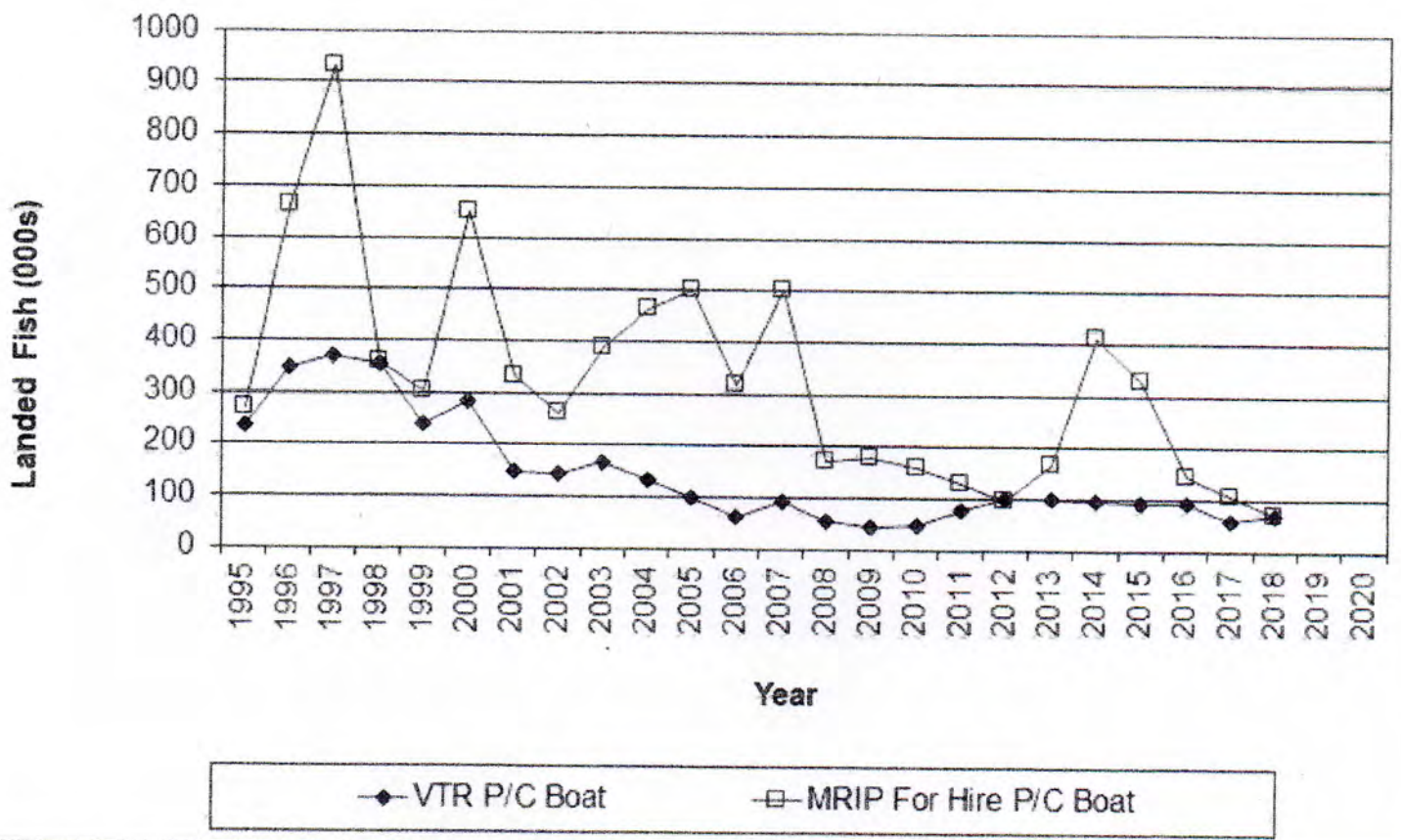
We support flexibility to transfer quota in the event one sector doesn't reach their quota to help avoid the other sector from going over theirs on an annual basis. Also look into Adam Nowalsky's flexibility proposal there maybe something there that can get general support of the fishing public.

We strongly oppose any attempt to make future allocation changes through a framework or addendum.

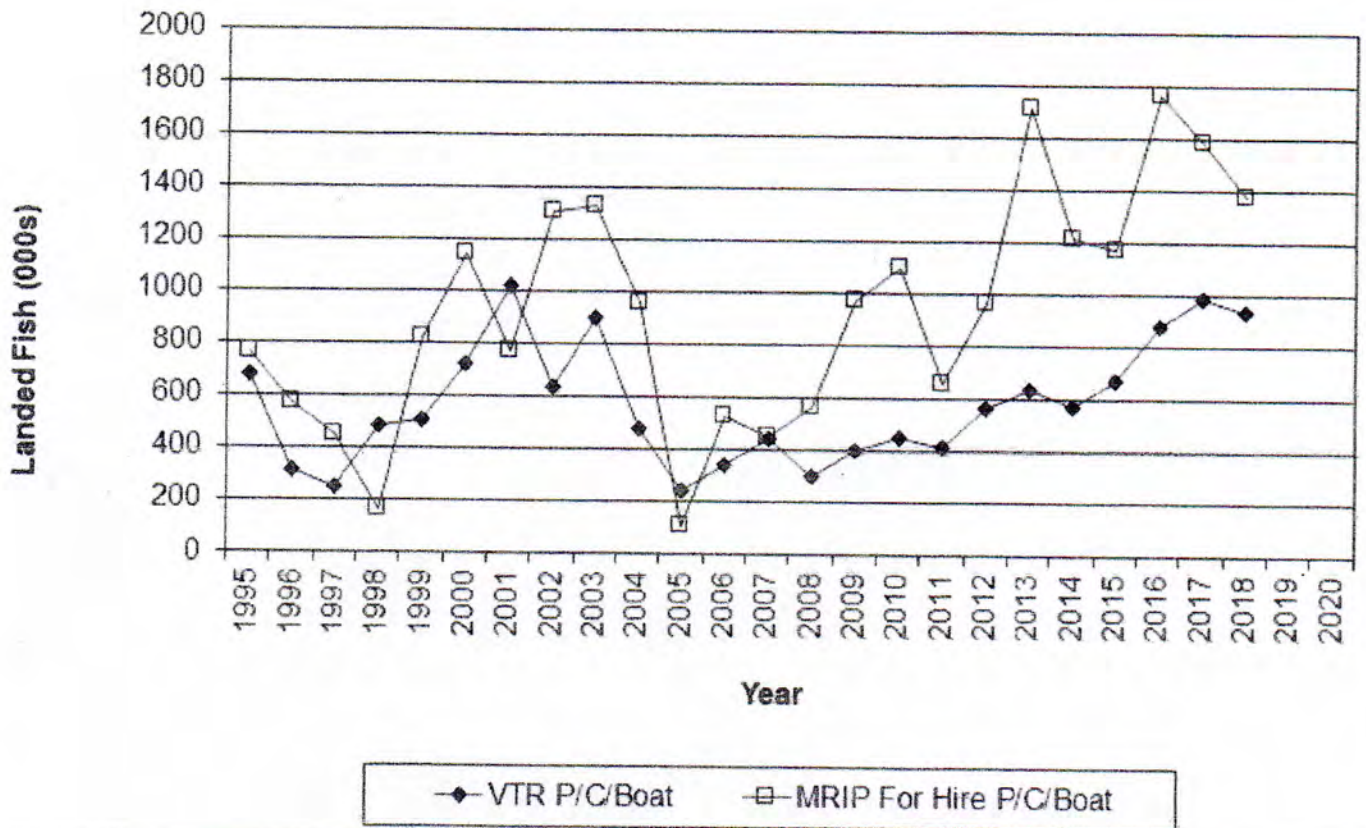
Most importantly management needs to go into a five year fixed annual quota system that will allow a more natural review and assessment of stock conditions without the knee jerk reaction to every minor blip in the trawl survey or other collection modes. This would be very beneficial for the recreational industry since their data never seems to be finalized by the end of the year, and would allow for less radical adjustments for overfishing an annual quota, and then commercial underage's could be used to help recreational overage's.

Thanks, Jim Lovgren

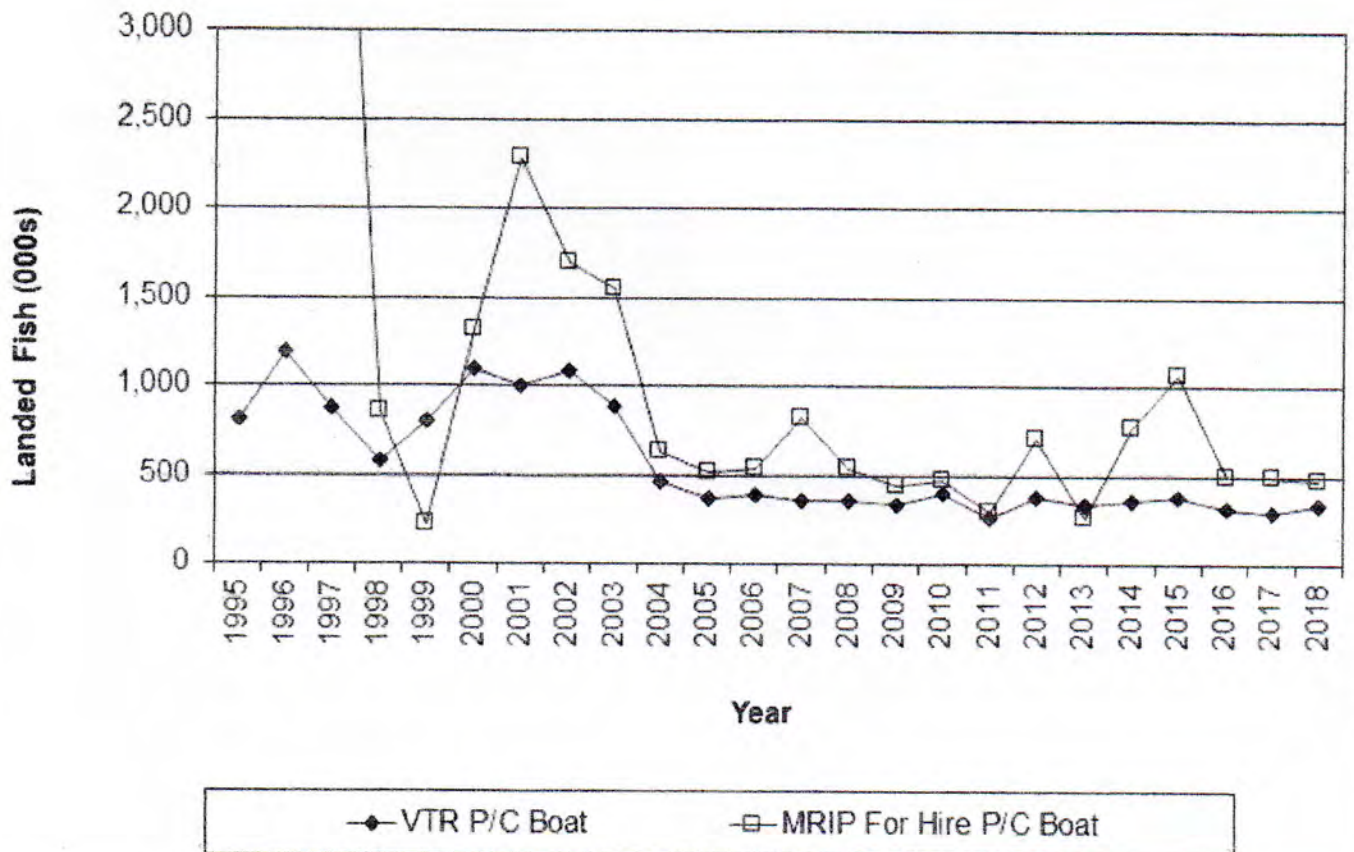
### Summer flounder: Party/Charter Boat Landings



### Scup: Party/Charter Boat Landings



### Black Sea Bass: Party/Charter Boat Landings



# Jersey Coast Anglers Association

## Working for Marine Recreational Anglers

1594 Lakewood Road, Unit 13, Toms River, NJ 08755

TEL.: 732-506-6565 - FAX: 732-506-6975



Chris Moore, PH.D. Executive Director  
Mid-Atlantic Fishery Management Council

Dear Director Moore,

I am writing on behalf of the Jersey Coast Anglers Association which represents approximately 75 fishing clubs and many thousands of fishermen throughout our state. We are thankful that you held scoping meetings and are accepting comments in regard to the Summer Flounder, Scup, and Sea Bass Commercial/Recreational Allocation Amendment. We would like to offer the following comments regarding the amendment.

**Fluke** - As stated in the amendment for summer flounder, 60% of the total allowable landings are allocated to the commercial fishery and 40% to the recreational fishery based on 1980-1989 landings data. These were years when offshore trawlers had devastated the stock while recreational fishermen caught a lower percentage of fluke than they had traditionally caught in prior years. Therefore, this 60/40 split was unfair from the very beginning.

Now, however, the recalibrated MRIP numbers have shown that recreational fishermen caught significantly more fluke than was originally thought. Therefore, the split needs to be adjusted with a higher percentage being allocated to the recreational fishery. The recalibrated MRIP numbers now show that during the base years, recreational anglers were responsible for 45% of the landings as compared to 55% for the commercial sector.

At the very least the split should be at 45% recreational and 55% commercial though a 50/50 split would be fairer considering the base years that were used.

We understand that due to the recalibrated MRIP numbers, the biomass may be larger than originally thought. We do not trust the MRIP numbers as countless examples of ridiculous numbers have been previously pointed out. In NJ during recent years, our traditional spring and fall seasons have been closed and we have been limited to just 3 fluke at 18". Our regulations stayed the same while the commercial sector was given a 50% increase in their quota. Yes, we know that the recreational side was also given a 50% increase but due to the recalibrated MRIP numbers our regulations could not be liberalized. Still this was very wrong to do. If you are going to use the recalibrated MRIP numbers, then the 60/40 split should have been immediately adjusted.

We all know that the MRIP numbers are inaccurate and we encourage you to develop a better way to manage our fisheries. On page 8, section 8 of this scoping and public

information document it indicates that “party/charter boats and shore-based anglers accounted for an average of 5% and 7% of the harvest”. Anyone who knows anything about fluke fishing knows this is impossible. It is very difficult to catch legal sized fluke from shore and in NJ, one or two boats probably catch more fluke than all the shore-based fishermen put together. It would probably be best to throw out MRIP altogether. Perhaps fair and equitable quotas could be set for both commercial and recreational fishermen based on biomass. We need improved science to do this. We are also hopeful that this will lead to stability in our regulations.

**Sea Bass** – As with fluke, the recalibrated MRIP numbers indicate that the recreational sector has been responsible for more landings than previously thought. Therefore, the split in allocations must be changed to 55% recreational and 45% commercial. The stock has been rebuilt to 240% of its target and we still have relatively strict regulations. A stock this large is having a detrimental effect on other species. They are eating the young of other desirable species and competing with them for various forage species and even having a detrimental effect on lobsters. Regulations for this species need to be relaxed so that the biomass can be fished down to closer to its target.

