

**Marine Fisheries Council Meeting
May 16, 2024**

Council Attendees:

Dr. Eleanor Bochenek	Bob Rush*
Dr. Pat Donnelly*	Kevin Wark*
Walter Johnson III *	Dick Herb*
Joe Rizzo*	

Council Absentees:

Barney Hollinger
Jeff Kaelin

DEP and Fish and Wildlife Attendees:

David Golden* - Assistant Commissioner, NJ Fish and Wildlife
Joe Cimino* – Administrator, Marine Resources Administration (MRA)
Jeff Brust* – Chief, Bureau of Marine Fisheries (BMF)
Jason Snellbaker* – Deputy Chief, Bureau of Law Enforcement (BLE)
Mike Celestino – Research Scientist, MRA
Heather Corbett* – Supervising Biologist, BMF
Peter Clarke – Principal Biologist, BMF
Maryellen Gordon – Principal Biologist, BMF
Brian Neilan – Principal Biologist, BMF
Jenny Tomko – Principal Biologist, MRA
Linda Barry – Research Scientist, MRA
Conor Davis – Senior Biologist, BMF
Amber Johnson – Senior Biologist, BMF
Matt Heyl - Senior Biologist, BMF
Jennifer Pyle – Senior Biologist, BMF
Samantha MacQuesten – Assistant Biologist, BMF
Tyler Harris – Assistant Biologist, BMF
John Klotz – Technician, BMF
Pat Barker* – Senior Wildlife Worker, BMF
Jessica Daher – Program Specialist, MRA

* Denotes in-person attendance as opposed to virtual attendance

Public Attendees:

Alex Lebkes	James Peterson*
Tom Daffin*	Chuck Solan*
Capt. Brian Williams	Eddie Yates*

* Denotes in-person attendance as opposed to virtual attendance

The meeting was called to order. Notice of the Marine Fisheries Council (Council) meeting was filed with the Secretary of State on May 1st, 2024. Chairman Herb began the meeting with the Pledge of Allegiance.

Approval of Minutes

Mr. Johnson expressed appreciation for the comprehensiveness of the minutes, in particular the list of attendees. Minutes from the March 7th Council meeting were approved without revision. Motion by Dr. Donnelly, seconded by Mr. Johnson.

Enforcement Report – J. Snellbaker

No Report.

Shellfisheries Council/Bureau Reports – J. Brust

No Report.

Legislative/Regulatory Reports – J. Brust

A spreadsheet of legislative items was provided in the meeting handouts. Bolded items are new items since the last update. Mr. Brust highlighted the following state specific bills:

- A4056 – Changes DEP authority to allow taking of aquacultured shellfish on a Sunday.

Mr. Brust continued to highlight the following specific federal bills:

- S.4113 – The “State Boating Act” a bill to allow States to require payment of State fees related to boating as a condition for issuance of a vessel number and to collect such fees in conjunction with other fees related to vessel numbering.
- H.R.7925 - The “Modernizing Access to Our Public Oceans Act”, a bill to provide for the standardization, publication, and accessibility of data relating to public outdoor recreational use of Federal waterways, and for other purposes.

Mr. Brust explained this would mean if there was a fishery or waterway closure it would have to be posted on this online database. Mr. Wark asked if this would include commercial closures. Mr. Brust advised that it was unclear at this time.

- S. 2211- “Sustaining Healthy Ecosystems, Livelihoods, and Local Seafood Act”, a bill to establish in the Department of Agriculture an Office of Aquaculture, and for other purposes.
- S.2208 - “National Seafood Supply Act of 2023”, a bill to require the Secretary of Agriculture to provide support for domestically harvested seafood, and for other purposes.
- H.R. 614 - “Commercial Fishing and Seafood Business Act of 2023” a bill to amend the Department of Defense Appropriations Act, 2005 to provide for the inclusion of certain workers in the exemption from numerical limitations on H-2B workers, and for other purposes.

- H.R. 7658 - "FISH Wellness Act" To authorize safety and prevention training programs for fishing vessel operators and crewmembers, and for other purposes.
- S. 3889 - "Modernizing Access to Our Public Oceans Act", a bill to provide for the standardization, publication, and accessibility of data relating to public outdoor recreational use of Federal waterways, and for other purposes.
- The final page of the report provides a list of several names of possible replacements for members sitting on both Shellfisheries and Marine Fisheries Councils.

