

Marine Resources Administration Monthly Report

OCTOBER 2023

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****MARINE FISHERIES/MRA****

MEETING SUMMARIES

• Atlantic States Marine Fisheries Commission-ASMFC

- The ASMFC Croaker SAS met via webinar on October 23 to review continuing work on the current benchmark stock assessment including updates to index standardizations, commercial landings and discards, correlation analyses for indices and landings, biological length/age analyses, and model parameterizations. Tasks were outlined for the next SAS call scheduled for November 28.
- Staff attended via webinar the fall meeting of the Atlantic Coast River Herring Collaborative Forum. Attendees received updates from ASMFC staff on the ongoing benchmark stock assessment for river herring, funding opportunities for fish passage projects through the USFWS, Mid-Atlantic council herring bycatch updates, and results from various river herring monitoring surveys along the coast.
- Administration staff participated in a meeting of the ERP working group. The main topics of discussion involved: a review of new/updated fish diet data, updated literature/assessment reviews, a report on how indicators could be used as part of this assessment, a review of external data and analyses submitted for this assessment, updates on multispecies models. The group made preliminary decisions on which diet data to include, which species to include in this assessment, and which models to carry forward. The review of this assessment is scheduled for the second half of 2025 with presentation to the Policy Bd at the fall/annual 2025 meeting.
- Administration staff participated in a meeting of the Atlantic sturgeon SAS. Major topics of discussion included updates on fishery independent index development, modelling approaches (ARIMA, tagging model, egg per recruit model, and bycatch estimation), and summarizing next steps. The update assessment is scheduled for delivery to the management board at their summer 2024 meeting.
- The American Eel Plan Development Team reviewed and gave final approval to a memo which was presented to the Management Board at the October meeting. The memo provided a summary of the work being done to draft an addendum to the FMP which will consider changes to the coastwide yellow eel harvest cap and asked the Board for direction on several topics.

• Marine Fisheries Council/Advisory Committees

- Administration staff participated in a meeting of the NJ Marine Fisheries Council's (MFC) Striped Bass Advisory Committee. The goals were to solicit input on the MFC's interest in considering going out of compliance with the coastwide emergency action (EA) regulation, and to solicit information on possible changes to NJ's Bonus Program regulations. Advisors broadly supported staying in compliance with the EA, but had more diverse opinions related to bonus program regulations. Staff will consider advisor input and submit bonus program options to ASMFC for their consideration.
- Staff held a commercial black sea bass Advisory meeting on October 26th to discuss Season 6 of 2023 and annual 2024 commercial trip limits. Advisors recommended modifying the 2024 commercial trip limits to better utilize the preliminary quota of 1,188,600 pounds, a 25% increase relative to the 2023 commercial fishing year.
- Staff held a commercial summer flounder Advisory meeting on October 26th to discuss Season 6 of 2023 and annual 2024 commercial trip limits. Advisors recommended increasing the 2023 Season 6 trip limits to account for a rollover of commercial quota from the previous Directed Season. Additionally, Advisors recommended modifying the 2024 commercial trip limits to better utilize the

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preliminary quota of 1,470,127 pounds, a 42% decrease relative to the 2023 commercial fishing year.

- **Miscellaneous**

- Staff attended via webinar a meeting of the Delaware Basin COOP's Technical Committee to discuss ongoing interest in developing a creel survey for American shad and striped bass in the Delaware River. The last time a comprehensive creel survey was completed for this purpose was in 2002. The Basin states are required to develop estimates of recreational harvest for American shad as part of the requirements under Amendment 3 to the Shad FMP. This requirement has been overlooked for a long time due to funding and staffing availability given the scope of such a project. PA Fish and Boat Commission staff have been in contact with large fisheries surveying companies in order to gauge interest and feasibility of repeating the 2002 study. The purpose of the meeting was to discuss the methods and results of the 2002 survey and any changes that staff might like to see in a potential updated survey.