**Scup** – As with fluke and sea bass the recalibrated MRIP numbers indicate that the recreational sector catch was more than previously thought. Therefore, the split in allocations needs to be adjusted to 65% commercial and 35% recreational.

**Fluke, Sea bass and Scup** – Specific Issues:

If new base years are chosen, they should be fair to both the commercial and recreational sectors. Establishing longer periods of time for the base years might help ensure this.

We are open to allocations that do not rely on base years but we would want to see exactly what they are first. Perhaps economic factors should be taken into consideration.

Allocations should be based on catch including discards. However, action should be taken to reduce discards in both fisheries.

We are opposed to federal agencies setting separate regulations for the for-hire, private boat and shore-based fisheries. However, if this is done there should be separate allocations for each. In NJ we have always had the same regulations for each sector and we work together on various issues. Separate regulations and allocations would lead to in-fighting amongst ourselves. However, if individual states or regions want to do this, it should be left up to them.

We object to allocation transfers during periods of time when the stocks are being rebuilt. However, it may be acceptable during periods of abundance.

Using allocation set-asides may help bring stability to our allocations and regulations.

Catch limits should continue to be defined in pounds or numbers of fish.

We support the option to make future allocation changes through a framework/addendum as it is shorter and more efficient than doing it through an amendment.

We support better science which includes better catch accounting and estimation in the recreational sector.

Respectfully submitted,  
John Toth, President, JCAA





R.I. Party and Charter Boat Association  
P.O. Box 171  
Wakefield, RI 02880  
401-741-5648  
[www.rifishing.com](http://www.rifishing.com)



President  
Vice President  
Treasurer  
Secretary  
Director

Capt. Rick Bellavance  
Capt. Steve Anderson  
Capt. Andrew D'Angelo  
Capt. Paul Johnson  
Capt. Nick Butziger

---

March 17<sup>th</sup>, 2020

Ms. Julia Beaty, FMP Coordinator  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

RE: Fluke/Scup/Sea Bass Allocation Amendment

Dear Ms. Beaty,

On behalf of the 57 members of the R.I. Party and Charter Boat Association, (RIPCBA) and after carefully reviewing the Scoping and Public Information Document and recognizing the importance of Summer Flounder, Scup and Black Sea Bass to our businesses and our clients, I would like to submit the following comments regarding The Mid Atlantic Fishery Management Council and Atlantic States Marine Fisheries Commission's Fluke/Scup/Sea Bass Allocation Amendment.

**No action/status quo:** The RIPCBA does not recommend status quo if MRIP recreational catch estimates are used to evaluate recreational fishery performance, develop recreational fishery regulations, and contribute to species stock assessments. The new understanding of recreational catch in history changes the value of the allocated percentages compared to how they were developed under the previous understanding of recreational catch. If new MRIP recreational catch estimates are used to evaluate recreational fishery performance, we believe it will be difficult to craft recreational measures that constrain the recreational fishery to its RHL. If new information became available to better understand the commercial fishery, we would expect that information to be used to re-evaluate commercial/recreational allocations.

**Updating the current allocation percentages using the existing base years but with current recreational and commercial data:** This approach was used by the NEFMC to reallocate GOM Cod and GOM Haddock between the recreational and commercial fisheries. We would not oppose this alternative.

**Using alternative base years to derive new allocation percentages with current recreational and commercial data:** We feel this approach is the most appropriate to develop allocations that reflect the current fisheries. We have concerns about the time it will take to develop alternatives, analyze them, and implement whatever would become preferred. The recreational fishery may not have the time available to wait this approach out and still be able to fish. We believe this approach would be controversial and most difficult of traditional allocation approaches to finalize.

**Using different allocation approaches which do not rely on base years:** We would support some analysis of a needs-based approach to allocation. Under one scenario, three sectors (recreational, for hire, and commercial) could have specific regulations developed to meet the needs of the fishery and then analysis would determine what sort of allocations would be needed to satisfy those regulations. After some back and forth tweaking some sort of allocations may emerge as plausible. Its worth some outside of the box thinking here since the Council is going through the work of this amendment.

**Allocations based on catch (including discards), or based on landings:** The RPCBA feels all allocations should be based on catch (including discards) as opposed to landings alone.

**Using socioeconomic data, analysis, or other considerations to modify the allocations based on optimization of economic efficiency and socioeconomic benefits from each fishery:** In consideration of new MRIP data that assumes higher shore/private rental catch, where for hire catch was unaffected, socioeconomic benefits to the community and economic efficiency of the different fleets should be analyzed during any re-allocation process.

**Separate allocations to for-hire vs. private boat and shore-based fisheries, including considering limited access in the for-hire fisheries:** The RPCBA believes separate allocations to for-hire vs. shore/private boat fisheries and limited access to for-hire federal charter/party permits for summer flounder, scup, and black sea bass will be required for the for-hire fleet to survive and perhaps rebuild. The for-hire fleet needs stability to perform, but we have not had stability due to being tied to the performance of the shore/private boat fisheries. We cannot control those fisheries like we can control our own. We have the ability to be accountable to our catch because we provide higher level data through mandatory eVTR's.

**Allowing the transfer of allocation from one sector to another through specifications or a framework action (shorter and more efficient actions than amendments):** This approach, or tool in the tool box, should be considered as a fall back in rare cases if the circumstances require a band-aid approach. We would caution against this approach as the only way to account for the current understanding of recreational catch and improper allocations. Relying on a sector to underperform in an attempt to balance the books of a sector that exceeds its allocation is not good management, particularly if this becomes a normal procedure. Allocating the resources properly from the beginning is a better approach.

**Using allocation set-asides to adapt to unforeseen circumstances and the changing needs of the fisheries from year to year:** Each allocated sector (commercial, for hire, and recreational) should decide independently if they would like to set aside a portion of an allocation for management needs.

**Catch limits defined in pounds and/or numbers of fish, or using other methods:** The RPCBA feels holding the recreational fishery accountable to its allocation in pounds has drawbacks. As size limits increase, weights increase and the same number of pounds equals fewer individual fish. Thought should be given to using numbers of fish for catch limits in the recreational fishery.

**Static vs. dynamic allocations:**

**The option to make future allocation changes through a framework/addendum (a shorter and more efficient action than an amendment):** The RPCBA supports future allocation changes through a framework/addendum as opposed to an amendment.

**Improving catch accounting and estimation methods in the recreational sector:** The RIPCBA welcomes anything the council can do to increase the accuracy of recreational catch to include implementing a private/shore recreational fishing permit with mandatory eVTR. The for-hire fleet is already held to this standard and if the two sectors are to remain connected, the recreational shore/private boat fleet should also be held to the same standard. If the sectors are separated, the council should work with NOAA fisheries to improve accuracy of shore/private boat catch estimates through the MRIP program and move the for-hire fleet to a census reporting system with eVTR's used for catch and effort estimates of that fleet. The council should work with NOAA fisheries to re-instate "did not fish" reports for the for-hire fleet as a compliance tool for eVTR use.

**Improving accountability in the recreational sector:** The RIPCBA welcomes being held accountable to a for-hire allocation. We believe we have the ability to fish responsibly and achieve an appropriate ACL, but if we cannot, we should be held accountable. At this time, we are frustrated by the fact that we are held accountable to a fishery that has difficulty being constrained. The resulting management measures needed to constrain harvest of the shore/private boat fleet are very challenging to the for-hire fleet as we attempt to operate. If the for-hire and shore/private boat fleet had separate allocations, we believe it would be easier to craft regulations that would allow both sectors to achieve their respective ACL's. The end result would be less controversial and divisive management cycles.

We applaud the Mid Atlantic Fishery Management Council for recognizing the challenges of managing the recreational fishery presented by a new understanding of recreational catch. Some critical decisions need to be made quickly; others could benefit from more time to develop. We sincerely hope the council recognizes the importance of the for-hire fleet to the recreational fishing community as the only means some people have to access the marine resources managed by the council. Without proper management that allows the for-hire fleet to survive and also thrive, many folks will be deprived from their access to recreational fishing. A one size fits all approach to recreational fishery management will not provide equal opportunity to all recreational fishers; we believe this amendment is the proper time to begin comprehensive reform that allows all recreational fishers a chance at a great recreational fishing experience.

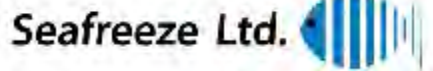
Thank you for the opportunity to comment in writing on this important amendment. The council's decisions are very important to our short- and long-term future and we hope our comments help to inform those decisions.

Respectfully submitted,

*Capt. Rick Bellavance*, President  
Rhode Island Party and Charter Boat Association

1 Mark Ambrosia	Misty - 43'
2 Steven Anderson	Bare Bones - 32'
3 Stephen Babigian	Lady K - 43'
4 Randell Bagwell	River Rebel - 26'
5 Norm Bardell	Busy Line - 23'
6 Chris Bell	Adventure - 35'
7 Earl Bell	Aces Wild - 35'
8 Rick Bellavance	Priority Too - 36'
9 Russ Benn	Seven B's - 80'
10 Russell Blank	Striker - 30'
11 Frank Blount	Lady Frances - 105'
12 Charles Boranian	Gail Ann - 27'
13 Jon Regin	Shortcake - 23'
14 Nick Butziger	Sea Hawk - 37'
15 Al Caletri	Avenger - 26'
16 Scott Capwell	A to Z - 35'
17 John Carpenter	Jackhammer - 24'
18 Rick Cataldi	Island Girl - 44'
19 Mitch Chagnon	Sakarak - 31'
20 Richard Chatowsky	Drifter Too - 35'
21 Jason Howell	Pamela May - 23'
22 Barry Cherms	C.J. - 31'
23 Andrew Dangelo	Maridee II - 36'
24 Bill Della Valle	Old Salt - 31'
25 Denny Dillon	Persuder - 44'
26 Charles Donilon	Snappa - 46'
27 Steven Follett	Andrew&Steven - 41'
28 Matthew Cox	Laura Ann - 38'
29 Jeff Hall	Fully Involved - 23'

30 Chris Herz	Hiz and Herz - 30'
31 Kip Jenkins	Just Fish - 29'
32 Charles Jenison	Nasha III - 34'
33 Charlie Johnson	Hot Pursuit - 37'
34 Paul Johnson Sr	Carol J - 31'
35 Willam Kelly	Knotty dog - 25'
36 Tom Logan	Fish Trap - 36'
37 Scott Lundberg	Reel to Reel - 35'
38 John McCann	Mission - 25'
39 David Monti	Virginia Joan - 26'
40 Joe Pagano	Stuff it - 23'
41 Steven Palme	Lucky Lady - 32'
42 John Parente	Patty J - 35'
43 Brian Patterson	Fin Deep - 23'
44 John Rainone	L'il Toot - 35'
45 Linwood Safford	Cherry Pepper - 32'
46 Karl Schmaling	Vycore - 31'
47 Mark Sherer	Gannet - 21'
48 John Sheriff	Fish On - 29'
49 Kelly Smith	C-Devil II - 37'
50 Rich Templeton	Restless - 37'
51 David Tyrrell	Mako II - 43'
52 Brian Bacon	Big Game 35'
53 Rich Napolitano	Not Reel Teeth 50'
54 Joe Blecinski	Lady Karen 28'
55 Jeff O'Brien	Gannset 48'
56 Mike Littlefield	Arc Angel 21'
57 Jasper Couto	C- Angel 32'



March 17, 2020

100 Davisville Pier  
North Kingstown, R.I. 02852 U.S.A.  
Tel: (401)295-2585

Dr. Chris Moore, Executive Director  
Mid Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

**Re: Summer Flounder/Scup/Sea Bass Allocation Amendment Scoping Comments**

Dear Chris,

We are writing to express our support for the no action/status quo alternative regarding commercial/recreational allocation percentages of summer flounder, scup and black sea bass. The commercial sector has long been held accountable via management of these stocks, including hard TACs, in season adjustments, in season closures, observer coverage, mandatory reporting, dealer reporting, accountability measures, etc. The commercial sector has therefore not been allowed to exceed its quota or increase its effort past the levels set by management, and should not be penalized through reallocation of its existing quota to the recreational sector simply because new estimates of recreational effort are higher than previously anticipated.

As stated at both the Council and public hearing processes, a shared resource cannot be equitably managed between two parties when only one party is held accountable for that resource. This also should certainly not be the underpinning for reallocation of quota away from that accountable party and would seem to defeat the purpose of conservation and management of the stocks.

Additionally, there is little public confidence in the new MRIP numbers, and the majority of public hearing participants did not support reallocation. Reallocation would not solve the issues at hand, and we believe there are other tools in the toolbox for the Council to use to address the situation. We therefore support no action/status quo regarding allocation percentages, as well as recreational accountability measures and alternative recreational management.

Thank you for the opportunity to comment.

Sincerely,  
Meghan Lapp  
Fisheries Liaison, Seafreeze Ltd.

March 16, 2020

Dr. Chris Moore  
Executive Director MAFMC  
800 North State Street  
Suite 201 Dover, DE 19901

Dear Director Moore,

I am writing to comment on the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment.

We at the Town Dock support “No Action” when it comes to the reallocation of fluke, scup, and black seabass between the commercial and recreational sectors.

I understand that there is an issue on the recreational side of the fishery, but the solution should not be to take from commercial side. In order to help the recreational industry, we believe there needs to be increased accountability, reporting and quota tracking for that entire sector. The recreational measures should match the commercial measures as much as possible. This would be a step in the right direction to help them stay within their quota limits. Perhaps an amendment focused on this issue is warranted.

Thank you for the opportunity to comment.

Sincerely,

Katie Almeida  
Fishery Policy Analyst



March 17, 2020

Dr. Christopher Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

Dear Dr. Moore,

We write to ask your consideration of the attached recreational management reform approach as an alternative way to manage the recreational fishery for summer flounder, scup and black sea bass.

Our organizations represent the recreational fishing and boating industry and our nation's anglers, and we strongly support NOAA Fisheries using management approaches for our sector other than pound-based quotas, which are best suited for commercial fisheries. Alternative methods are used by coastal states to manage marine fisheries and those methods are better suited for recreational fishing in state – or federal waters. Many of the challenges facing federal fisheries managers and the resulting frustration from anglers is rooted in management approaches designed for commercial fishing being shoe-horned and contorted to manage recreational fishing.

Recreational and commercial fishing are fundamentally different activities and should be managed differently. Yet, antiquated, one-size-fits-all federal policies have been unnecessarily limiting the public's access to our nation's abundant natural resources.

That is why we fully supported the Modern Fish Act (Public Law 115-405) signed by President Donald J. Trump on December 31, 2018. Section 102 of the Modern Fish Act authorized the regional fishery management councils to use additional management tools more appropriate for recreational fishing, many of which are successfully implemented by state fisheries agencies (e.g., extraction rates, fishing mortality targets, harvest control rules, or traditional or cultural practices of native communities).

Over many decades, states have proven the ability to balance conservation and access by managing America's millions of saltwater anglers through these approaches in state waters. An Annual Catch Limit is simply a trigger to limit fishing mortality in some form. It does not necessarily mean hard-

pound quotas only. As America's original conservationists, anglers support responsible science-based fishery management, and we want to be willing partners in that process.