Mr. Rizzo questioned to status of the motion made at the last meeting about sending assemblyman Rumpf a letter opposing bill A-1734 "Provides for payment to small municipalities, in certain cases, of certain penalty moneys assessed for violations of fish and game laws." Mr. Brust updated the Council that he had reached out to the legislative representative who indicated this bill has been introduced before but with little support. They advised waiting until the bill moves out of committee before sending a letter. Mr. Rizzo indicated he would reach out to the assemblyman directly.

Mr. Brust recounted how the New England Fishery Management Council asked New York and New Jersey to comply with their regulations for recreational Georges Bank cod in 2023. New Jersey complied, despite concerns that a forthcoming stock assessment might require changes to the regulations shortly after they were implemented. Mr. Brust reported, however, that the New England Council recently recommended status quo recreational regulations for Georges Bank cod, so no changes need to be made. He was not sure if N had adopted consistent regulations, but will look into it for the next meeting.

Atlantic States Marine Fisheries Commission (ASMFC) Report – J. Brust

A summary of the ASMFC January meeting was provided in the meeting handouts. Mr. Brust provided a summary of specific meetings as follows:

- **Lobster** - The Board heard comments from the public regarding concerns about the implementation of the minimum gauge size increase which is scheduled to occur January 1, 2025. There is concern that the increase will negatively impact catch and value in the lobster fishery and put the US market at a disadvantage if Canada's minimum size does not change. The Board plans to send a letter to Canada Department of Fisheries and Oceans and relevant Canadian industry associations urging Canada to increase the minimum size for lobster in the Gulf of Maine on the same schedule established in Addendum.
- The Technical Committee was asked to evaluate the lobster resource on the northern edge of Georges Bank where the NEFMC has proposed opening a scallop fishery. The TC report found that lobsters are present on top of George's Bank all year, but numbers are much higher in the late summer into fall, especially for large females. Moderate levels of fishing activity occur from July through November in the area, overlapping with the proposed scallop access options.

- **Menhaden** - The Board reviewed the results of an acoustic survey that aimed to generate estimates of biomass and characterize size, age, and sex, and maturity of the portion of the Atlantic menhaden stock that overwinters off the coast of New Jersey. In addition to confirming that a portion of the adult stock resides overwinter along the shelf in the Mid-Atlantic region, the study demonstrated alternative acoustic survey designs can effectively account for the patchy distribution of large schools across the landscape and may prove useful in future monitoring.

Mr. Wark commented that the fish off NJ in the winter are large adults that don't seem to move farther south and are the ones moving all the way up into the Gulf of Maine in the summer.

- In response to concerns that the menhaden population is too low to sustain predators, including osprey, in the Chesapeake Bay, the Board requested staff coordinate a presentation by US Geological Survey staff for the Summer Meeting regarding osprey abundance, spatial and temporal distribution, dietary demands, and timing of fledge in the Chesapeake Bay region.
- **Horseshoe Crab** - The 2024 Horseshoe Crab Stock Assessment Update evaluated the stock status of the resource by region, finding the coastwide population to be in a good condition. Regionally, the Delaware Bay and Southeast regions were also in good condition, the Northeast was considered neutral, and the New York region remains in poor condition. The Horseshoe Crab Management Board also received a summary of the current demand for horseshoe crabs as bait in the American eel and whelk fisheries. With some states limiting the harvest of horseshoe crabs, the Board requested this information to understand potential impacts of bait harvest restrictions in these fisheries. States indicated that effort trends in the eel and whelk fisheries along the coast have varied, and information is not collected on trends in bait usage. The Board also received an update on planning for the Delaware Bay stakeholder workshop. The workshop will convene a group of key stakeholders to identify potential management goals the horseshoe crab fishery in the Delaware Bay region to inform future management decisions.
- The Board also received a report from the ARM Subcommittee responding to the critique by some environmental groups of the revised ARM Framework. After conducting a thorough review and technical evaluation of the specific issues raised in the critique, the ARM Subcommittee found the critique to be unsubstantiated and fails to offer any viable alternative management options. It was concluded that the red knot and horseshoe crab population models used in the ARM Framework represent the best use of the available data.