INDEPENDENT FISHERIES

- **Delaware River Seine Survey**

- The 2023 Delaware River seine survey was completed on October 26. Data for the month of October is still being processed. Two full rounds of sampling were completed for the month of September totaling 64 individual seine net hauls, catching 32 striped bass. Of those, 28 striped bass were determined to be young-of-year (88%). This is less than the total caught in September 2022 (98 total and 89 YOY). The preliminary YOY striped bass index (geometric mean) for September 2023 is 0.232 which ranks 37th out of 43 years of sampling. This is lower than the September 2022 index of 0.780. The overall 2023 index is 0.199 which ranks 38th in the time series and is lower than the 2022 index of 0.77.
- Over the course of the 2023 seine survey, staff collected YOY striped bass samples for a research associate at the Gulf of Maine Research Institute who is working on an analysis of striped bass data collected in Maine over the last decade. They are looking to see if they can identify the stock of origin of these samples using otolith stable isotopes from samples collected along the East coast. A total of 16 striped bass were collected and shipped to Maine on October 18.

- **Herring Surveys**

- After average to above average adult spawning runs in the spring, the river herring survey continues to have exceptionally low YOY catches. This year is on schedule to have the lowest index value for both species on both rivers during the time series. The seining portion of the survey completed on October 23rd.

- **Sturgeon Receivers**

- As of October 10th, the Sturgeon Receiver Array has made 100809 detections representing 86 individual Atlantic Sturgeon, 19 sand tiger sharks, 6 sandbar sharks, and 1 striped bass. The array will be hauled from the bay next month and the yearly data will be uploads to the ACT-MATOS data warehouse after the final download.

DEPENDENT FISHERIES

- **Access Point Angler Intercept Survey-AP AIS**

- The draw for October consisted of 167 site assignments and 8 headboat assignments that yielded a total of 730 intercepts (219 SH, 41 CH, 322 PR, 148 HB).
 - There were 4 cancelled site assignments and 1 cancelled headboat assignment in October.
- Staff continue to make updates to the Vessel Directory and Site Register in preparation for 2024 sampling.

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- October mileage has been validated and submitted for reimbursement.
- Staff attended the 2023 Wave 5 Meeting on October 24 and 25.
- All quality control visits for the current sampling year have been completed.
- Wave 2 Summary: 646 intercepts: 206 SH, 51 CH, 355 PR, 34 HB
- Wave 3 Summary: 2168 intercepts: 760 SH, 219 CH, 1014 PR, 175 HB
- Wave 4 Summary: 2563 intercepts: 764 SH, 319 CH, 1145 PR, 335 HB
- Wave 5 Summary: 1361 intercepts: 426 SH, 83 CH, 628 PR, 224 HB
- Data for the September Fishdump were reviewed and necessary edits were submitted.
- **Biological**
 - Staff have completed samples from the 2023 Ocean Trawl Survey. Approximately 1,115 samples have been processed for age and diet purposes. Currently, 407 stomachs have been analyzed for 2023.
- **Commercial Fisheries/Quota Management**
 - Summer flounder: The commercial 2023 Directed Season 5 ended on October 31st, with preliminary harvest of 62% of the Seasonal quota. The Directed Season 6 season will begin on November 1st with an adjusted quota of 591,899 pounds.
 - Black Sea Bass: The commercial 2023 Directed Season 5 ended on October 31st, with preliminary harvest of 91% of the Seasonal quota. The Directed Season 6 season will begin on November 1st with and adjusted quota of 183,393 pounds.
 - Menhaden: The commercial menhaden season began on January 1st. Quota designated to the “other gears” fishery is an estimated 63% harvested, while quota designated to the “purse seine” fishery is an estimated 39% harvested.
 - Bluefish: The commercial bluefish season began on January 1st. Current harvest is at 21% of the adjusted quota.
 - Scup: The commercial Winter II season began on October 1st. Coastwide landings are 24% of the Seasonal quota. New Jersey accounts for 22% of those landings with 159,667 pounds.
 - Spiny dogfish: The 2023/24 commercial season began on May 1st. Current harvest is 13% of the quota.
 - Staff continues to input commercial fishery trip reports into SAFIS. To date, 8,954 positive reports have been entered for the 2023 fishing year.
- **For-Hire Telephone Survey-FHTS**
 - October included weeks 39-43. There were 320 vessels drawn for the month with 169 of those vessels responding. This resulted in a response rate of 52.8%. All weekly mailings were sent out to the proper vessel representatives.
 - ACCSP held the in-person Wave 5 meeting on October 24th and 25th. It was also virtual for those who could not attend in person. Staff attended virtually.
 - Few vessel updates in the NOAA vessel directory were completed since most HMS permits for the calendar year 2023 have already been processed. The Large Pelagic Add-on Survey (LPS) portion of the 2023 FHTS ended with the completion of week 43.
- **NJ Saltwater Recreational Registry Program-NJSRRP/Volunteer Angler Survey-VAS**
 - As of October 31, 2023, there were 137,282 individuals and 668 for-hire vessels registered with the New Jersey Saltwater Recreational Registry Program (NJSRRP) for 2023. (Last month: As of September 28, 2023, there were 133,266 individuals and 658 for-hire vessels registered for 2023).
 - Staff have been working on the migration of the Saltwater Registry to the NJFW licensing system. This includes development and testing. Live date is scheduled for December 15.
- **Striped Bass Bonus Program-SBBP**