We applaud the Mid-Atlantic Council for their Recreational Management Reform initiative and have developed the enclosed harvest control rule as a demonstration that our industry is ready to work collaboratively with the Councils and NOAA Fisheries to pursue management alternatives better suited for recreational fisheries. We ask the Council to continue to develop this harvest control rule as part of the management alternatives considered in the allocation amendment for summer flounder, scup and black sea bass.

Sincerely,

Glenn Hughes, President  
American Sportfishing Association

Jeff Crane, President  
Congressional Sportsmen's Foundation

Jeff Angers, President  
Center for Sportfishing Policy

Frank Hugelmeier, President  
National Marine Manufacturers Association

Patrick Murray, President  
Coastal Conservation Association

Jim Donofrio, President  
Recreational Fishing Alliance



## **Recreational Management Reform Harvest Control Rule**

Developed for scoping of the Recreational/Commercial Allocation Amendment for Summer Flounder, Scup and Black Sea Bass

**Introduction:** Recreational management reform was identified as a joint priority by the MAFMC and ASMFC at its March 2019 meeting with the intent of developing strategies to increase management flexibility while also bringing stability to jointly managed recreational fisheries (e.g., summer flounder, scup and black sea bass).<sup>1</sup> In October 2019, the MAFMC and ASMFC Summer Flounder, Scup, and Black Sea Bass Board initiated an amendment process to consider modifications to the commercial/recreational sector allocations for summer flounder, scup, and black sea bass. The intent of the allocation amendment is to bring more stability to the fishery specification process to offset the management impacts from the recalibrated MRIP catch data.<sup>2</sup> Given the shared intent of these two initiatives, we believe an opportunity exists to develop recreational management reform as part of the allocation amendment that is also consistent with the broader goals of the FMP.

**The Premise:** Allocation can be defined as access to the resource and the FMP currently defines that access through a pound-based quota for each sector. However, we propose that access (allocation) can be defined for the recreational sector as a combination of size limits, bag limits and seasons instead of a pound-based quota. This is directly relatable to commercial allocation in pounds because access can be less or more restrictive based on stock conditions through changes to quota (commercial allocation) and management measures (recreational allocation).

**Justification:** Defining access in pounds does not work for the recreational sector because recreational anglers have no control over the harvest estimates that are generated when they follow established management measures. Choosing to reallocate based on revisions to catch data has the potential to result in continuous allocation changes without bringing any true recreational management reform that the fishery needs as identified in the recreational reform initiative. Additionally, MRIP data was not intended to be used for in-season management given its survey design and uncertainty.<sup>3</sup>

From history, we know that there are a set of recreational measures and commercial quotas from least restrictive to most restrictive under which a given fish population is sustainable. The table below defines the range of access for each sector based on the extremes of stock condition.

<sup>1</sup>[https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5d8e385fcbfd5c1852c1d5ca/1569601632230/Tab16\\_BSB-Rec-Reform\\_2019-10.pdf](https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5d8e385fcbfd5c1852c1d5ca/1569601632230/Tab16_BSB-Rec-Reform_2019-10.pdf)

<sup>2</sup>[https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5e1484ee3f8ed65e2080f85e/1578403056336/SFSBSB\\_allocation\\_scoping\\_PID\\_Jan2020\\_final.pdf](https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5e1484ee3f8ed65e2080f85e/1578403056336/SFSBSB_allocation_scoping_PID_Jan2020_final.pdf)

<sup>3</sup> <https://www.fisheries.noaa.gov/recreational-fishing-data/introduction-marine-recreational-information-program-data>

Stock Condition	Recreational	Commercial
Healthy	<ul style="list-style-type: none"> <li>• Least restrictive measures</li> <li>• Measures maximize access and participation</li> <li>• Allows for growth in the fishery</li> </ul>	<ul style="list-style-type: none"> <li>• Highest quota where market capacity is met</li> <li>• landing capacity is reached</li> <li>• Asymptotic market price</li> <li>• Allows for growth in the fishery/expansion of markets</li> </ul>
Poor	<ul style="list-style-type: none"> <li>• Most restrictive measures</li> <li>• Measures reduce participation</li> <li>• Loss of infrastructure (marinas, bait and tackle stores, etc.)</li> <li>• Loss of for-hire business because “not worth it to pay to go fishing”</li> </ul>	<ul style="list-style-type: none"> <li>• Lowest quota</li> <li>• Loss of markets due insufficient supply</li> <li>• Not enough pounds to justify trips</li> <li>• Loss of shore side processing facilities</li> </ul>

Therefore, “equal access” would have both the recreational and commercial sectors at equal ends of the range at any point in time based on the status of the resource. We can further develop this idea for the recreational fishery using a step-wise function in which recreational management measures change as a function of stock status.

### **Example Recreational Harvest Control Rule**

At a minimum there would be four steps for the harvest control rule (HCR) as follows:

STEP A:  $>1.5 B/B_{msy}$ : most access where the recreational fishery is maximized – equivalent to the healthy stock condition above.

STEP B:  $1.0 - 1.5 B/B_{msy}$ : less access than STEP A

STEP C:  $0.5 - 1.0 B/B_{msy}$ : less access than STEP B

STEP D:  $<0.5 B/B_{msy}$ : least access where the stock is not harmed by fishing – equivalent to the poor stock condition above.

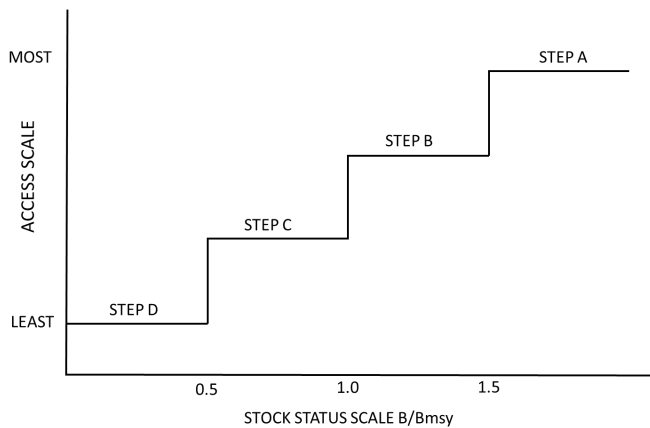


Figure 1. Conceptual diagram of the example recreational harvest control rule.

At each step (i.e., Step A through D), the recreational management measures would be predetermined for every state having already accounted for the conservation equivalency needs of that state (e.g., accommodation of stock distribution and timing). Recreational measures would consist of size limits, bag limits and seasons, but are not limited to those options. This approach simplifies the fishery specification process as measures are predetermined based on stock status bringing management and fishery stability.

### **Analysis Phase**

The following steps are a suggested approach to analyzing historical data to assist in establishing management measures for each step in the HCR.

1. Pull available management history for each species
2. Pull recreational removals data for each species
  - Note: States need to account for smoothing of wave data in most recent years when reporting removals data. It is also important to include a range of uncertainty in the removal estimates.
3. Match that management and removals history to stock status steps as described in HCR above
4. Analyze the range of management measures in each step to determine a set of measures for the HCR
5. Demonstrate how HCR would work over a couple of management cycles – show at least 2 three-year cycles

### **Uncertainty and Accountability**

Results of the analysis phase will yield a range of management measures and an associated range of recreational catch estimates for each step in the harvest control rule (i.e., STEPS A through D). We propose the use of stock condition to determine accountability measures. For example, if stock status fluctuates within a step randomly, then the measures established for that step are adequate and no accountability is triggered. However, if stock status continues to decline for a fixed period (e.g., three years) then an accountability measure could include consideration to implementing management measures in the next lowest step. We propose this as an example to acknowledge that accountability measures currently exist for summer flounder, scup and black sea bass and would need to be considered through the development of this HCR.

### **Review Timeframe**

Besides triggering review as part of accountability, the established management measures of the proposed HCR will be reviewed on a fixed timeframe (e.g., every 5 years).

### **Finalizing the HCR**

This proposed HCR represents an example approach for recreational management reform that we are submitting for consideration as part of the scoping process for the allocation amendment. We acknowledge that more development of the mechanics of this approach are needed and anticipate that changes would occur throughout the amendment development process. We propose this as a starting point for the FMAT's consideration as they pursue various management alternatives moving forward.

March 17, 2020

Dr. Christopher Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

Dear Dr. Moore,

The American Sportfishing Association (ASA) appreciates the opportunity to provide comments to the Mid-Atlantic Fishery Management Council on the Summer Flounder, Scup and Black Sea Bass Commercial/Recreational allocation amendment. These three Mid-Atlantic species have notable recreational fisheries that result in significant economic benefits across the region.

ASA is the nation's recreational fishing trade association and represents sportfishing manufacturers, retailers, wholesalers, and angler advocacy groups, as well as the interests of America's 49 million recreational anglers. ASA also safeguards and promotes the social, economic, and conservation values of sportfishing in America, which results in a \$125 billion per year impact on the nation's economy.

ASA continues to express concern with using the recalibrated MRIP data for management use without further consideration and validation. We understand the new MRIP data represents "best available science" for estimating catch and effort data in recreational fisheries, however, that does not mean it needs to be used without further verification that the results are realistic. Several state agencies and stakeholders have expressed concerns with the plausibility of the new MRIP estimates and those concerned should be addressed before continuing to implement management changes based on this information.

Considering the uncertainty that continues to be an inherent concern with using MRIP data for in-season management, ASA and other groups in the sportfishing and boating industry, submitted a recreational management reform approach as part of scoping for this allocation amendment. The approach suggests the use of a harvest control rule that bases allocation on management measures instead of pound-based quotas for the recreational fishery. We support further development of that harvest control rule as a primary alternative for this Amendment but are also providing the following comments for the various issues being scoped in the allocation amendment to assist the council/commission with developing a full range of alternatives for this management action. Please note that these recommendations are contingent on addressing broad concerns on the use of updated MRIP data for ongoing and future management decisions.

#### **Explore Alternative Base Years**

ASA recommends that in addition to updating the current allocation percentages using new available data, we recommend exploring alternative base years to derive new allocation options. For example, we recommend basing allocation on a timeframe (e.g., five years) after a species was declared rebuilt. Rebuilding summer flounder, scup, and black sea bass were significant management achievements, and with the availability of fish maximized under rebuilt conditions

this timeframe presents a unique period to base allocation which is more reflective of current fisheries during favorable stock conditions.

#### **Use Socioeconomic Data to Inform Allocation**

We recommend an analysis of socioeconomic data to develop allocation options that result in the most benefit to the nation. We recommend that this analysis consider the value of total catch in the recreational fishery, not just landings. Although it is unclear what socioeconomic data are available to help inform allocation decisions for these species, we encourage the council/commission to work with NOAA fisheries and the states to explore this as an option when developing alternatives.

#### **Oppose Sector Separation**

ASA opposes separate allocations to for-hire vs. private boat and shore-based fisheries, including considering limited access in the for-hire fishery because we would prefer development of management alternatives that address challenges across the entire recreational sector instead of just a small component of it.

#### **Process for Allocation Changes**

Considering the uncertainty with available data, we recommend further consideration of the framework/addendum process for making future allocation changes. Exploration of this option does not preclude the council/commission from pursuing allocation changes through a longer amendment process, but instead provides flexibility to address management challenges more quickly when appropriate.

#### **Improving Catch Data**

It is abundantly clear that additional resources are needed to help improve recreational catch data used in managing summer flounder, scup and black sea bass and all the other recreationally important species across the region. We recommend further exploration of electronic reporting (e.g., through smartphone apps) and other alternative data sources to improve and or validate the MRIP data program. We also recommend further exploration of validation studies like the MAFMC's inlet video monitoring of recreational effort in Ocean City, Maryland.

Thank you for considering our input as you further develop options for this amendment.

Sincerely,



Michael Waine  
Atlantic Fisheries Policy Director  
American Sportfishing Association



March 17, 2020

Dr. Christopher Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

**RE: Written comment *Fluke/Scup/Sea Bass/Bluefish Allocation and Bluefish Rebuilding Amendment***

*Submitted via email.*

Dear Dr. Moore,

I am writing on behalf of the New York Recreational & For-Hire Fishing Alliance (NY RFHFA) which is the largest advocacy organization for the for-hire fleet and the interests of anglers who fishes upon party and charter boats in the NYS Marine & Coastal District as it concerns the Summer Flounder, Scup, and Black Sea Bass and Bluefish Commercial/ Recreational Allocation and Bluefish Rebuilding Amendment.

The board of the NY RFHFA reconquer with the previous oral public comments made by Regulatory & Science Research Director Steven Cannizzo at both the Belmar, New Jersey and Stony Brook, New York scoping hearings on the priorities that both the MAFMC and ASMFC should immediately address in 2020 and in improve upon in the years thereafter.

During these hearings we heard at times extremely passionate public input from a diverse audience of attendees made up of commercial and for-hire owners, operators, crew members as well as the general fishing angler, and there was an extremely unified theme voiced by almost all speakers on the following “issues for consideration” which we agree and again will provide written comment upon.

This is a brief and broad summary of the five areas in which the council and commission should prioritize their future regulatory work in addressing.

## 1- NO ACTION/STATUS QUO

At this time with the unending unstable regulatory environment of the species of concern on this issue of summer flounder (fluke), scup, black sea bass (bsb) and bluefish, the majority of audience members agreed that the 're-balancing' of the historical percentage in the allocations between the commercial and recreational sector was not addressing the major concern of improving recreational catch estimate data, nor would it provide any substantial liberalization to the recreational regulatory controls which recreational fishermen must adhere to. These include in the lessening of the minimum size, increasing possession limits where appropriate for a particular species, increasing open days during a season or lessening regulatory discards as these fisheries have morphed into de facto catch & release exercises on a for-hire vessel with little of any fish to harvest of the overall daily catch.

As troubling was the approach the council has put forward of which the power point presentation and relevant scoping document did not address in clarifying the exact cause for changing the percentage of allocation from the original FMPs which were based upon landings data from the 1980 to early 1990 time period.

Fishery data from both the commercial and recreational sector during this period has a wide range of variability in the available data as far standardized or inaccurate reporting and low levels of compliance by both sectors during those years. Without a complex and thorough review of raw fishery catch, discard and harvest data, it begs the question on the appropriateness to base current management on both the data and statistics from that period in the history of these fisheries, and the final decision made in changing allocations in the FMPs to either sector.

For these reasons we support NO ACTION/STATUS QUO



## 2- SEPARATION OF FOR-HIRE MODES FROM PRIVATE VESSEL AND SHORE BOUND MODES

It was clearly evident by those stakeholders from the for-hire sector that the council should move forward in recognizing that the for-hire sector has mandatory paper VTR and eVTR reporting which increases fishery dependent data in the accuracy of catch and harvest which is a more precise indicator on increased or lower biomass levels of abundance of these species.