Mr. Brust referred to the press release with the information on ASMFC's 2024 Annual Awards of Excellence, highlighting Deputy Chief Jason Snellbaker received the annual award for law enforcement. The council thanked Deputy Chief Snellbaker for his efforts.

- **Coastal Pelagics** - The Board initiated the Draft Addendum to consider updating recreational allocations using harvest data, which reflects increased cobia landings in some Mid-Atlantic states in recent years. Public hearings for this addendum can be expected to take place over the summer months.
- **Striped Bass** - The Board approved the revised implementation plans for all three jurisdictions (Pennsylvania, Maryland, and Potomac River). The Board received an overview of a Massachusetts Division of Marine Fisheries (MA DMF) study to characterize striped bass recreational release mortality. The first phase of the study focused on the efficacy of circle hooks and comparing release mortality from J-hooks vs. circle hooks. The second phase of the study focused on comparison of release injury and mortality across various terminal tackle using citizen science data collected by striped bass anglers. The third phase of the study will focus on a survey of striped bass anglers on terminal tackle use over the next few years. MA DMF noted that additional analysis of collected data and future publication will be pursued in the coming years. The Board has also formed a working group to look at possible management options that could aid in lowering recreational discard mortality.

Mr. Rush asked if they had looked at the effect of the 3” slot limit on the magnitude of discards. Mr. Brust responded that they had looked at it and staff had provided an overview of that analysis at the March meeting. There has been no additional information since then.

- **American Eel** - The Assessment and Peer Review Report indicated the stock is at or near historically low levels due to a multitude of factors, including historical overfishing, habitat loss, food web alterations, turbine mortality, environmental changes, contaminants, and disease. The assessment and peer review recommended reducing harvest levels of the yellow eel life stage, while also recognizing that stock status is affected by other factors. The assessment proposed a new index-based tool, called ITARGET, for setting the yellow eel coastwide cap, since there is not a statistical model for estimating the population size of American eel.
- **Coastal Sharks** - The Commission’s Coastal Sharks Management Board established a zero possession limit for oceanic whitetip sharks for recreational and commercial fisheries. States will begin rulemaking to implement the new possession limit, effective immediately. NMFS also provided updates on two ongoing actions
 - A final rule on Amendment 15 the 2006 Consolidated HMS FMP is expected in the summer of 2024. Amendment 15 extends the boundary of the Mid-Atlantic shark closed area and shifts the timing of the closed seasons to November 1 - May 31.
 - Development of Draft Amendment 16 is dependent upon the completion of the hammerhead stock assessment, expected end of 2024. Amendment 16 could result

in substantial changes to the entire commercial and recreational shark fishery, and is necessary to implement the revised framework for establishing quotas and related management measures for Atlantic shark fisheries, as set forth in Amendment 14.

Dr. Donnelly questioned the 3 inch slot striped bass regulations and if/when the slot would be adjusted since it was implemented to protect a specific year class and that year class should no longer fall within that slot limit. Mr. Celestino explained that the TC did ask the same question and attempted shifting the slot limit to match the growth of the year class, but moving the slot did not perform as effectively as lowering fishing effort. Adjusting the slot does not reduce fishing effort enough to warrant changing the slot regulation.

Dr. Bochenek questioned the Massachusetts striped bass report, it is not yet available through ASMFC as it has not yet been peer reviewed or published. Mr. Celestino confirmed that is the case, and both agreed that New Jersey's striped bass fishery may not be properly represented by MA's study. Dr. Bochenek has concerns that without more data it would be difficult to propose discard mortality reduction efforts for New Jersey. Mr. Brust informed the Council that there is a request from MA DMF for angler from other states to participate in order to address these concerns. There is a link of study website for anglers to volunteer. Dr. Bochenek urged staff to make our anglers aware of this study so New Jersey's data can be included. It was suggested that Jim Hutchinson publish it in "The Fisherman" and staff post it on local pages.

Dr. Donnelly asked for clarification on the oceanic whitetip shark regulation and whether "no possession" means "no target" and where that language comes from. Mr. Brust explained that the whitetip shark is under consideration to be moved to the prohibited species list which would mean no target, but that language comes from NMFS. Mr. Wark expressed concern that incidental capture of prohibited shark species when fishing for other species that are allowed should not be punished.