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- The application window for the 2023 Striped Bass Bonus Program closed on October 31, 2023. A total of 159 party/charter boats have enrolled for this year with a combined total of 10,650 initial permits. A total of 12,457 individual anglers are enrolled for this year with a combined total of 12,897 permits being issued before the deadline. From now until December 31, only additional permits will be issued to those who submit harvest reports.
- **Tournament Sampling**
 - One tournament was sampled in the month of October. Scale samples were collected from 19 striped bass at the Sea Shell Beach Club Striped Bass Derby.

OUTREACH

- Staff comments regarding the layout of the 2023 Marine Digest were submitted and reviewed in preparation for the upcoming 2024 Digest. Authors submitted the first drafts of their feature article contributions. Edits and requests for additional data were provided. Final drafts and all accompanying files are due by November 10. Contributors responsible for various portions of the digest have been requested to submit updates by November 10 as well. Everything will be submitted to the Editor (I&E) on November 15.

ENVIRONMENTAL MATTERS (Marine Resources Administration)

- **Wind Energy**
 - New Jersey Research and Monitoring Initiative (RMI).
 - Staff participated in weekly Department internal RMI meetings.
 - Additional meetings were held to discuss projects and concepts in development including the archival PAM large whale study, the sea turtle tagging proposal, surfclam stock enhancement, and benthic habitats.
 - Staff attended the update meeting for Project WOW.
 - Permitting support
 - Staff attended a pre-application meeting for Atlantic Shores 1 (ASOW1).
 - Staff reviewed a Geotech permit application from Leading Light Wind.
 - Board of Public Utilities
 - Staff continued review of applications for NJ's 3rd Solicitation for Offshore Wind, met with the internal DEP team and the BPU, and submitted comments on all 4 applications on the proposed Environmental Protection Plans, Infrastructure Monitoring Plans and Data Standardization and Management Plans.
 - Staff attended the kick off Meeting for the Environmental Protection and Advanced Research Analysis portion of the Strategic Plan 2. Staff also met with BPU and DSR to plan the November joint developers' meeting for the BMPs.
 - Staff participated in the BPU Q3 BMP meeting for ASOW1. The Monitoring and Mitigation Plans for this project are still in development.
 - Stakeholder Support
 - Staff continued to prep for the next Marine Fisheries Council Offshore Wind Committee meeting. Members of the Committee have requested a presentation from the author of a report that suggests that sound levels from offshore wind surveys are higher than previously reported. Staff have contacted NOAA GARFO and BOEM to get more information and have engaged a marine acoustician from BOEM to attend the meeting as well.
 - Staff sent learning opportunities and responded to emails from Committee members requesting information about various topics.
 - Staff continued to meet with Deputy Chief of Staff Megan Brunatti, OPPN, and the DRS to plan the October Environmental Resources Working Group meeting. In the days before the

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meeting, it was decided that the meeting would be postponed because Orsted canceled their presentation on OCW01 project updates.

- Regional coordination
 - Staff attended the Offshore Wind session of the Mid Atlantic Fishery Management Council.
 - Staff attended the BOEM Central Atlantic Intergovernmental Review meeting for the announced lease areas. A follow up meeting was held with NOAA GARFO to discuss how the spatial modeling that was used to identify lease areas did not use data or recommendations made by NJ MRA and NOAA regarding surfclam fishing activity.
 - Staff hosted the monthly NJ Surfclam Research Needs meeting, which was focused on planning the approach to developing the concept of a large scale surfclam fishery enhancement mitigation program. Staff also met with the Wind Institute and the Responsible Offshore Science Alliance (ROSA) to coordinate this project.
 - Staff attended a virtual public meeting for the Maryland Wind offshore wind project and met individually with NOAA NEFSC and DNREC to learn about any concerns those agencies have about the MarWin DEIS before we prepare comments.
 - Staff continued to work with ROSA on coordination of project-specific and regional monitoring.