The for-hire industry is not requesting a specifically allocated sub-ACL for party and charter boats, but believes in the further use of a 'sector allowance' which is currently used by the MAFMC in the management of scup, blueline tilefish and in 2020 for bluefish. The reason is obvious for creating sector allowances for these species as it is directly linked to historical recreational reported MRIP estimates and the most catch and harvest estimates. As seen for these four species of concern:

FLUKE (2014-2018) PRIV. VESS: 85%, SHORE: 9%, FOR-HIRE: 6%

SCUP (2016-2018) PRIV. VESS: 56%, SHORE: 34% FOR-HIRE: 10%

BSB (2016-2018) PRIV. VESS: 88%, SHORE: 2% FOR-HIRE: 10%

=====

BLUEFISH – USING REC. MEASURES for DEC.10.19 PRESENTATION ON STAFF REC.  
(2016-2018) Coast wide Landings (harvest):

PRIV.VESS. & SHORE: 96.4%

FOR-HIRE: 3.6% with PARTY BOATS UNDER >1% OF HARVEST

Due to the 2 to 5 times increase in the magnitude of catch and harvest as a result of the new MRIP re-calibration, the for-hire industry has extremely low levels in the percentage of harvest which has not resulted in exceeding harvest limits for the party and charter modes, as well as in operating accordingly in not threatening the sustainability nor imperil any stock in need of, or undergoing rebuilding.

For these reasons we support For-Hire 'sector allowances'

### 3- INCREASING RECREATIONAL ACCOUNTABILITY AND DATA ESTIMATE ACCURACY

Though Kiley, Karson and Matt from the council presented and led the scoping discussion to the audience and tried as best to shy away from – “in best teasing out” the information on the “issues for consideration,” MRIP has been deemed the “root of all regulatory evil” and is apparent with the comments made at the meetings and for the last few years as the most primary issue for-hire industry economic viability and the frustration of recreational fishing public in angler satisfaction.

Recreational accountability should result in mandatory reporting by private vessels and shore bound anglers with at a minimum to report that they have engaged in a fishing activity to increase the accuracy of MRIP effort estimates. This can be vastly improved through a pilot program which can be designed in a similar fashion to that of the FACTS reporting system in Maryland where an angler ‘Hails-Out’ by dialing from either a hardline, smartphone or on his computer to log in, then receive a verification number which he uses if stopped by marine enforcement, and eventually ‘Hails-In’ to the same number after his trip and then enters the number of participants for effort along with catch/harvest info for species such as fluke, bsb, bluefish or striped bass and tautog.

A properly set up voice call in system with a brief question and then a response from the angler would greatly help in increasing angler cooperation and data accuracy directly from the angler, and most of all in design to be as least intrusive and time consuming in that it should take roughly one minute to complete.

As to the MRIP program and the new changes which obviously have now made the resulting recreational estimates shift from previously being implausible to now becoming impossible to believe with the new estimates. We had also heard from the SSC Q&A MRIP webinar the prior week where it was made clear that the current new MRIP was a painstaking process to undergo in re-calibrating estimates, and one should not expect any distinct changes that can be recommended by stakeholders or the fishing public other than to move forward with direct private vessel and shore bound angler mandatory reporting.

For these reason we support mandatory private vessel and shore bound modes reporting.

#### 4- CATCH LIMITS DEFINED IN POUNDS AND/OR NUMBERS OF FISH

One point which was brought up at the Belmar, NJ scoping meeting by long time ASMFC NJ Commissioner Tom Foote and Captain Neil Delanoy of the Laura Lee fleet at the Stony Brook, NY meeting in that the “currency of recreational fisheries” is in the counting of the numbers of fish caught, harvested and discarded, and that the resulting conversion to pounds as allocations are based in pounds and the multiplier used on the average size of fish is not only inaccurate in MRIP estimates but penalizes fishermen for catching larger fish.

As Commissioner Tom Foote noted that the 1980s represented a decade where average fish sizes were notably different in being smaller for fluke, scup and bsb in contrast to the last full decade period when these stocks were rebuilt and had a much larger number of older fish during the 2010-2019 time period, and was later echoed by Captain Delanoy at the following NY meeting that an approach should be made in transitioning back to fish counts in regulating harvest limits for the recreational sector. This corresponds with the sentiment of stakeholders involved in Advisory Panel discussion over the years with this statement,

*“No matter the fishing mode in which a fish is harvested, a harvested fish is just that in being ‘one harvested fish,’ no matter the weight.”*

The council should examine in coordination with the SSC and MC in starting a process where recreational fisheries can have catch limits based upon counting fish in a particular time frame from when the FMPs were approved.

For this reason we support moving Catch Limits to be defined in numbers of fish

#### 5- MANAGEMENT FLEXIBILITY IN TRANSFER OF ALLOCATIONS

One of the lessor noted topics of discussion was in allowing management at the MC level and the council to have the flexibility in transferring allocations where they are needed for both the commercial and recreational sector. This would be a regulatory tool which can be adopted through the development of a framework to be applied for stocks that are not in the process of rebuilding or in the early stages before a rebuilding program has been implemented.

There is a growing belief that once the ABC is set during specifications by the SSC, that a flexible ACL for both the sectors can be used with caps or upper limit boundaries along with triggers for shifting either a percentage of, or pre-determined amount of poundage to be made available in order to prevent that sector in exceeding their harvest limit.

From the audience consensus, and among the board members of the NY RFHFA, approving management flexibility in transferring allocation between sectors would be seen as positive outcome from the scoping process in preventing fisheries to be shut down or poundage penalties accessed in the following calendar year.

For this reason we support the use of Management Flexibility in allocation transfers

The NY RFHFA appreciates the opportunity to provide input in public comments, in improving the management of fluke, scup, sea bass and bluefish in the Northeast region. The NY RFHFA will continue to participate in this process moving forward, and will advocate as much during MC, AP, council, commission and state meetings.

These written comments align to what was stated at the public hearings, and we again like to thank you for carefully considering these comments from not only the NY RFHFA, but also we believe represent the sentiments of fishermen from both the commercial and recreational fishing sectors in the New York Marine & Coastal District.

Sincerely,

Steven Cannizzo, NY RFHFA

New York Recreational & For-Hire Fishing Alliance

[mb1143f@gmail.com](mailto:mb1143f@gmail.com)

**NEW YORK RECREATIONAL & FOR-HIRE ALLIANCE:**

Executive Director Captain Joe Tangel, fv KING COD

Board Member Captain Carl Forsberg, Viking Fishing Fleet

Board Member Captain Jimmy Schneider, James Joseph Fishing Fleet

Board Member Captain Kenny Higgins, Captree Pride & Captree Princess

Board Member Captain Anthony Testa Sr., f/v Stefani Ann

Board Member Captain Anthony Testa Jr., f/v Stefani Ann

Concurred by:

NYS Recreational MRAC Advisor, MAFMC AP Advisor & NYS FFL permit holder

Captain Steve Witthuhn, f/v TOP HOOK

**From:** [Squarespace](#)  
**To:** [Beaty, Julia](#)  
**Subject:** Form Submission - SFSBSB Allocation Amendment Scoping  
**Date:** Tuesday, March 17, 2020 8:36:20 PM

---

**Name:** Tony Friedrich

**Email:** [tony@saltwaterguidesassociation.org](mailto:tony@saltwaterguidesassociation.org)

**Check all that apply:** NGO

:

**Comments:** The American Saltwater Guides Association appreciates the opportunity to comment on the scoping document for flounder, black sea bass and scup. Recent MRIP data suggests that we need to reevaluate the current allocations for these three fisheries.

We suggest the following issues be addressed and scoped in the upcoming amendment:

Updating the current allocation percentages using the existing base years but with current recreational and commercial data;

Using socioeconomic data, analysis, or other considerations to modify the allocations based on optimization of economic efficiency and socioeconomic benefits from each fishery;

Catch limits defined in pounds and/or numbers of fish, or using other methods;

The option to make future allocation changes through a framework/addendum (a shorter and more efficient action than an amendment);

Improving catch accounting and estimation methods in the recreational sector;

Improving accountability in the recreational sector;

The ASGA fully and strongly supports the issues listed above. We can do a better job with the accounting, estimation, and accountability of the recreational sector. This is a fantastic opportunity to explore new and innovative ways to give the managers the best data possible.

We do not support sector separation without accountability. The efforts in Rhode Island and Maryland for striped bass as well as the recent decision for the 3/5 split in bluefish harvest is not accountable sector separation. It was nothing more than a reallocation of the resource.

Red snapper in the Gulf of Mexico was a far different process for different reasons.

If the private rec angler is not offered the same opportunity to be accountable then the process of sector separation is severely flawed. It is a reallocation without an amendment. That is not what is best for the resource and we can not support such actions.

(Sent via [Mid-Atlantic Fishery Management Council](#))

**From:** [Moore, Christopher](#)  
**To:** [Beaty, Julia](#)  
**Subject:** FW: Fluke/Scup/Sea Bass Allocation Amendment  
**Date:** Wednesday, March 18, 2020 9:49:05 AM  
**Attachments:** [image001.png](#)

---

fyi

Christopher M. Moore, Ph.D.  
Executive Director  
Mid-Atlantic Fishery Management Council  
800 N. State St, Suite 201  
Dover, DE 19901

302-526-5255  
[mafmc.org](http://mafmc.org)

---

**From:** Gregory DiDomenico <[gregdidomenico@gmail.com](mailto:gregdidomenico@gmail.com)>  
**Sent:** Tuesday, March 17, 2020 11:27 PM  
**To:** Moore, Christopher <[cmoore@mafmc.org](mailto:cmoore@mafmc.org)>  
**Subject:** Fluke/Scup/Sea Bass Allocation Amendment



[www.gardenstateseafood.org](http://www.gardenstateseafood.org)

Gregory P. DiDomenico, Executive Director  
[gregdi@voicenet.com](mailto:gregdi@voicenet.com)  
609-675-0202

March 17, 2020

Dr. Chris Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

Re: Fluke/Scup/Sea Bass Allocation Amendment:

Dear Dr. Moore:

Universally, the commercial fishing industry does not agree with the principle amendment objective to update the current allocation percentages affecting recreational and commercial TALs; based primarily on recent MRIP estimates of recreational catches. We feel strongly that the Council should not utilize this amendment to consider modifications to allocations but should expand its objectives to include the consideration of alternative management scenarios and accountability measures, for the recreational fishing sectors.

The amendment should create a management approach that does not apply traditional allocations or percentages to the recreational fishery but instead use catch, landings and possibly F rate mortality targets to manage that sector.

As this amendment moves forward, the commercial fishing industry supports "Status Quo" as it pertains to the existing recreational/commercial percentage allocations but understands that additional flexibility for the recreational fishery is important for fishing years 2021 –2023.

When considering historic allocations as "fixed" into the future, it is important for the Council to recognize that recreational catch has been anything but "fixed". We also encourage the Council to support an administrative process, with this action, that creates a rollover provision that could allow quota to be used each year to transfer an overage or an underage from any of the fisheries. This could be utilized in the future through the specifications or framework process.

While we understand why this amendment was initiated, we feel it is important to mention that this is not a situation that has developed recently and previous actions that could have addressed these issues were started years ago. For example, a Recreational Fishing Policy initiative began in June of 2014 and a Recreational Fishing Reform project is ongoing. In addition, the MAFMC and ASMFC initiated the Comprehensive Summer Flounder Amendment, in December of 2014, that included issues similar to what we are dealing with today, but it was withdrawn in December of 2106. Most recently the Council has initiated a MSE evaluation of the summer flounder fishery and a benchmark assessment will be conducted soon. It certainly seems prudent to wait until the completion of these items. Lastly and most importantly the deadline to complete and implement the Marine Recreational Information Program, as required by the Secretary of Commerce, was January 1, 2009.

We also ask that the amendment be used to explore alternatives to develop separate catch monitoring, specifications and accounting in the for-hire and private boat/shore-based angler fisheries.

The Council should review and analyze Amendment 19 "The Omnibus Recreational Accountability Amendment", which was implemented in December of 2013. This amendment was initiated as a result of an overage in the 2012 recreational black sea bass RHL and the drastic consequences for recreational black sea bass fishery in fishing year 2014. The Council decided to review the recreational fishery AMs at that time; specifically, the Council wanted to develop AMs that take into account the status of the stock and the biological consequences, if any, resulting from a recreational sector overage.

During the deliberations of Amendment 19 Agency staff clarified the spirit of one alternative by saying the following, "So the idea is that the recreational fishery may have exceeded its ACL, but if the commercial fishery came in well under its ACL, such that the overall ABC wasn't exceeded, then there's kind of a 'no harm, no foul' to the stock. So, in that case, if the ABC has not been exceeded total catch wise, then we may not need an accountability measure to be triggered even if the recreational fishery exceeded its ACL." We support this approach for the current situation.



The key elements of Amendment 19 were a rejection of in-season adjustments and pound-for-pound paybacks in recreational fisheries, unless a species is overfished. We feel strongly that the discussion of these elements should continue at the Council to address the current situation and be considered as a primary goal of the amendment.

Thank you for the opportunity to provide our comments to the Council and for their consideration of our concerns and recommendations. We look forward to working with each of you as the amendment continues to be developed.

Sincerely,

Greg DiDomenico  
Executive Director  
Garden State Seafood Association

**From:** [Frank Macalik](#)  
**To:** [Beaty, Julia](#)  
**Subject:** Scoping Meeting Comments  
**Date:** Wednesday, March 18, 2020 8:47:42 AM

---

Frank Macalik  
F.U.B Dive Club  
Monmouth County New Jersey  
[Frankmacalik@gmail.com](mailto:Frankmacalik@gmail.com)  
Mobile: 732 754 5345

March 13, 2020

Dr Chris Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

Dear Dr. Moore,

My name is Frank Macalik and I represent the F.U.B Dive Club of Monmouth County. We are 12 local scuba divers that dive off the coast of central New Jersey. I attended the scoping meeting in Belmar, New Jersey where we discussed the Reallocation Amendment addressing summer flounder, scup, and black sea bass populations.

We understand that most of your stock assessments are done by catch and by-catch. As scuba divers, we can offer you a different perspective regarding fish stock assessments. I'm happy to report there is no shortage of Black Sea Bass. In fact, in the summer months Black Sea Bass are so thick on wrecks and rockpiles that we need to push them aside to see in holes to find lobsters. Scup show up in late summer and fall months on the deep wrecks. It's a real treat watching the large schools reflecting the sun light while swimming above us. We also see plenty of Summer Flounder. We find some on the wrecks but most are buried in the sand around the wreck sights making them difficult to see. I sometimes pass over buried fluke only to see them as they swim away.

Moving forward, we would like to see "improved catch accounting and estimation methods in the recreational sector". A few years ago, we marched on Washington to "Save the Summer Flounder" asking for better methods to assess fish stocks. It seems some improvements were made; however, we are not there yet. Therefore, we would like to update the current allocation percentages using the base years, but with current recreation and commercial data. You also need to consider the ratio between keeper Summer Flounder and discards. It's not uncommon to discard 40 shorts to catch one keeper. We could be killing hundreds of fish if not released properly. Please consider reducing the minimum length so we don't have so many discards.

The two things that were not discussed at the meeting that are effecting fish stocks. Rouge Nets and Beach Replenishment. We find abandoned nets every year. They get stuck on wreck trapping fish and are a danger to divers. Presently, we know of two, stuck at two different sites trapping fish. Commercial fishermen need to account for their nets each year and be responsible to recover the rouge net once it's discovered. Local divers would gladly assist reporting rouge nets. Beach replenishment is creating a dead zone along the coast. Nothing lives in the surf where new sand has been dumped. We don't see crabs or juvenile fish any more in those areas. All the structure is gone. It's a dead zone. Too bad you can't stop beach replenishment. Fish stock would increase exponentially. I hope this helps.