Mid-Atlantic Fishery Management Council (MAFMC) Report – J. Brust

A summary of the MAFMC meeting was provided in the meeting handouts. Mr. Brust provided some highlights from the meetings as follows:

- The Council took final action on a joint framework action with the New England Fishery Management Council (NEFMC) to reduce the bycatch of Atlantic sturgeon in the monkfish and spiny dogfish gillnet fisheries. The action implements time/area closures in certain "hotspots" to reduce interactions in those areas.
 - For federally permitted vessel targeting spiny dogfish, vessels may not allow their gear to soak overnight during the time/area closures; however, vessels using a mesh size less than 5.25 inches in the DelMarVa hotspot are exempt from this provision.
 - For federally permitted vessels targeting monkfish, the Council approved a year-round low-profile gear requirement in the New Jersey bycatch hotspot polygon.

These measures approved by MAFMC only affect federally permitted vessels fishing in the hotspot areas. MAFMC has requested that ASMFC considered consistent measures to

target non-federally permitted vessels fishing in those areas; however, the Board has identified some questions and concerns with the proposed regulations, and has requested staff gather additional information for consideration at the August ASMFC meeting.

- The Council met jointly with ASMFC to review draft alternatives for a joint framework action to modify two summer flounder commercial minimum mesh size exemptions. This action considers changes to the exempted area associated with the Small Mesh Exemption Program, as well as updates to the gear definition associated with the flynet exemption to the minimum mesh size requirements. Final action is expected in August with comment periods taking place throughout the summer.
- The Council received an update on the 2024 State of the Ecosystem Report. The report evaluates the performance of different ecosystem indicators relative to management objectives and the potential climate and ecosystem risks to meeting those management objectives. Highlights from the 2024 report include:
 - Commercial seafood landings and total revenue were near historic lows driven by declining landings and price of ocean quahog, Atlantic surf clam, and scallops.
 - Recreational harvest remains below the long-term average, but recreational effort (in number of trips) is above the long-term average.
 - Recreational catch diversity remains stable and above the long-term average and diversity is being driven by southern species.
 - Many fish stocks and protected species distributions are changing in the Mid-Atlantic due to increasing temperature, changing oceanographic features, the spatial distribution of suitable habitat, and the availability of prey.
 - 2023 sea surface temperatures in the North Atlantic were the warmest on record and were linked, along with low oxygen and acidification, to fish and shellfish die-offs off New Jersey and the Elephant Trunk region.
- The Council received an update on the development of the draft 2024 EAFM risk assessment report. The risk assessment is intended to track ecosystem elements that may threaten the Council's ability to achieve the management objectives desired for Council managed fisheries. The final report is expected later this year for approval.
- Golden tilefish catch share program went out for public comment and was recommended to be submitted to NMFS and considered complete.
- An update from the Northeast Trawl Advisory Panel was provided on setting up an industry-based trawl survey as a backup for when the NMFS vessel is unavailable.
- The Environmental Protection Act is looking to create another offshore dredge disposal site in the Sandy Hook area and will be collecting information and holding public hearings with anglers and commercial anglers that use these areas.

Mr. Johnson commented that adding offshore remediation areas was not an option when the offshore wind projects started and recalled that they had been considering a shore based site location. He recognizes the need for a dredge disposal site, but another offshore site should be the last option. Mr. Wark mentioned the dumping site at the buoy is over filled and has worries another site would be overloaded in the same way. Several Council members expressed concern that the material is contaminated. Mr. Brust offered to get the Council in touch with EPA to have more information provided and to determine if there are other options to creating another offshore remediation site for dredge spoils.

- The Offshore Wind Compensation Program application period is still open for Vinyard Wind. There is money available for New Jersey vessels that fish off that lease area. Staff provided letters to vessels that were determined to have fished there during the qualification period. There was concern that the application period is too short to complete an application, but Vinyard Wind has indicated that harvest data and other supporting documentation does not need to be included with the initial application. As long as the application itself is complete within the application period, all supporting information can be provided at a later time. Additional public comment on this plan raised concerns that vessels with impacts are from other states which are not eligible for compensation, and the plan does not cover indirect impacts or future impacts.
- MAFMC received summaries of two studies that investigated the impacts of noise from offshore wind development on black sea bass and longfin squid behavior. The studies used actual construction noise recorded during installation of the Block Island Sound turbines and scaled it up consistent with the size of the larger proposed projects off New England and the MidAtlantic.