MISCELLANEOUS (Marine Resources Administration)

- **Regulatory/Legislative**
 - Notices of Administrative Changes (NOACs)
 - A NOAC modifying the recreational scup season was drafted for review and approval by NJ Marine Fisheries Council at their next meeting on November 2, 2023.
 - Rulemakings
 - MRA rule team continues to develop a new multispecies rule proposal amending N.J.A.C. 7:25-18.5A Artificial Reefs, along with other subchapters and sections pertaining to marine fisheries. The first draft proposal is currently under review.
 - A rulemaking proposal to expand the Commissioner's authority to modify rules via NOAC to expeditiously comply with any management requirement established under an approved fishery management plan. The proposal is currently under review with OLA and DAG. A Proposal Launch Meeting was held October 26, 2023. The proposal's projected schedule is as follows: Commissioner's signature by November 20; submittal to the GO by December 5; and filing on January 4, 2024 for the February 5, 2024, NJ Register.
 - An additional multispecies rulemaking is underway and will incorporate a reorganization of all Marine Fisheries-related rules under N.J.A.C. 7:25B.
 - Legislative Activity – State
 - No activity (no session)
 - Legislative Activity – Federal
 - H.R. 5504, (Rep. Newhouse, R-Washington), a bill to require the Director of the United States Fish and Wildlife Service and the Assistant Administrator for Fisheries of the National Oceanic and Atmospheric Administration to withdraw proposed rules relating to the Endangered Species Act of 1973, and for other purposes. Introduced on September 14, 2023, and referred to the House Natural Resources Committee.
 - H.R. 5760 (Rep. Jayapal, D-WA), a bill to establish a climate resilience workforce, and for other purposes. Introduced on September 27, 2023, and referred to the House Education and the Workforce Committee; the House Energy and Commerce Committee; the House Oversight and Accountability Committee; the House Judiciary Committee; the House

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Transportation and Infrastructure Committee; the House Ways and Means Committee; the House Agriculture Committee; the House Natural Resources Committee; and the House Financial Services Committee.

- H.R. 5616, (Rep. Graves, R-Louisiana), the “Bringing Reliable Investment into Domestic Gulf Energy Production Act of 2023” or the “BRIDGE Production Act of 2023”, a bill to require the Secretary of the Interior to conduct certain offshore lease sales. Introduced on September 21, 2023, and referred to the House Natural Resources Committee.
- H.R. 5487, (Rep. Huffman, D-California); S. 2807, (Sen. Merkley, D-Oregon), the “Help Our Kelp Act” a bill to require the Secretary of Commerce to establish and carry out a grant program to conserve, restore, and manage kelp forest ecosystems, and for other purposes. Introduced on September 14, 2023, and referred to the House Natural Resources Committee. Introduced on September 14, 2023, and referred to the Senate Commerce, Science, and Transportation Committee.
- H.R. 5499 (Rep. Miller-Meeks, R-Iowa), the “Congressional Oversight of the Antiquities Act”, bill to amend the Antiquities Act to increase congressional oversight with respect to the designation of national monuments, and for other purposes. Introduced on September 14, 2023, and referred to the House Natural Resources Committee.
- H. Res. 688, (Rep. Posey, R-Florida), A Resolution expressing support for the designation of the week of September 16 through September 23, 2023, as "National Estuaries Week". Introduced on September 14, 2023, and referred to the House Natural Resources Committee.
- H.R. 5281 (Rep. Lieu, D-California), The “Lead Endangers Animals Daily Act of 2023” or the “LEAD Act of 2023” a bill to require the Secretary of the Interior to prohibit the use of lead ammunition on United States Fish and Wildlife Service lands, and for other purposes. Introduced on August 25, 2023, and referred to the House Natural Resources Committee.
- H.R. 5944 (Rep. Mace, R- SC), To require the Administrator of the National Oceanic and Atmospheric Administration to establish an assessment program for offshore aquaculture, to establish Aquaculture Centers of Excellence, to require a study and report, and for other purposes. Introduced in House on 10/12/2023. Referred to the Committee on Natural Resources, and in addition to the Committee on Education and the Workforce on 10/25/2023.

- Appointments/Nominations

- Joe Cimino, Administrator, NJ Marine Resources Administration: Elected Chair of Atlantic States Marine Fisheries Commission on 10/18/2023.

- **Scientific Collection Permits**

- Ninety-eight scientific collecting permits have been issued in 2023.