Respectfully  
Frank Macalik  
F.U.B Diver  
[Frankmacalik@gmail.com](mailto:Frankmacalik@gmail.com)  
Mobile 732 754 5345

## APPENDIX A: SUPPLEMENTS TO PUBLIC HEARING COMMENTS

This appendix contains materials provided to staff at hearings and read aloud or referenced in hearing comments.

### Alan Kenter, provided at the Belmar, NJ hearing:

Title: Fishing Community Is in Dire Trouble!!

Post by: Capt Bogan on May 30, 2017, 11:05:42 AM

Party Fishing Vessel and Charter fishing vessels that carried more than 6 passengers --Businesses that have Gone Under in New Jersey (not replaced) since the Bad Reauthorizations of Magunson-Stevens in 1996 and 2006.

Bayonne-----Bucky

Perth Amboy-----Sea Pigeon

Leonardo-----Freddy C

Highlands-----Crack-a-Dawn

"-----Eagle

"-----Jersey Girl

"-----Ranger

Belmar-----Catherine II

"-----Mohawk Explorer

11 "-----Mohawk IV

"-----Eileen

11 "-----Ginny Lynn

11 "-----American Eagle

Brielle-----Atlantis

"-----Capt Ke!

Point Pleasant-----Norma KII

"-----Miss Norma K

"-----Deep Adventures III

" 11 -----Deep Adventures IV

11 "-----Sea Devil

"-----Cock Robin

Barnegat-----White Star

" 11 -----Miss LBI

"-----Doris Mae

11 "-----Searcher

11 "-----Jersey Devil

Atlantic City-----Capt Applegate

Sea Isle City-----Capt Robbins

11 "-----Miss Ocean City

Fortesque-----Angler

Cape May-----Mid 90's: 29 party boats----Currently: 3 party boats

During Same Years, new to the industry :

Perth Amboy-----Sea Hawk (for sale?)

High Lands-----Dorothy B (transferred from NY)

Pt Pleasant-----Voyager



# Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201  
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

## Atlantic States Marine Fisheries Commission and Mid-Atlantic Fishery Management Council Joint Summer Flounder, Scup, and Black Sea Bass Advisory Panel Meeting Summary

April 2, 2020

### ASMFC Advisory Panel Members in Attendance:

- Frank Blount – RI (recreational)
- Paul Caruso – MA (recreational)
- Greg DiDomenico – NJ (commercial)
- Brent Fulcher – NC (commercial)
- Marc Hoffman – NY (rec/comm)
- Mark Hodges – VA (commercial)
- Joseph Huckemeyer – MA (recreational)
- James Little – DE (recreational)
- Jim Lovgren – NJ (commercial)
- \*Michael Plaia – CT (recreational/commercial)
- Buddy Seigel – MD (recreational)
- Bill Shilingford – NJ (recreational)
- Art Smith – NC (commercial)
- Wes Townsend – DE (commercial)

### MAFMC Advisory Panel members in attendance:

- Katie Almeida – MA (commercial)
- Rick Bellavance - RI (recreational)
- Carl Benson – NJ (commercial)
- Bonnie Brady - NY (commercial)
- Steven Cannizzo – NY (recreational)
- Joan Berko – NJ (commercial)
- Jeff Deem – VA (recreational)
- Skip Feller – VA (recreational)
- Howard King – MD (recreational)
- Michael Pirri - CT (recreational)
- \*Michael Plaia – CT (recreational/commercial)
- Steven Witthuhn – NY (recreational/commercial)
- Harvey Yenkinson – PA (recreational)
- Douglas Zemeckis - NJ (Rutgers University)

### Additional attendees:

- Russ Babb (NJ DEP)
- Chris Batsavage (MAFMC & ASMFC member, NC)
- Joe Cimino (MAFMC & ASMFC member, NJ)
- Justin Davis (ASMFC member, CT)
- Tony DiLernia (MAFMC member, NY)
- Tom Fote (ASMFC member, NJ)
- Emerson Hasbrouck (ASMFC member, NY)
- Emily Keiley (NOAA)
- Nichola Meserve (ASMFC member, MA)
- Adam Nowalsky (MAFMC & ASMFC member, NJ)
- Corinne Truesdale (TC member, RI)
- Greg Wojcik (TC Chair, CT)

**Staff:** Julia Beaty (MAFMC Staff), Karson Coutre (MAFMC Staff), Kiley Dancy (MAFMC Staff), Dustin Colson Leaning (ASMFC Staff), Caitlin Starks (ASMFC Staff)

\* Indicates member of both Council and Commission APs

### Meeting Summary

The Advisory Panels of the Atlantic States Marine Fisheries Commission (Commission) and the Mid-Atlantic Fishery Management Council (Council) met jointly via conference call and webinar on April 2,

2020 to review the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment Scoping Comment Summary and provide recommendations on the types of alternatives which should be further developed.

In January 2020, the Commission and Council released the Summer Flounder, Scup and Black Sea Bass Commercial/Recreational Allocation Amendment Scoping and Public Information Document to consider potential modifications to the allocations of catch or landings between the commercial and recreational sectors for the three species. Commission and Council staff hosted 11 public hearings in February and March to gather public comment on the document. The Board and Council received written and in-person comments from 205 individuals and organizations during the public comment period.

ASMFC Staff presented on the amendment background and purpose followed by an overview of the scope of comments received by the Board and Council. Advisors considered the scope of issues received during the comment period and provided guidance on which types of management alternatives should be further considered and analyzed for the amendment. **Please note: Advisor comments described below are not necessarily consensus or majority statements.** Additional comments submitted by email are appended at the end of this summary.

### **Opening General Comments**

Several advisors opened the meeting with concerns about how the Covid-19 virus is affecting both the recreational and commercial fisheries. One advisor pointed out that landings are likely to be severely affected during the prime months of fishing for all three species. He stated that due to the virus, MRIP sampling has stopped and the commercial fishery is affected due to the closing of restaurants which has caused a large decrease in seafood demand. This advisor also called for action through a framework or an addendum to address how the stakeholders in these fisheries can be supported through this crisis and how fishing can be promoted after the virus runs its course.

A few advisors stated that it would not be in the best interest of any fishery to move forward with the commercial/recreational allocation amendment while the future economic stability of these fisheries is in question. One advisor added that these fisheries involve over 5 million people and thus comments from 205 respondents should not influence management decisions at such a critical time.

In contrast, a few advisors noted that even though the virus situation is affecting everyone's lives and many fishing businesses, the amendment issues will eventually still need to be addressed. One advisor added that National Marine Fisheries Service (NMFS) and Council leadership will need to address the Covid-19 issue separately, but it does not preclude the Advisory Panel from discussing scoping comments on the amendment today.

### **Improved Recreational Accounting and Accountability & Considerations for Reallocation Approaches**

All advisors who spoke on this issue agreed that they have no confidence in the Marine Recreational Information Program (MRIP) estimation methodology and the estimates that it has produced. One advisor emphasized that the Council needs to recommend that NMFS re-examine MRIP and its methodologies. He said the public's lack of faith in MRIP requires that MRIP staff improve the methodology in some way. Once NMFS has devised a new and improved methodology, allocation could be based on those new estimates. He stated that NMFS can act more quickly than the Council, and should be encouraged to take the lead on updating MRIP's methodology.

Several advisors expressed frustration with MRIP for its use of implausible input data. For example, some said the effort estimates produced by the fishing effort survey were impossible. A few advisors interpreted the term “hidden fishing effort” used by MRIP staff at a recent SSC meeting<sup>1</sup> to mean that MRIP estimates are scaled up to account for effort that is not detected by the fishing effort survey. A staff member responded that the explanation of “hidden fishing effort” has been widely misinterpreted. This concept was intended to explain why many stakeholders may believe the effort estimates are too high, because there is a lot of effort at private fishing sites in some states that is not necessarily seen by those fishing from public intercept sites. This effort is already captured in the effort survey, and there is no additional estimation or scaling specific to private or “hidden” fishing sites.

One advisor added that MRIP does not provide an accurate picture of what the stock size is. Another advisor reminded the group that not everyone was in favor of using MRIP data in the operational stock assessments. This advisor pointed out that MRIP is not a new problem; stakeholders have been waiting for improvements to MRIP for 10 years since it was mandated by congress. In addition, he expressed concern in the way weight conversion rates are applied to MRIP estimates in numbers of fish. He thought that more analysis is warranted, especially for bluefish, because it is hard to believe the accuracy of a conversion rate when there is such a large variability in fish size.

Another advisor added that for-hire effort has been underreported for many years, especially for party boats. He stated that logbooks should be used to rectify the faulty numbers used by MRIP.

One advisor stated that even if everyone disagrees with MRIP data, it is already being utilized by management. He elaborated that because MRIP summer flounder data was already used to establish stock status and to increase the commercial quota, it should also be used for allocation purposes. He proposed that management should use the updated MRIP data with the same base years to produce an allocation of 55% percent to the commercial fishery and 45% to the recreational fishery.

One advisor said that he would like to see staff consider catch accounting that doesn't rely upon percentage allocations. Instead, catch should be evaluated against the Acceptable Biological Catch (ABC) at the end of the year. If recreational catch estimates indicate that the recreational harvest limit has been exceeded in a given year, yet commercial catch only amounts to 50% of the quota, there is no reason for the recreational sector to be penalized if the ABC was not exceeded. This advisor stated that management has already been taking this ad-hoc approach for Black Sea Bass and Scup, which could continue to be used to manage these fisheries.

The aforementioned advisor also pointed out that additional quota that the commercial sector received after the most recent stock assessments for summer flounder and black sea bass could be short-lived. While he has no desire to disadvantage the recreational sector in any way going forward, he asks that the commercial sector not be put at a disadvantage either and therefor does not support reallocation. Another advisor representing the commercial sector later spoke in support of no changes to the current allocation as well.

### **For-Hire & Private Angler Sector Separation**

Feedback regarding sector separation was mixed. One advisor said that he supports sector separation as a concept, but in practice it would not likely work well. He stated that VTR data is inherently biased because while some vessels report accurately, others do not. Another advisor from the commercial

---

<sup>1</sup> The report of this SSC meeting is available at: <https://www.mafmc.org/s/Final-March-2020-SSC-Meeting-Report.pdf>.

sector agreed that VTR data is flawed because it is in the for-hire captain's best interest to underreport catch. One advisor said that based on the perceived accuracy of MRIP, he doesn't think that sector separation makes any sense.

Two advisors spoke in favor of sector separation in some form. One advisor reflected that current recreational management measures are not working for the for-hire fleet, and thus they should have different regulations. He also reminded the AP that VTRs are only one component of catch accounting, and they also have intercept surveys. He thought that validating VTR data with intercept data would be a good accountability check. The second advisor supports separate management measures for the for-hire fleet, but does not support a sub-ACL for the for-hire fleet, and doesn't believe that approach would work. However, he thought it important that the for-hire sector be assigned its own measures to help party and charter vessels sell trips.

One advisor suggested that days-at-sea could be an effective way to manage the party and charter boat sector.

### **Dynamic Allocation Approaches**

Several advisors recommended the Board and Council review and further develop the recreational management reform harvest control rule submitted in written comments by representatives of the American Sportfishing Association, the Congressional Sportsmen's Foundation, the Center for Sportfishing Policy, and the National Marine Manufacturers Association, the Coastal Conservation Association, and the Recreational Fishing Alliance (see pages 144-149 of the scoping comment summary). Several advisors applauded this effort as a promising alternative to traditional allocation approaches.

One advisor thought that allocation changes should not be done through a framework or addendum. He stated that allocation is too important and political to be handled through these processes, which involve fewer public comment opportunities than amendments.

### **Allocation Transfers & Set Asides**

One advisor said there is already a process in place that functions like an allocation transfer. The Omnibus Recreational Accountability Measure Amendment provides that when the recreational sector exceeds its allocation, a pound-for-pound payback does not occur, as long as biomass is above the target level. In effect, this serves as a one-year allocation transfer. The advisor added that this process could also be made part of Council policy for the commercial sector without the need for a lengthy amendment process. Commission staff clarified that even though a pound-for-pound payback doesn't always occur, the Board and Council are required to consider adjustments to measures the following year to prevent an overage from occurring again. An allocation transfer could avoid this issue in some years. Council staff also clarified that any changes to the accountability policy would actually need to go through a framework or amendment process.

One advisor thought that allocation transfers could be a good idea if they were designed in a way that allowed either the commercial or recreational sector to exceed its allowance so long as the combined catch between the two sectors does not exceed the ABC.

One advisor voiced opposition to allocation transfers, citing the bluefish fishery as an example of where this policy tool led to unintended consequences. For many years a portion of the recreational allocation, that was projected to be underachieved, was transferred to the commercial fishery in the form of

increased quota. Years later when the stock was reassessed, it was revealed that the stock was overfished and had been experiencing overfishing for many years. The advisor elaborated that if a sector underachieves its allocation, this allows for more spawners to remain alive and support the health of the stock. Summer flounder, scup and black sea bass are easier to manage if the stocks are in good shape, and allocation transfers jeopardize their ability to remain healthy.

One advisor said that any allocation that is not caught in one year should roll over into the next year.

### **Recreational Management Measures and General Recreational Fishery Concerns**

One AP member noted that recreational anglers are still fishing primarily on mature female fluke and not on males, which is not good for the health of the fishery. A second advisor agreed that the minimum size limits for fluke are not right. He added that they need to be remedied to help reduce discards and a possible solution could be a cumulative total length regulation with mandatory retention. A third advisor said the idea of catching fewer fish needs to be embraced – it has been obvious that there is no fix to lower mortality in these fisheries except catching and killing fewer fish.

One advisor reminded the advisory panel that North Carolina has had to make drastic changes to summer flounder recreational measures because of overlap with the depleted southern flounder stock. These changes have had a large impact on how the fishery operates in North Carolina.

Three advisors expressed support for mandatory reporting at all recreational fishing tournaments.

Several advisors stated that social distancing and people's fear surrounding the virus will negatively impact the for-hire industry for years to come. He suggested that management relax regulations to help make up for lost effort during the beginning of this year's fishing season. A few other AP members agreed that many people will rely heavily upon seafood to feed their families during these challenging times. High minimum sizes pose a barrier to catching legal fish. Noncompliance is likely to go up unless managers take this into consideration and relax regulations. One advisor elaborated that the virus situation could impact the global supply of seafood, and during this crisis management needs to make seafood accessible to every stakeholder in every state.

### **General Commercial Fishery Concerns**

One advisor said that New York landings of summer flounder were incorrectly counted during the timeframe used to derive the current commercial and recreational allocations. As such, any discussion regarding changes to the current allocations would first require revisiting what New York's true landings were during that time period.

One advisor noted that commercial sector sales for fluke are still struggling while the market rebuilds.