Mr. Johnson commented that he appreciates the State of the Ecosystem report as a way to compile information that may inform management decisions, but the next step is how to use all that information. Mr. Brust agreed and indicated that the Ecosystem Approach to Fisheries Management risk assessment is investigating options for how to incorporate the data into the decision making process.

Bureau Report – J. Brust

Commercial Blue Crab License Transfers – Regulations allow the transfer of up to 5 inactive commercial blue crab pot licenses every year. If more than 5 applications are received, a lottery is held to select which transfers to complete. In 2024, the Bureau received 15 applications for inactive crab pot transfers. A lottery was held in person at the Nacote Creek office, with all applicants invited to witness the drawing using a bingo ball roller. Approximately 8 applicants attended the drawing, and several commented that they appreciated the transparency in the process. There was some discussion about possibly doing the drawing during a Council meeting. Mr. Brust commented

that the logistics might be difficult for a number of reasons, but staff would look into it for the future.

Mr. Brust explained the delivery of the Marine Digest has been held up due to technical issues. The Marine Digest is available online; however, the regulations page is missing a couple of species identification images, but all information is available and correct. Print copies will be distributed as soon as Marine Fisheries have them in hand.

Committee Reports

Executive Committee – Chairman Herb read the minutes from the Executive Committee meeting held on April 23rd. The Executive Committee met to review advisor applications and continue discussions of spotted seatrout regulations and expanding the at-sea fillet permit.

At the January 2024 Executive Committee meeting, the Committee postponed reviewing a number of advisor applications in order to gather more information to make informed decisions. In addition, staff recently sent letters to all advisors whose terms were expiring before the end of 2024, and many of them submitted applications for renewal. Staff provided the committee with summary information on all applicants. Council reviewed the applications with respect to enforcement history, sector affiliation, geographic location, and past attendance, and made recommendations for approval as shown in the summary table.

Staff recounted that the committee had previously requested information on ASMFC requirements for spotted seatrout and whether they school with weakfish. An online literature search found no indication that the two species form mixed schools. ASMFC compliance criteria for seatrout require only a 12" minimum size with comparable mesh size requirements. There are no season or possession limitations. New Jersey's current regulations include a 13" minimum size with one fish (recreational) or 100 lbs (commercial) possession limit. At the January committee meeting, the committee recommended maintaining the current regulations; however, with the additional information and a review of other state regulations, the committee recommends a recreational 12" minimum size and no possession limit, consistent with Delaware's regulations. Staff has reached out to ASMFC to determine if a proposal is required to liberalize regulations since the proposed regulations are still consistent with the FMP. It was also noted that NJ may lose its *de minimis* status if harvest increases significantly under the new regulations, but the implications of this are minimal.

Also at the January meeting, the committee requested staff conduct a survey of NJ charter boat operators to gauge interest in expanding the fillet permit to charter boats. Staff requested additional guidance in developing the survey. The committee is interested in establishing not only how many vessels would be interested in participating, but also evaluating eligibility. In particular, committee members expressed concerns that some vessels register as charter operators but aren't Coast Guard certified or don't carry paying passengers, so should not be allowed to participate. They suggested including questions relative to these issues, as well as whether a vessel is part time or

full time. Finally, they recommended asking law enforcement if they had additional questions. Staff will develop a survey for committee review before distribution. The committee made the following recommendations for Council consideration:

- Implement a recreational 12" minimum size limit with no possession limit and no closed season for spotted seatrout;
- Approve appointments to advisory committees as shown in the summary table.

Mr. Brust provided a staff recommendation that Council postpone any decisions on spotted seatrout regulations until there is an opportunity for public comment. The Executive Committee does not have any advisors, and this issue was not announced with the meeting notice, so public were not aware a decision might be made. Postponing the decision until July will allow ample time to notify the public and allow them to attend and provide comment before a decision is made. Mr. Rush noted that Delaware already has regulations in place and suggested adopting regulations from Delaware and opening for public comment after. Mr. Brust responded that it will likely take a year or more to get the rule changed. Making a decision now won't allow anglers to fish under the new regulations until they are passed, and waiting one meeting cycle to get comment before a decision is made won't slow down the process. Dr. Bochenek agreed that New Jersey should move forward with regulations that match Delaware. Waiting for public comment could slow down the process, so we should implement first and then ask for comments. Assistant Commissioner Golden explained that the proposal hasn't even started the review process, and likely won't until later this summer, so allowing comments at the July meeting will not slow down the process. Dr. Donnelly would also like to take action now to mirror Delaware regulations, which may generate public interest to provide comment. Mr. Brust explained that voting one way now and changing the decision after public comment can get complicated procedurally. But the option to mirror DE regulations can be announced as the preferred alternative, which would have the same effect to generate public interest in the issue.