### **Other Issues**

One advisor said that the Council tends to manage fisheries on a coastwide basis, and recommended that managers pay greater attention to regional depletion. He thought that some areas are doing fine, but others have become quite depleted. In his opinion, global warming is not a sufficient explanation for why summer flounder are getting depleted. He shared that allocation between states and sectors has an influence on regional depletion by increasing fishing effort in certain areas.



One advisor suggested that instead of different staff hosting every public hearing, in the future it would be better to have 1 or 2 staff members host all the hearings. He explained that presenting information as well as receiving information can get lost in translation with so many different staff hosting hearings.

### **Comments Received by Email**

**From:** ARTHUR D SMITH [<mailto:artsmith@rsnet.org>]

**Sent:** Wednesday, April 1, 2020 6:11 PM

**To:** Dustin C. Leaning <[DLeaning@asmfc.org](mailto:DLeaning@asmfc.org)>

**Cc:** DEWEY HEMILRIGHT <[fvtarbaby@embargmail.com](mailto:fvtarbaby@embargmail.com)>; BRENT FULCHER <[bjseafood@earthlink.net](mailto:bjseafood@earthlink.net)>

**Subject:** [External] Re: April 2 Advisory Panel Webinar Reminder

Good Afternoon Dustin,

As an ASMFC summer flounder adviser I would like to offer the following:

1. These re-allocation ideas are a result of various interest groups being dis-satisfied with the amount of fish they are allowed to catch. Well guess what. No matter how many fish you give any group they will never be satisfied and it will be that way from now until eternity. Therefore my advice is to maintain the status quo. The current allocations (I think) have been in place for twenty plus years and while no user group has thrived at least all have survived.
2. You have to remember that the commercial sector does not just consist of the 100+ plus vessels involved in the fishery but also the tens of thousands of individuals who only have access to the resource by purchasing fresh seafood from these vessels. Don't let anyone tell you that recreational participants outnumber commercial participants. When you count the consumers that the commercial industry supplies then the commercial industry has far more participants.
3. I am already on record regarding my position on discards and recreational reporting. My position has not changed.
4. I will be able to listen to Thursday's meeting but will not be able to participate. A few meetings back an individual who was not even an adviser went on and on with his comments. Please limit the meeting to advisers and staff. Also, advisers do not need to go on and on about how useless statistical models are. This meeting is to discuss potential reallocation and should be limited to such.

Thank you,

Art Smith  
Belhaven, NC

---

From: Jim Lovgren [<mailto:jlovgren3@gmail.com>]

Sent: Tuesday, March 31, 2020 4:34 PM

To: Dustin C. Leaning <[DLeaning@asmfc.org](mailto:DLeaning@asmfc.org)>

Cc: SUMMER FLOUNDER, SCUP, & BLACK SEA BASS ADVISORY PANEL <[sfsbsb\\_ap@asmfc.org](mailto:sfsbsb_ap@asmfc.org)>; Caitlin Starks <[cstarks@asmfc.org](mailto:cstarks@asmfc.org)>

Subject: [External] Re: April 2 Advisory Panel Webinar Reminder

Dustin I think its clear that no one agrees with the new MRIP data, and of those that do they only agree when it helps them argue that they should get more quota, while they still dispute that they have not caught anywhere near what the recent data says they did. A clear conflict of intellectual thought. I think this reallocation amendment should be dumped in the trash can of history, and council/commission resources funneled somewhere where they might be better used to help both commercial and recreational industry's survive. thanks, Jim

\*Newspaper clipping submitted as an AP comment by Steve Witthuhn on 4/2/20

A16

## LONG ISLAND

# Striped bass season opens April 15

But it's unclear whether partyboats and charterboats will be operating

BY MARK HARRINGTON  
[mark.harrington@newsday.com](mailto:mark.harrington@newsday.com)

New York State on Tuesday finalized rules for recreational striped bass fishing during the 2020 season, but much uncertainty remains about whether hundreds of partyboats and charterboats considered nonessential businesses will be released by the start of the season.

The striped bass season will begin on its normal day of April 15 and continue through Dec. 15. Recreational anglers this year can take one fish a day from 28 inches to 35 inches, compared to last year's rule of one fish at 28 inches and above. The commercial season starts May 15, and fish must be between 26 and 38 inches. The state has also reduced the maximum number of fish commer-

cial fishermen can take to 185 from a prior 219.

The state's rules on nonessential businesses restrict all such entities from operating through April 15, when the rules will be re-examined based on the status of the coronavirus pandemic. A spokeswoman for the state Department of Environmental Conservation said it's still unknown whether the restriction will be lifted or extended. The agency noted that the current mid-April restriction on nonessential business "may be extended by future executive orders."

But if Gov. Andrew M. Cuomo's comments Tuesday are any indication, fishing boat captains may be looking at a

People aren't going to have fishing as a priority. It's coming down to food money versus fishing money."

— Charterboat captain Steve Witthuhn

lockdown well beyond the April 15 opening of the striped bass season.

"This is not one week, two weeks, three weeks, four weeks, five weeks, six weeks," Cuomo said. "This is not going to be an Easter surprise."

The uncertainty has made life difficult for the Island's dozens of partyboats, which

can carry scores of passengers, and the hundreds of smaller charterboats.

Rob Andresen, who operates Captree Pride and Captree Princess boats out of Captree Boat Basin, said he would normally be on the water around now, fishing for cod and preparing for the flounder season. His two boats are out of the water for maintenance, but are expected to be back in over the next two weeks.

"For me, I sail year-round and I'm really feeling it," he said. "It's really going to kill me."

He'd normally start booking for trips starting with the May 4 fluke season, but calls have fallen off dramatically, not just over the uncertainty over the nonessential business order, but customers' own financial uncertainty. "The phone isn't ringing as it usually does," he said.

His only hope is that regulators will extend fishing seasons through the end of the year to make up for the loss of the front

part of the year. That would mean leaving the fluke season open longer into the fall, he said.

For Steve Witthuhn, a charterboat captain out of Montauk who sits on the DEC's marine advisory committee, this year's spring season is a big question mark.

"We're hoping for the best but we don't know how to prepare for the worst because we don't know how we're going to get hit," he said. He plans to apply for small business loans to make up for the losses.

"Everybody's in the same boat, so to speak," he said. "People aren't going to have fishing as a priority. It's coming down to food money versus fishing money."

In the interim, he plans to continue fixing up his boat, the Top Hook, painting the bottom and "getting things ready." For what, he's not completely sure.

"We just don't know" whether boats will be able to fish, he said.



**Action Plan for Commercial/Recreational Allocation Amendment to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan  
Draft as of 4/15/2020**

<http://www.mafmc.org/actions/sfsbsb-allocation-amendment>

**Amendment Goal:** The purpose of this amendment is to review and consider revisions to the commercial/recreational sector allocations for the summer flounder, scup, and black sea bass fisheries. This action aims to address the allocation-related impacts of the revised data on catch and landings for the recreational and commercial sectors. This is a joint amendment of the Mid-Atlantic Fishery Management Council and Atlantic States Marine Fisheries Commission.

**Type of NEPA Analysis Expected:** To be determined - Environmental Assessment (EA) or Environmental Impact Statement (EIS), depending on scope of action and alternatives considered.

**Additional Expertise Sought:** The Fisheries Management Action Team (FMAT) for this action will be composed of Council and Commission staff and management partners from the Greater Atlantic Regional Fisheries Office and Northeast Fisheries Science Center, with input from other organizations as appropriate.

<b>Agency</b>	<b>FMAT Role</b>	<b>Person(s)</b>
MAFMC	Council staff (summer flounder)	Kiley Dancy
MAFMC	Council staff (scup)	Karson Coutré
MAFMC	Council staff (black sea bass)	Julia Beaty
ASMFC	Commission staff (summer flounder and scup)	Dustin Colson Leaning
ASMFC	Commission staff (black sea bass)	Caitlin Starks
NMFS GARFO	Sustainable fisheries	Emily Keiley
NMFS GARFO	NEPA	Marianne Ferguson
NMFS NEFSC	Socioeconomics	Greg Ardini
NMFS NEFSC	Stock assessment/population dynamics (consult as needed)	Gary Shepherd
NMFS NEFSC	Stock assessment/population dynamics (consult as needed)	Mark Terceiro
NMFS GARFO	General counsel (consult as needed)	John Almeida

**Types of Measures Expected to be Considered:** The Council and Board will review and consider revisions to the commercial/recreational sector allocations for summer flounder, scup, and black sea bass. Specific possible reallocation approaches have not yet been identified. Following the scoping process, the Council and Board will confirm the issues to be addressed and the scope of the amendment. The FMAT is expected to develop a range of management options specific to commercial/recreational allocation for the Council and Board to consider, potentially including, but not limited to the following approaches:

- No action/*status quo*;
- Updating the current allocation percentages using the existing base years but with revised MRIP data;
- Using alternative base years to derive new allocation percentages;
- Using different allocation approaches which do not rely on base years;
- Considering whether each allocation should be catch based or landings based;
- Using socioeconomic data or evaluations to consider modifying the allocations based on optimization of economic efficiency and socioeconomic benefits from each fishery;
- Considering separate allocations to modes within the recreational fishery (for-hire vs. private/shore fisheries);
- Considering whether a transfer of allocation from one sector to another should be allowed through specifications or a framework action;
- Considering whether allocations should be made in pounds and/or numbers of fish;
- Considering whether future allocation changes could be made through a framework/addendum rather than an amendment;
- Considering whether allocations should be static or dynamic, including possible approaches that evaluate these allocations on a more frequent basis;
- Other approaches to be determined.

**Applicable laws/issues:**

Magnuson-Stevens Act	Yes
Administrative Procedures Act	Yes
Regulatory Flexibility Act	Yes
Paperwork Reduction Act	Possibly; depends on data collection needs
Coastal Zone Management Act	Possibly; depends on effects of the action on the resources of the coastal states in the management unit
Endangered Species Act	Possibly; level of consultation, if necessary, depends on the actions taken
Marine Mammal Protection Act	Possibly; depends on actions taken
E.O. 12866 (Regulatory Planning and Review)	Yes
E.O. 12630 (Takings)	Possibly; legal review will confirm
E.O. 13123 (Federalism)	Possibly; legal review will confirm
Essential Fish Habitat	Possibly
Information Quality Act	Yes

**Expected Amendment Timeline (as of February 2020; assuming EA; subject to change):**

<b>October 2019</b>	Amendment initiated
<b>Early 2020</b>	FMAT formed
<b>December 2019</b>	Council and Board approve a scoping document for public comment
<b>February-March 2020</b>	Scoping hearings and comment period
<b>April 2020</b>	APs review scoping comments and provide input to Council and Board
<b>April 2020</b>	FMAT reviews scoping comments and provides recommendations to Council and Board on scope of action and possible approaches
<b>May 2020</b>	Council and Board review scoping comments and FMAT and AP recommendations; define scope of action
<b>May 2020</b>	FMAT begins to develop draft alternatives
<b>June 2020</b>	Summer Flounder, Scup, Black Sea Bass Committee of the Whole and Board meeting to refine draft alternatives
<b>June-July 2020</b>	Continued FMAT development and analysis of alternatives; Advisory Panel input on draft alternatives
<b>August 2020</b>	Council and Board approve a range of alternatives for inclusion in a public hearing document
<b>Fall 2020</b>	Development of public hearing document and hearing schedule
<b>December 2020</b>	Council and Board approve public hearing document
<b>Early 2021</b>	Public hearings
<b>Spring 2021</b>	Final action
<b>Summer 2021</b>	EA finalized and submitted; NMFS and other agencies review; final edits completed
<b>Summer/Fall 2021</b>	Rulemaking and comment periods (4-7 months from after EA finalized)
<b>Late 2021</b>	Final rule effective

**Summer Flounder, Scup, Black Sea Bass  
Commercial/Recreational Allocation Amendment**

**FMAT Meeting 1 Summary  
April 14, 2020, 1-4 PM**

The Fishery Management Action Team (FMAT) met by webinar to provide recommendations to the Council and Board on the scope of this action, including broad categories of alternatives to potentially include in the amendment. The FMAT discussed example approaches and alternatives assembled by staff, which were informed by scoping comments and are listed below. These examples were provided for discussion purposes and were not necessarily endorsed by staff or other members of the FMAT. FMAT comments and recommendations are provided under each category of approaches. The appropriate structure of the alternatives will be determined at a later date.

**FMAT members in attendance:** Kiley Dancy (MAFMC Staff), Julia Beaty (MAFMC Staff), Karson Coutre (MAFMC Staff), Dustin Colson Leaning (ASMFC Staff), Caitlin Starks (ASFMC Staff), Emily Keiley (GARFO), Greg Ardini (NEFSC), Marianne Ferguson (GARFO), Mark Terceiro (NEFSC), Gary Shepherd (NEFSC)

**Others in attendance:** Matt Seeley (MAFMC Staff), Mike Waine (ASA), Steve Cannizzo (NY RFHFA), Tony Wood (NEFSC), Greg DiDomenico (GSSA), Joe Cimino (NJ DEP; Council and Board member), Adam Nowalsky (Council and Board member)

**Recommendation Summary**

Category	Approach	Summary of FMAT Recommendation
<a href="#">1. No Action/Status Quo</a>	1. No Action/Status Quo	Must include in amendment.
<a href="#">2. Revised percentages based on different data or time series</a>	2.1 Existing base years with revised data	Keep for further development. May not be viable for catch-based options for summer flounder and black sea bass.
	2.2 Revised base years based on recent landings/catch	Keep for further development; however, should be evaluated for bias toward recreational sector for some species given recent sector performance.
	2.3 Revised base years based on post-rebuilding years	Keep for further development; however, may be similar in outcome to recent base years and should be evaluated for bias toward recreational sector as with option above.
	2.4 Based on socioeconomic analyses	Keep for further development; explore possible data sources for this type of analysis.
	2.5 Allocate in numbers instead of pounds	Recommend removing from consideration in this action.

<a href="#">3. Allocations attempting to maintain roughly status quo harvest by sector from the most recent year prior to last assessment update</a>		Keep for further development; additional analysis needed before FMAT can determine whether this is a fair & equitable approach.
<a href="#">4. Recreational sector separation</a>	4.1 Separate allocations to for-hire vs. private sectors	Keep for further development.
	4.2 Separate management measures for for-hire vs. private sectors	Keep for further development.
<a href="#">5. Harvest control rule based approaches</a>		Keep for further development; however, needs additional evaluation and detail to determine whether it addresses amendment purpose or should be considered via a separate process.
<a href="#">6. Recreational accountability alternatives</a> (e.g., more frequent overage paybacks or in-season closure)		Additional accountability could be built into allocation options, but current suggestions may represent reversal of recent changes to accountability measures.
<a href="#">7. Recreational catch accounting alternatives</a>	7. Mandatory private angler reporting, issuing tags, mandatory tournament reporting, requiring VTRs for state for-hire vessels, reinstating did not fish reports.	Keep for further development; however, major modifications to the current catch accounting systems are likely beyond the intended scope of this action on the current timeline.
<a href="#">8. Dynamic allocation approaches and options for future revisions</a>	Moving average approach	Keep for further development.
	Allocation changes through frameworks/addenda	Keep for further development; however, the benefits of expediency versus reduced public input need to be considered
	Trigger approach	Keep for further development.
<a href="#">9. Allocation transfers and set-asides</a>	9.1 Transfer of allocation between sectors	Keep for further development.
	9.2 Allow one sector to buy allocation from another	Recommend removing from consideration in this action.
	9.3 Allow a certain amount of allocation to be set aside through specifications	Keep for further development. Concerns about equity considering that the recreational sector is not as easily held to its limits as the commercial sector.

## General comments

---

### *NEPA analysis*

One FMAT member noted that as currently presented, the example alternatives would have mostly socioeconomic impacts. If the final range of alternatives is similar to that discussed at the first FMAT meeting, it is anticipated that an Environmental Assessment would be required under the National Environmental Policy Act (NEPA), rather than a more detailed Environmental Impact Statement.

### *Red snapper lawsuit*

The FMAT briefly discussed a legal case regarding reallocation between the commercial and recreational red snapper sectors in the Gulf of Mexico. The court determined that this reallocation was inconsistent with National Standard 4<sup>1</sup> based on the justification provided. One FMAT member emphasized that it is not sufficient to argue that the allocations should change just because the data changed. Consideration also needs to be given to other implications of allocation changes, including fairness and equity. The red snapper case provides a reminder that each alternative considered through this action should have a robust justification and the consistency of each alternative with National Standard 4 should be evaluated.

### *Allocation utilization*

Adam Nowalsky (speaking as a member of the public and not in his capacity as Board chair) noted that many of the example options presented would move allocation from the commercial fishery to the recreational fishery. He noted that for a species like scup with a high level of biomass and very liberal recreational measures, managers should consider the implications of an action that could potentially increase recreational allocation for a species where it may not be needed or fully used. Council staff noted that for scup, under the revised Marine Recreational Information Program (MRIP) estimates, restrictions in recreational measures may be needed if allocations are not revised, given that the current harvest limit is lower than recent MRIP estimates for scup. Potential changes could appear drastic because measures would have to be dramatically reduced to notably impact harvest. This highlights the issue that for all three species, the revised MRIP estimates could result in increased difficulty constraining harvest to the harvest limits under current allocations.

### *Catch vs landings based allocations*

The FMAT agreed that alternatives for both catch-based and landings-based allocations should be developed, and the pros and cons of each should be further explored.

Scup currently has a catch-based allocation, meaning that the Acceptable Biological Catch (ABC), including both landings and discards, is allocated 78% to the commercial fishery and 22% to the

---

<sup>1</sup> National Standard 4 states that “Conservation and management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (a) fair and equitable to all such fishermen; (b) reasonably calculated to promote conservation; and (c) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privilege.”



recreational fishery. Summer flounder and black sea bass have landings-based allocations, meaning that the percentage allocations in the FMP apply only to the landings portion of the total ABC. Discards are divided based on Monitoring Committee recommendations using recent year trends in discards by sector. Under this approach, if one sector has higher discards, that sector will likely receive more of the discards portion of the ABC in the following years, resulting in a lower allocation to the other sector. This can lead to unrealistic discard projections by sector and could provide an advantage to a sector that sees increased discards.

If discards are included directly in the allocation (i.e., a catch-based allocation), there may be a greater incentive for each sector to reduce discards in order to increase their allowable landings. This was part of the rationale for creating a catch-based allocation for scup.

### **1. No action/status quo alternative**

---

The no action/status quo alternative would keep the existing allocations as specified in Table 1.

**Table 1:** Current allocations for summer flounder, scup, and black sea bass.

	<b>Allocation</b>	
	<b>Com</b>	
<b>Summer flounder:</b> 1980-1989 (landings-based allocation)	<b>Com</b>	60%
	<b>Rec</b>	40%
<b>Scup:</b> 1988-1992 (catch-based allocation)	<b>Com</b>	78%
	<b>Rec</b>	22%
<b>Black sea bass:</b> 1983-1992 (landings-based allocation)	<b>Com</b>	49%
	<b>Rec</b>	51%

#### *FMAT comments and recommendations:*

The revised MRIP estimation methodology resulted in much higher recreational catch estimates than those used to calculate the current allocations. Commercial discard estimates have also changed. Allocations based on the older data pose challenges for constraining the fisheries, especially the recreational sector, to their catch and landings limits.

### **2. Example alternatives for allocations based on different data or time series**

---

The following example approaches would revise the percentage allocations based on modified base years or different data sets. Both catch-based and landings-based allocation options are included within these categories and could be developed into sub-alternatives where appropriate. The examples below were derived from scoping comments and were presented to the FMAT for the purposes of discussion.

#### **2.1 Keep existing base years but update with the most recent recreational and commercial data.**

This method would maintain the existing base years shown in **Table 2** and re-calculate the percentage allocations using the most recent best available data for each species. In some cases, data may need to be pulled from multiple sources given the varying time series available for different data streams, as described below in **Table 2**.

**Table 2:** Example allocations using existing base years updated with recent data.

		Catch-based	Landings-based
<b>Summer flounder: 1981-1989<sup>a</sup></b>	<b>Com</b>	<sup>b</sup>	55%
	<b>Rec</b>	<sup>b</sup>	45%
<b>Scup: 1988-1992</b>	<b>Com</b>	65%	57%
	<b>Rec</b>	35%	43%
<b>Black sea bass: 1983-1992</b>	<b>Com</b>	<sup>b</sup>	45%
	<b>Rec</b>	<sup>b</sup>	55%

<sup>a</sup> Summer flounder base years are 1980-1989; however, MRIP data is only available back to 1981, so these calculations are based on 1981-1989.

<sup>b</sup> Discards in weight for both sectors only available from 1989-present.

Data sources: Summer flounder data are from the most recent benchmark stock assessment (2018). Scup data are from the most recent stock assessment update (2019). For black sea bass, the recreational data are from MRIP and the commercial data are from the ACCSP as the black sea bass assessment does not include all of the allocation base years.

*FMAT comments and recommendations:*

The FMAT noted that reliable discard estimates are not available for all base years for all three species. If catch based allocation alternatives are developed, the FMAT should look carefully at the reliability of discard estimates for each sector. Catch-based allocations may not be possible using the existing base years for all species if reliable discard estimates are not available.

The example modified allocations shown in Table 2 would move 5% of the commercial summer flounder allocation to the recreational sector, 13% of the commercial scup allocation to the recreational sector, and 4% of the commercial black sea bass allocation to the recreational sector. Given recent recreational harvest levels, this change may not be enough to prevent future recreational sector restrictions for some species. Some FMAT members also noted that some scoping comments expressed concerns with continuing to use the 1980s and early 1990s as base years given that the fisheries were very different during that time period.

**2.2 Revised base years, based on recent catch or landings averages**

This concept uses more recent base years, for example, the last 5, 10, or 15 years of catch or landings as shown in **Table 3**. These examples were all suggested through scoping.

**Table 3:** Example allocations based on revised base years of catch or landings from the last 5 years, 10 years, and 15 years.

		5 Years: 2014-2018		10 years: 2009-2018		15 years: 2004-2018	
		Catch-based	Landings-based	Catch-based	Landings-based	Catch-based	Landings-based
<b>Summer flounder</b>	<b>Com</b>	40%	41%	43%	45%	44%	45%
	<b>Rec</b>	60%	59%	57%	55%	56%	55%
<b>Scup</b>	<b>Com</b>	62%	57%	61%	57%	60%	56%
	<b>Rec</b>	38%	43%	39%	43%	40%	44%
<b>Black sea bass</b>	<b>Com</b>	25%	22%	24%	22%	28%	27%
	<b>Rec</b>	75%	78%	76%	78%	72%	73%

Data from most recent assessment updates with data through 2018 (final 2019 data is not yet available).

FMAT comments and recommendations:

The FMAT noted that these changes would represent fairly substantial shifts in allocation for all three species. Shifts of this magnitude may not be politically feasible. In addition, using recent years to define allocations is complicated by the fact that these are all years when the fisheries were theoretically constrained by the current allocations. However, the FMAT also noted that the commercial fisheries have been closer to their allocation in each of these years than the recreational fishery. In general, recreational fishery performance relative to recreational limits has been more variable than commercial fishery performance, with some years of substantial recreational overages and/or underages depending on the species.

The FMAT also discussed that although these calculations show that there was a higher percentage of recreational catch and harvest in these years than previously thought, this does not necessarily mean that the recreational sector exceeded their limits, since revised MRIP estimates cannot be compared to recreational limits set using the prior assessments with old MRIP data.

A member of the public noted that the use of these recent base years seems arbitrary and that managers should consider the different management histories of these species in setting allocations.

**2.3 Revised base years based on time period after rebuilding**

A concept suggested during scoping was developing revised base years using the 5 years following the rebuilt declaration for each species (**Table 4**).

**Table 4:** Example allocations based on the 5-year time period following rebuilding for each species. Data are from the most recent assessment updates.

		Catch-based	Landings-based
<b>Summer flounder: 2012-2016</b>	<b>Com</b>	39%	42%
	<b>Rec</b>	61%	58%
<b>Scup: 2010-2014</b>	<b>Com</b>	60%	58%
	<b>Rec</b>	40%	42%
<b>Black sea bass: 2010-2014</b>	<b>Com</b>	24%	24%
	<b>Rec</b>	76%	76%

### FMAT comments and recommendations:

As with the approaches described above, the FMAT noted that these changes would represent fairly substantial shifts for all three species, shifting 18% of landings to the recreational fishery for summer flounder, 18% of catch to the recreational fishery for scup, and 25% of landings to the recreational fishery for black sea bass. Shifts of this magnitude may not be politically feasible. As noted above, this method also relies on base years when the fisheries were theoretically constrained by the current allocations. During these years, the commercial fishery generally stayed closer to its allocation while the recreational fishery has had more variable performance relative to their limits, depending on the species.

In particular for black sea bass during these post-rebuilt years (2010-2014), the recreational fishery tended to exceed its limits, at times substantially. A member of the public noted that during these years, black sea bass was managed under a constant catch approach due to the lack of an accepted stock assessment and as such the fisheries were inappropriately constrained during this time. Some members of the FMAT agreed that these years may not be appropriate base years for black sea bass given that the catch limits at the time did not reflect biomass. Recreational overages during this time period occurred as the result of high availability combined with artificially low catch limits. Meanwhile, the commercial fishery was constrained by quotas that in retrospect were lower than biologically necessary.

The rationale provided for this approach during scoping was that the 5 years post-rebuilding would be more appropriate base years than recent years since higher availability in recent years would bias the allocations in favor of the recreational sector. The FMAT discussed whether using post-rebuilding years would actually be substantially different than recent years, as the example percentages shown in **Table 3** **Table 2** and **Table 4** seem fairly similar for these species. Some FMAT members questioned whether availability was substantially higher in recent years compared to the 5 years after rebuilding. The FMAT considered recommending removal of this option due to these factors, but noted that it may be worth exploring variations on this idea such as a combination of high and low availability years. It would also be beneficial to look at trends in biomass pre- and post-rebuilding for each species.

## **2.4 Alternatives for allocations based on socioeconomic considerations**

Alternatives could be based on socioeconomic information such as evaluating the economic efficiency of the recreational and commercial fisheries. There is currently a project in development for summer flounder which aims to determine which allocations would maximize marginal benefits to the commercial and recreational sectors, by combining recreational and commercial spatial discrete choice models to simulate behavior under alternative allocations between the sectors. This project was initially completed in 2016 by Rob Hicks and Kurt Schnier and is being updated with revised MRIP data. The results may be available in summer 2020. Ideally, the FMAT

will be able to review preliminary results at their next meeting in mid- to late May 2020. This project is only applicable to summer flounder.

Other economic approaches beyond this specific model could also be used to develop alternatives if the resources and expertise are available within the time frame of this action.

*FMAT comments and recommendations:*

It is unclear at this time what the economic model results will show. This type of evaluation is unavailable for scup and black sea bass so different approaches would need to be used for these species.

One FMAT member noted that the NEFSC created an input/output model for the commercial fishery which can be used for socioeconomic evaluations. The NEFSC Social Sciences Branch representative on the FMAT will check with other SSB staff on what information may be available for the recreational sector, and the FMAT will revisit what types of social and economic evaluation could be performed to inform allocation alternatives.

**2.5 Allocations derived from historical catch or landings in numbers of fish (as opposed to pounds)**

A few scoping comments suggested that allocation should be in numbers of fish instead of in pounds, at least for the recreational fishery.

*FMAT comments and recommendations:*

The FMAT advises against further consideration of allocating in numbers of fish in this commercial/ recreational allocation amendment given the concerns described below.

The FMAT noted that while allocating in numbers of fish instead of pounds may produce different allocation percentages, it is unclear how this approach would work in terms of the methodology and implications. For example, because the overall catch limits are in pounds, it is not clear how an allocation in numbers of fish would work and whether it would have any advantages over the current methods of allocating in pounds. At some point in the specifications setting process there would need to be a conversion from pounds to numbers, which could introduce additional uncertainty.

Several FMAT members agreed that the perceived benefits of this approach are more related to development of recreational management measures, rather than allocation between the commercial and recreational sectors. Projected harvest in numbers of fish is already used by the Technical Committee in many ways in the development of recreational measures, but managers could evaluate where it may be beneficial to rely more on numbers of fish in the recreational specifications setting process, such as in the evaluation of the performance of management measures. This would be more appropriate for a separate process from this amendment.

**3. Allocations attempting to maintain roughly status quo commercial harvest and recreational management measures compared to the years before the most recent stock assessments were incorporated into management**

---

This concept is designed to allow for approximately status quo commercial landings and recreational management measures compared to 2018 (for summer flounder) or 2019 (for scup and

black sea bass), which are the years prior to catch limit revision based on stock assessments incorporating the new MRIP information. This approach would not result in status quo allocations in terms of the percent allocated to each sector, and it also would not guarantee status quo measures indefinitely. This approach has not been thoroughly developed. The FMAT discussed it as a concept and staff showed some preliminary example allocation percentages.

The most recent assessments incorporating the revised MRIP data took place in 2018 (for summer flounder) and 2019 (for scup and black sea bass), with revised catch limits applied in the following years. For summer flounder, this resulted in a 49% increase in the commercial quota and RHL in 2019. Despite the increase in the RHL, the recreational management measures could not be liberalized because the revised MRIP data showed that the recreational fishery was already harvesting close to the increased RHL. A similar situation occurred for black sea bass after the 2019 operational stock assessment. That assessment resulted in a 59% increase in the black sea bass commercial quota and RHL. Status quo recreational measures for black sea bass were expected to result in an overage of the increased 2020 RHL; however, the Council, Board, and NMFS agreed to maintain status quo recreational management measures for 2020 to allow more time to consider how to best modify recreational management in light of the new MRIP data. For scup, the 2019 operational stock assessment resulted in a decrease in the commercial quota (-7%) and RHL (-12%) in 2020 compared to 2019. Status quo recreational measures for scup in 2020 were maintained based on similar justifications described above for black sea bass as well as the expectation that the commercial fishery would continue to under-harvest their quota.

Given these circumstances, it may be possible to modify the allocations for all three species such that commercial landings and recreational management measures could remain similar to pre-2019 levels for summer flounder and pre-2020 levels for scup and black sea bass (i.e., the years prior to implementation of the most recent stock assessments for all three species), at least in the short term.