A motion was made to recommend recreational spotted seatrout regulations of a 12" minimum size, no possession limit, and no closed season for a vote at the July meeting. Motion by Mr. Rush, second by Mr. Johnson. Motion passes unanimously.

Mr. Brust asked for clarification on commercial regulations. Mr. Wark indicated that there aren't many fish in the area, and no one is targeting them, so status quo commercial regulations would be sufficient. Council agreed to keep the commercial regulations status quo.

Mr. Rush asked for clarification on the number of committees an advisor can serve on. Mr. Brust responded that MFC administrative guidelines state that advisors can serve on up to seven committees, and each committee can have up to 20 members. A motion was made to approve the advisory nominations summarized in the committee report. Motion by Mr. Johnson, second by Mr. Wark. Motion passes unanimously.

Mr. Rush suggested that the at sea fillet permit is for operators and that they must show their Coast Guard license, this will eliminate vessels that would be applying that are not registered. Dr. Bochenek asked for a time frame on when Council can expect to see the survey questions for the at sea fillet interest. Mr. Brust will provide something by the end of June, with a presentation to the Council potentially at the July meeting.

Summer Flounder Recreational Committee – Dr. Donnelly presented the minutes from the Summer Flounder Recreational Committee meeting that was held via webinar on April 30, 2024 to discuss two proposed Council actions including an angler satisfaction survey and a recreational summer flounder length data collection logbook for the 2024 fishing year.

Recreational Summer Flounder The New Jersey Marine Fisheries Council is responsible for implementing recreational regulations for summer flounder for each annual fishing year. The options that are available for management use include a variety of possible solutions to equitably address angler welfare throughout the entire state from Sandy Hook to Cape May as well as offshore to back bays. As such, there are a myriad of potential regulations to address the successful management of these fishery's. Each year, Council receives comments regarding the timing differences of summer flounder between essentially four regions: North and South, Inshore and Offshore. As such, advisory meetings are held each year to discuss these differences and qualitatively approach the best options for the state in its entirety. To address the differences throughout the State, Council is taking a proactive approach for summer flounder which will have a management change after two years of implemented regulations in 2024 and 2025 and will make changes for the 2025 fishing year. Requested options in the past have included different size, seasons, bags, for each sector (for-hire vs. private) as well as inshore vs. offshore, and north vs. south. As part of this process, two methods have been proposed. 1. An angler satisfaction survey to address various demographics across the state, and 2. A length data collection program to address size differences between the four regions.

Angler Satisfaction Survey Advisors commented on the Angler Satisfaction Survey and suggested including methods that are independent of the internet to ensure the survey captures all user groups including those without internet access or knowledge of its use. This would include providing a form on the Fish and Wildlife website as well as providing paper forms at local bait and tackle shops. Advisors suggested using the previous survey that was initiated by the Bureau of Marine Fisheries in February 2021. Inclusion of non-English speaking anglers was discussed and considered important to address in the survey. Advisors also mentioned incentives for completing the survey.

Length Data Collection Logbook The second item discussed included a data collection of both harvested and discarded fish lengths. By completing a fishing log including lengths of all fish caught as well as location, staff will have quantitative information to help first, mold possible management options, and second, provide Advisors and Council with information to distinguish any differences between the four regions. Advisors commented first that there may be concern of completing the fishing log if it will result in the loss of resource and opportunity to fish. Some advisors felt the length data collection logbook should be completed only by the for-hire sector,

while the majority of advisors felt inclusion of all sectors was important. Advisors were generally supportive of the length data collection concept, however would need to see an example of the logbook before total buy in.

Council has requested Bureau staff provide examples of both the Angler Satisfaction Survey as well as the Length Data Collection Logbook to take the next step in review and possible implementation of both programs.