*FMAT comments and recommendations:*

The FMAT reviewed preliminary calculations of potential allocations under this approach. Preliminary calculations attempted to allow for RHLs which were close to the average recreational harvest (under the revised MRIP estimates) during 2018-2019 (years with roughly status quo measures for all three species) and commercial quotas which were close to 2018 commercial landings for summer flounder and 2019 commercial landings for black sea bass and scup (i.e., the years prior to implementation of quotas based on the most recent assessments). A two-year average was used to define status quo for the recreational sector to account for variation in recreational harvest under constant management measures. A single year was used to define status quo for the commercial fishery because the commercial sector landings are generally very close to the commercial quota for summer flounder and black sea bass. For scup, commercial landings have been below the quota since 2007. A two-year average may be more appropriate for the scup commercial fishery and could be considered in future refinements of this approach. This example approach calculated landings-based allocations for summer flounder and black sea bass and catch-based allocations for scup, consistent with the current allocations. The resulting allocations are shown in the table below. It should be emphasized that these are preliminary example allocations

and this method should be further refined if this type of alternative is to be retained in the amendment.

**Table 5:** Example allocations which could allow status quo commercial landings and recreational management measures for upcoming years compared to 2018 for summer flounder and 2019 for scup and black sea bass. The examples shown below assume the summer flounder and black sea bass allocations remain landings-based and the scup allocation remains catch-based.

<b>Sector</b>	<b>Summer flounder</b>	<b>Scup</b>	<b>Black sea bass</b>
Commercial	<b>43%</b>	<b>54%</b>	<b>34%</b>
Recreational	<b>57%</b>	<b>46%</b>	<b>66%</b>

One FMAT member questioned how this would be different than using 2018 as the base year for summer flounder allocation and 2019 as the base year for scup and black sea bass allocations. Another FMAT member calculated example scup allocations using 2018-2019 as the base years, which changed each sector's allocation by 4% compared to the example above. She agreed to calculate example allocations using 2018 as the base year for summer flounder and 2018-2019 for black sea bass for comparison after the meeting.

The FMAT supported continued exploration of this concept, but noted that the resulting percentages may not differ substantially from other options currently under consideration. In addition, as the example calculations suggest, it may result in substantial modifications to allocations. This would be of concern if the ABCs were to decrease in the future as it could require notable reductions in the commercial fishery, which would go against the intent of this approach.

A member of the public asked for confirmation that this would not allow the commercial sector to retain the increase in quota they received for summer flounder and black sea bass from incorporating the new MRIP data into the assessment. Staff confirmed that this is the case given that this approach would attempt to maintain roughly status quo landings levels from prior to the assessment updates. The member of the public noted that this is almost the same as saying only the recreational sector should get an increase and he could not support this approach. He also questioned what it would mean for each sector if total catch limits were to decrease in the future.

#### **4. Recreational sector separation**

---

The FMAT emphasized that separate allocations for the for-hire sector and private anglers should be presented as a distinct, though potentially related, concept from separate management measures for the two recreational sectors. A clear distinction should be made between developing a policy for separate management measures versus allocating quota between two sub-sectors. The implications of each approach in practice need to be thought through carefully and conveyed to the public. Considerations for each approach are summarized below.

#### 4.1 Separate sub-allocation of the recreational annual catch limit or recreational harvest limit to for-hire sector and private anglers

MRIP catch data could be used to define allocation percentages for the party/charter and private recreational sectors (**Table 6**); however, this is just one example of the several possible ways to look at these splits as discussed below.

**Table 6:** Example approaches to calculating separate sub-allocations to private and for-hire sectors, based on current base years, post-rebuilding years, and recent years. These percentages are based on MRIP total catch in numbers of fish, including harvest and live discards. See FMAT notes regarding other data that could be explored for these allocations.

	<b>Approach</b>	<b>Years</b>	<b>Private %</b>	<b>For-Hire %</b>
<b>Summer flounder</b>	Base years (no data for 1980)	1980-1989	91%	9%
	5 years post rebuilt declaration	2012-2016	96%	4%
	5 most recent years	2014-2018	96%	4%
	10 most recent years	2009-2018	97%	3%
	15 most recent years	2004-2018	97%	3%
<b>Scup</b>	Base years	1988-1992	92%	8%
	5 years post rebuilt declaration	2010-2014	92%	8%
	5 most recent years	2014-2018	94%	6%
	10 most recent years	2009-2018	93%	7%
	15 most recent years	2004-2018	93%	7%
<b>Black sea bass</b>	Base years	1983-1992	74%	26%
	5 years post rebuilt declaration	2010-2014	93%	7%
	5 most recent years	2014-2018	92%	8%
	10 most recent years	2009-2018	93%	7%
	15 most recent years	2004-2018	92%	8%

*FMAT comments and recommendations:*

There are different potential data inputs for private vs. for-hire fisheries. A few scoping comments suggested using Vessel Trip Report (VTR) data to establish an allocation for the for-hire sector. One FMAT member said catch in numbers of fish in the VTR data is usually lower than the MRIP for-hire estimates. He also noted that only catch and harvest in numbers of fish are available from VTRs, while MRIP also provides estimates in weight. This would require either establishing allocations based on numbers of fish, developing a method to estimate weights of harvested and discarded fish from the numbers reported on VTRs, or adding a required data field for weight to the VTR electronic forms.

Another FMAT member reminded the group that some state vessels are not required to submit VTRs and cautioned that data from these groups would be missing if VTRs are used to determine for-hire allocations. There could also be a difference in the accuracy of VTRs from smaller charter boats compared to large party boats given that captains of larger party boat vessels are not as able to keep track of harvest and especially discards compared to smaller vessels.



The FMAT also noted that the development of separate allocations for the for-hire and private/rental sectors would require the development of sector-specific accountability measures, assuming the allocation is some form of a sub-allocation of the ABC or ACL, rather than a harvest target of some kind.

#### **4.2 Create policy for development of separate management measures for for-hire vs. private rental (without separate allocation of ACL or RHL)**

Rather than creating a separate allocation for the for-hire sector, several scoping comments supported separate management of the for-hire sector by setting different management measures to account for the differing priorities of and data sets for-hire vs. private anglers.

##### *FMAT comments and recommendations:*

The FMAT agreed that this concept should be considered further. Separate management measures by recreational sector are currently used in a limited manner. For example, in some states, there are different scup possession limits to the for-hire sector at certain times of year. If there is interest in a broader application of this approach, it would be beneficial to develop a policy on how separate measures are developed, how accountability is evaluated, and how necessary adjustments to measures are applied to both sectors. Stakeholders who support this concept may not support it if MRIP is used for both sectors to analyze and evaluate measures. Uncertainty in the data by mode should be considered. National Standard 4 requirements regarding fairness and equity should also be considered.

#### **5. "Harvest control rule" based approaches**

---

The FMAT discussed a proposal submitted by six recreational organizations, which is summarized below (see comment starting on page 146 of the final scoping comment summary). Under this approach, recreational "allocation" is not defined as a set percentage of the total catch limit but as a specific combination of bag/size/season limits preferred by recreational fishermen in each state, which would become more restrictive when estimated biomass changes declines below the target level. The restrictions would occur in a pre-determined, stepwise manner. The commercial "allocation" would be the commercial quota preferred by the commercial industry when biomass is high and it would be reduced as biomass declines below the target level in proportion with the restrictions on the recreational fishery. This approach is largely conceptual at this stage and is not yet associated with specific proposed measures.

##### *FMAT comments and recommendations:*

The FMAT noted that while this approach is an intriguing and creative way to approach setting recreational measures, it is not clear that this proposal as currently configured is directly related to the allocation of catch between the commercial and recreational sectors. The FMAT believes that such an approach may be more appropriate for a separate action or a process like the ongoing recreational reform initiative. The FMAT supports further exploration of the idea in the near-term to see if the concept can be adapted to address the purpose and need of this action.

The FMAT's main question regarding this proposal is how it would fit within the current Magnuson Stevens Act requirements for catch limits and accountability measures. Representatives of the organizations who proposed this approach state that it "redefines allocation" for the recreational fishery not as a poundage or percentage amount, but as a level of access defined by recreational bag limits, size limit, and seasons. The FMAT does not believe this definition is consistent with Magnuson requirements for annual catch limits to prevent overfishing, unless the set of recreational measures are clearly associated with a projected catch level. Without a change to the requirements of Magnuson, the FMAT notes that any approach like this would still have to fit within the requirements of constraining catch to an ACL, and have accountability measures associated with that ACL. It was also noted that it could be challenging to associate different sets of recreational measures with levels of projected catch, considering that even when recreational measures have remained fairly similar across years, the resulting MRIP estimates can vary significantly.

The FMAT noted that something like this could possibly be explored for potential application in another part of the specifications process such as the development of recreational management measures.

One FMAT member was concerned about the recommended stepwise approach and noted that near the thresholds between each step there will be political pressure to set measures at the higher level of access, and this could be especially problematic if the steps between measures are large. He suggested that it would be better to formulate this more like the Council risk policy where the probability of overfishing changes linearly with biomass up to a certain point. Another point raised is that regional differences in availability and measures would need to be considered, which could add additional challenges for this approach.

The proposal suggests that there is a limit to how much access each sector "needs" (e.g. there is a range and maximum amount of fish that recreational anglers will want to take home, and there is a limit to where profit will be maximized for the commercial fishery). One FMAT member suggested that it could be possible to define those limits and use them to calculate a ratio off of which to base the sector allocations, and then apply a harvest control rule approach after that. Another FMAT member said if this approach were used to develop allocation percentages, similar concerns about equity expressed for other approaches could also be relevant.

## **6. Recreational accountability alternatives**

The theme of increased recreational accountability was prominent in many scoping comments. For example, some comments suggested more frequent recreational overage paybacks and bringing back recreational in-season closures.

### **FMAT comments and recommendations:**

More frequent recreational overage paybacks and in-season closures for the recreational fishery would represent a reversal of changes made through the Omnibus Recreational Accountability Amendment (Amendment 19 to this FMP, adopted in 2013). Much of the rationale for the changes

made through Amendment 19 remains valid. For example, the timing of recreational data availability still poses challenges for in-season closures.

The FMAT noted that although some aspects of accountability could be incorporated into the development of allocation alternatives, major changes to the accountability measures and system of overage paybacks would potentially delay development of this action.

## **7. Recreational catch accounting alternatives**

Examples of recreational catch accounting changes recommended through specifications include mandatory private angler reporting through eVTRs or other smart phone apps, issuing tags to anglers for a specified number of fish per season, mandatory tournament reporting, requiring VTRs for all for-hire vessels (not just federally-permitted vessels), and reinstating “did not fish” reports for the for-hire sector.

### *FMAT comments and recommendations:*

Many of the ideas suggested though scoping have the potential to reduce uncertainties in the recreational data; however, they have tradeoffs associated with increasing the reporting burden on the recreational fishery and potential enforceability/compliance challenges for some approaches. One FMAT member discussed issues related to self-reporting. He noted that there seems to be a sentiment that the for-hire VTRs are not accurate because they are self-reported. MRIP is also investigating how self-reporting can be used for private anglers. He suggested that the FMAT not endorse using self-reporting until MRIP weighs in on that. Another FMAT member pointed out the need to think about what is realistic within the scope of this action and what the Council and Board could take on through other actions. Major initiatives to supplement or modify the current catch accounting systems are likely beyond the scope of this action as currently defined and would delay the amendment timeline.

A member of the public commented that the Council needs to continue the type of accounting that they have done for the past 10 years where if a species is not overfished and total catch is below the ABC but there is an overage, the sector which caused the overage is not penalized. In addition, there are “extra fish” built into the system because of the buffer between the OFL and the ABC. In this sense, the allocation percentages are not so important. He added that when there are “extra fish” (e.g., an OFL underage), neither sector should be penalized with restrictions.

## **8. Dynamic allocation approaches and options for future modification**

The Council and Board could consider approaches that make the allocations more dynamic instead of fixed indefinitely. Consideration could be given to moving average approaches, trigger mechanisms, and allowing for allocations to be changed via a framework/addendum process. Note that the Council already has an allocation review policy<sup>2</sup>, where allocations will be reviewed at least every 10 years.

---

<sup>2</sup> [https://www.mafmc.org/s/MAFMC-Fishery-Allocation-Review-Policy\\_2019-08.pdf](https://www.mafmc.org/s/MAFMC-Fishery-Allocation-Review-Policy_2019-08.pdf)

FMAT comments and recommendations:

One FMAT member recommended consideration of a trigger approach. Under this approach, catch up to a specified ABC level would be allocated to each sector using one set of allocation percentages (e.g. the current allocations or other percentages) and any additional allowable catch above that level would be divided differently between the sectors. For example, if a higher percent of the surplus were allocated to the recreational sector, this could address some concerns that it is harder to constrain the recreational fishery in times of high availability. Other FMAT members supported including this in the scope of alternatives. One FMAT member noted that the concept helps address concerns and suggestions from the public during scoping.

The FMAT noted that allowing allocation changes through frameworks/addenda would allow for a more expedient process, but this would also reduce public input on a very contentious issue. Managers could consider allowing for explicitly temporary adjustments through a framework/addendum if appropriate. One FMAT member pointed out that even if it were an option to use a framework, the Council could still decide it is more appropriate to use an amendment if significant changes are being proposed. Being able to use frameworks could be a helpful tool in the toolbox if the changes are more minor.

## **9. Allocation transfers and set-asides**

---

### **9.1 Allow for allocation transfers between sectors**

This could be achieved through specifications or on an as-needed basis via management action, possibly defined as up to a certain percentage of the ABC or defined as a flat value in pounds.

FMAT comments and recommendations:

This could reduce the likelihood of either sector under-harvesting their landings limit, which could put additional fishing pressure on the stock over the long-term. Overall, FMAT members felt this concept should be included in the scope of alternatives at this stage. A member of the public stated that they were comfortable with quota transfers between sectors as a short-term fix, particularly for scup.

### **9.2 Allow one sector to buy allocation from another**

Some scoping comments discussed allowing for-hire vessels to buy commercial quota, for example.

FMAT comments and recommendations:

One FMAT member noted that there is currently a lack of infrastructure to manage this type of system. A similar approach was not included in the ongoing commercial black sea bass state allocation addendum/amendment, largely for this reason. Multiple FMAT members recommended not moving forward with this type of alternative.

### **9.3 Allow a certain amount of allocation to be set aside through specifications to address unforeseen circumstances**

This could be defined as a buffer up to a certain percentage of the ABC or defined as a flat value in pounds. This could help mitigate potential overages in either sector.

*FMAT comments and recommendations:*

There were some concerns about equity for this approach depending on how it would work. For example, would the commercial sector be able to use a buffer? Allocation that is set aside could be more likely to be used by the recreational fishery, which is not as easily held to its limits. Commercial stakeholders may view this option as a de-facto allocation increase for the recreational fishery. However, one FMAT member noted that recreational management measures would still need to be designed to constrain harvest to the RHL which is calculated after the set aside is removed. FMAT members supported including this in the scope of alternatives for further development.