Mr. Rush expressed concern that previous surveys conducted by staff regarding summer flounder were biased and not representative of all anglers. He commented that his impression was that most of the meeting participants did not want to conduct an angler satisfactions survey.

Dr. Donnelly responded that his impression from the meeting and speaking with other advisors is that the angler satisfaction survey was the greatest topic of discussion where ideas to improve the survey and gain better participation were heavily provided. He recollected that the majority of the discussion was about a future survey, not the previous survey.

Mr. Brust clarified that the recommendation is that staff draft a new survey that would be presented to Council for approval before anything would be sent out. He agreed that surveys in previous years were rushed, and the results were questionable, but the request for input on this year's regulations was done differently, and staff and Council received multiple comments from anglers thanking them for the opportunity to comment. He noted that past experience would be incorporated into the development of this new survey. He also noted that Council has requested getting input from anglers on what they want in the fishery and then developing options that achieve those goals. The intent of this survey is to find out what the anglers are looking for.

Dr. Bochenek had volunteered to assist with the drafting of the Angler Satisfaction Survey, noting that she has significant professional experience developing surveys that would be beneficial in implementing/distributing the survey to groups that would be otherwise unheard from. She views this as a good opportunity to get useful information, but it needs to be done properly to be useful.

Dr. Donnelly responded that Dr. Bochenek is not a member of the Summer Flounder Committee, and her participation would have led to a quorum which has administrative and legal requirements. He suggested a subcommittee be created to allow Dr. Bochenek to participate and assist in the Angler Satisfaction Survey development and data collection.

Mr. Brust echoed Dr. Donnelly's concerns regarding the quorum. He commented that if Dr. Bochenek is willing to provide her expertise to develop the survey, then a subcommittee would be a reasonable path forward, and the survey would benefit from her experience.

Council discussed the best way to select advisors and members for the working group. Dr. Donnelly suggested Dr. Bochenek serve as chair, he and Mr. Rush participate as chairs of the Summer Flounder and Black Sea Bass committees, and they would select 3-4 advisors from each of those committees.

For the summer flounder length data collection, Dr. Bochenek asked if it's possible to add a question about detailed area fished during the MRIP survey. Mr. Brust explained that the MRIP questionnaire is standardized across all states and that states are not allowed to ask questions or add our own survey questions while out doing MRIP interviews. Dr. Bochenek asked what type of area questions are asked during the MRIP survey. Mr. Brust explained that MRIP only asks for region – inland, ocean less than 3 miles out, or ocean more than 3 miles out. It is possible, however, to infer more specific location by looking at which site the interview occurred. He also noted that, in addition to more specific location data, more information is needed on lengths, particularly discards, to inform discussions on regional regulations. Dr. Bochenek suggested using the length data from MRIP headboat trips.

Regulatory actions

Mid Atlantic Council and New England Council recommended time area closures for spiny dogfish and monkfish fisheries. ASMFC brought the closures up for the consistency with the spiny dogfish regulations, but postponed a decision until their August meeting. Staff questioned if we are told to implement these closures, should we limit the closures to just spiny dogfish, or should other gillnet fisheries operating in the affected areas also be included.

Mr. Wark commented that the relevant information is not the species but how the gear is handled, particularly soak time. Mr. Brust asked if there are other fisheries operating in the area that might interact with sturgeon. Mr. Wark responded that there could be, and it would be beneficial to have a discussion on all the different aspects. We want to reduce interactions and keep people fishing. Mr. Brust suggested holding a Gillnet Committee meeting to discuss this issue, and Council agreed.

Mr. Brust presented the tautog regulations to the Council for consideration to bring together the committee to discuss the current tautog fishery. Dr. Donnelly explained that the territorial nature of the fish makes the fish susceptible to overfishing with increased pressure that he himself has seen, but also from the reports he has received from for-hire vessel operators/captains.

Old Business – J. Brust

Mr. Brust indicated that there has been no action on the pending nominations, but that all applicants had completed the necessary paperwork for the Senate to take up the discussion. Mr. Johnson commented that it's a good sign that they have been referred to the Senate committee.

Mr. Brust gave an outlook for committee meetings to be held before the July meeting.

- The Offshore Wind Committee will meet to hear an overview of RMI projects that have been funded.

- As discussed earlier in this meeting, the Gillnet Committee should meet to discuss sturgeon interactions.
- Staff have received several requests for a Tautog Committee meeting to discuss the need to adjust recreational regulations. Dr. Donnelly suggested it might be a bigger concern in northern NJ because of additional effort from NY boats. But he noted that some of the best tautog anglers and for hire operators have indicated that effort is high and there are signs that the stock has declined. Eleanor responded that she is not hearing the same concerns in the southern part of the state and wondered if we might have the same trouble as fluke not having enough data to differentiate among regions. Dr. Donnelly agreed and referenced the differences in striped bass fisheries north and south of Barnegat. But tautog effort is very high up north and it difficult to find legal fish, and it would be appropriate to bring advisors together to figure out a way forward. Mr. Rush agreed that the effort down south is much lower, and questioned whether changing regulations would be beneficial since NY currently has similar regulations to ours. Dr. Donnelly responded that the issue is exacerbated by the illegal anglers who are keeping undersized or over the limit fish. And because the fish are slow growing and structure dependent, there isn't a source for fish to repopulate a structure when all the structures are fished heavily.

Mr. Brust updated the Council on possible new meeting locations that were visited encompassing more northern options that had larger capacity for public attendance. The next steps would be checking these rooms for WiFi, room availability, and overall meeting compatibility for larger meetings. The incentive is to spread meetings out to encourage participation from throughout the state and to find options that can support meetings with high attendance, such as the March meeting when recreational regulations are determined. Nothing will be changed for this year, but these new locations can be considered for future years.

Council had previously requested a deeper look into the Striped Bass Bonus Program data, such as where and when catch was occurring. Staff will provide an update at the July meeting.

New Business – J. Brust

Ethics update renewal for MFC is due. The Council will be provided via email following the meeting.

Mr. Brust reminded Council that there have been a few requests to review committee assignments. Previously it had been decided to wait until the two new Council members were appointed, but Mr. Brust suggested that if they aren't appointed by the July meeting that committee membership should be reviewed. Mr. Rush suggested that committee members rotate chairs every two years to give the Council the opportunity to change committees.

The Council was asked if there was interest in a presentation from an application developer about their application that displays near real time whale sightings. The Council agreed to invite the developer for a 10-15 minute presentation during the next meeting.

Council was reminded to submit all travel reimbursements before the end of the fiscal year.

Public Comment

Mr. Brust referenced a handout with mostly appreciative comments about how the summer flounder process and comment period was implemented.

Captain Tom Daffin (Fishin' Fever) out of Cape May understands most of the tautog pressure is in the northern part of the state, but explains that the southern part of the state is seeing higher pressure in the last several years. The popularity of the fishery and the technology available has begun to deplete the tautog fishery in the Cape May area. Captain Tom hopes that by bringing together the tautog committee they may come up with some options to help sustain the fishery and allow the tautog to repopulate in these popular areas.

James Petersen - In the last 10 years the amount of boats fishing for tautog has increased by 20-30 boats when most anglers were not targeting tautog in the past. The technology has made catching these fish much easier allowing them to be heavily targeted. He urges Council to get involved before it is too late for the tautog fishery.

Eddie Yates out of Barnegat Light agrees with other commentary on tautog. There is only one fish being targeted during tautog season. Yates urges Council to go to ASMFC and MAFC to extend the season for black sea bass to take pressure off of the tautog fishery.

Brian Williams (Bad Fish) out of Ocean City agrees with other captains about the increased pressure on tautog, primarily in the bay. The amount of boats fishing each piling and bridge has greatly increased, while the amount of fish being caught has decreased. Mr. Williams is not in favor of increasing the bag limit on weakfish, when an angler is experienced in targeting weakfish the population in that area can be quickly depleted. Mr. Williams is also in favor of a paid fishing license to provide more angler information; i.e. addresses, actual number of anglers in the state, allowing for outreach opportunities via mail. The SBBP was also brought up after the suggestion of educational outreach on safe fish handling to promote the survival of catch and release fish. Mr. Williams is against the Bonus tag being used at least in back bays to allow the smaller fish a chance to mature rather than overharvesting a fish that is not being abundantly seen by the for-hire fishery. He urges Council to reach out to him with any questions they may have about his commentary.

Meeting Adjourned 7:40 pm. Next meeting is 7/11/2024, Atlantic County Library, 306 E. Jimmie Leeds Rd, Galloway, NJ, 08205.