

Marine Fisheries Council Meeting
March 6, 2025

Council Attendees:

Dr. Eleanor Bochenek
Richard Herb*
Barney Hollinger*
Gregory Hueth
Walter Johnson
Jeff Kaelin

Robert Rush
Joe Rizzo
John Tiedemann
Kevin Wark
Dr. Patrick Donnelly

DEP and Fish and Wildlife Attendees:

Joe Cimino – Administrator, Marine Resources Administration (MRA)
Jeffrey Brust – Chief, Bureau of Marine Fisheries (BMF)
Russ Babb – Chief, Bureau of Marine Habitat and Shellfisheries (BMHS)*
Brian Scott – Captain, Bureau of Law Enforcement (BLE)
Heather Corbett – Supervising Biologist, BMF
Jeff Normant – Supervising Biologist, Bureau of Marine Habitat and Shellfisheries (BMHS)
Maryellen Gordon – Principal Biologist, BMF*
Jenny Tomko – Principal Biologist, BMHS*
Craig Tomlin – Principal Biologist, BMHS*
Jennifer Pyle – Senior Biologist, BMF*
Amber Johnson - Senior Biologist, BMF*
Jamie Darrow - Senior Biologist, BMF*
Matt Heyl - Senior Biologist, BMF*
Chad Power - Senior Biologist, BMF*
Conor Davis – Assistant Biologist, BMF*
Tyler Harris – Assistant Biologist, BMF*
Jonathan Klotz – Technician, BMF*
Pat Barker – Senior Wildlife Worker, BMF

Public Attendees:

Jim Hutchinson
John Steubing
Eddie Yates
Peter Belasco
Dale Parsons

Jim Donofrio
James Dopkin*
Edward Gaine*
Simon Philip*
Patrick White*

*Denotes virtual attendance as opposed to in-person attendance.

The meeting was called to order. Notice of the Marine Fisheries Council (Council) meeting was filed with the Secretary of State on February 26, 2025. Dr. Donnelly began the meeting with the Pledge of Allegiance.

Approval of Minutes

Meeting minutes from the January 9th meeting of Council were approved without revision. Motion made by Mr. Kaelin and seconded by Mr. Wark. Motion carried unanimously.

1. Enforcement Report – B. Scott

Deputy Chief Scott informed Council that two conservation officer recruits have completed the Police Academy and are currently in Game Warden school. The officers will begin their field training officer programs in April. Two additional officers are currently in the Police Academy, with graduation anticipated in June. One of these officers will be assigned to the Marine Enforcement Unit. Lastly, three new hires will begin training in July, with anticipation of one of those officers also being assigned to the Marine Enforcement Unit.

Deputy Chief Scott indicated that 276 summonses were issued for tautog in 2024, and this number is down from 2023. Deputy Chief Scott reminded Council that these summonses were issued while being short staffed and that one of these summonses included 64 fish. Additionally, a total of 59 summonses were issued for striped bass, while 763 summonses were issued by the Marine Region in total. Marine enforcement has also referred a number of federal violations to NMFS, including several for failure to report bluefin tuna which is becoming a high priority topic for enforcement.

- Mr. Tiedemann asked Deputy Chief Scott how Saltwater Registration violations are usually encountered. Deputy Chief Scott explained that they are usually encountered while performing vessel inspections.
- Dr. Donnelly asked if the decrease in summons relating to tautog was a product of short staffing or a result of anglers following the regulations. Deputy Chief Scott believed the decrease was a result of two fewer officers in the field than the prior year.
- Mr. Rush asked Deputy Chief Scott if he had an idea of how many tautog summonses were land based versus vessel based. Deputy Chief Scott responded that they do not track the source, but can say that a lot of summonses occurred on jetties and in inlets. A surprising number of fish were landed during night hours.
- Dr. Donnelly requested that new Conservation Police Officers attend an MFC meeting so Council can be acquainted with them.

2. Shellfish reports

Delaware Bay – No report

Atlantic Coast – No report

Bureau of Marine Habitat and Shellfisheries – No report

3. Legislative/Regulatory Report – J. Brust

Mr. Brust provided Council with updates of recent state and federal legislative activity.

Bill A4816, which prohibits the requirement for beach tags for access to below mean high tide line for recreational purposes.

S283, a bill to require the Under Secretary of Commerce for Standards and Technology and the Administrator of National Oceanic and Atmospheric Administration to develop a standard methodology for identifying the country of origin of seafood to support enforcement against illegal, unreported, and unregulated fishing, and for other purposes.

H.R.745, a bill to direct the Director of the Bureau of Land Management and the Chief of the United States Forest Service to conduct a study of onshore mineral values and the Director of the Bureau of Ocean Energy Management to conduct a study of offshore mineral values.

H.R.674, a bill to prohibit commercial offshore wind energy development in Lobster Management Area 1 in the Gulf of Maine, and for other purposes.

H.R.207, a bill requiring the Department of Commerce to establish a task force to address and report to Congress about critical needs with respect to shark depredation. The duties of the task force are, among other responsibilities, to (1) develop ways to improve coordination and communication across the fisheries management and shark research communities, (2) identify research priorities and funding opportunities; (3) develop recommended management strategies to address shark depredation; and (4) coordinate the development and distribution of educational materials.

H.R.360, a bill to redirect the Secretary of Commerce to establish the Oyster Reef Restoration and Conservation Program.

H.R.513, a bill to nullify certain Presidential withdrawals of unleased offshore land, amend the Outer Continental Shelf Lands Act to establish limits on authority of the President to withdraw unleased land, and for other purposes.

H.R.408, a bill to nullify the Presidential memoranda on the withdrawal of certain areas on the outer Continental Shelf from oil or natural gas leasing.

S.688, a bill to combat illegal, unreported, and unregulated fishing at its sources globally.

H.R. 664, a bill to prohibit certain mining activities on the deep seabed and Outer Continental Shelf, and for other purposes.

H.R.663, a bill to oppose the permitting of deep seabed mining and exploration for deep seabed mining, and for other purposes.

- Mr. Tiedemann stated that he thought the original wording for Bill A4816 included the prohibition of beach tags for fishing and surfing but has since been changed to recreational purposes. This restructuring could raise some issues. Mr. Brust stated that staff can look into when the wording had changed.

4. Atlantic States Marine Fisheries Commission (ASMFC) Report – H. Corbett

Ms. Corbett gave a presentation to summarize meetings held during ASMFC's Winter Meeting (Feb 4-5, 2025).

The Horseshoe Crab Management Board approved Draft Addendum IX for public comment. The Draft Addendum considers allowing the Board to set specifications for male-only harvest for multiple years. It also considers alternative methods for managing male-only harvest limits, seasonal harvest restrictions, and harvest caps for Maryland and Virginia. New Jersey will hold its public hearing virtually on March 18, 2025, at 6:00 PM.

In addition to approving Draft Addendum IX for public comment, the Board discussed the composition of the Advisory Panel (AP). A recommendation from the July 2024 workshop was to evaluate the AP membership to determine if the various stakeholder groups with an interest in horseshoe crab management are adequately represented. Staff recommended the states review their AP appointments and provide new nominations as needed to increase participation by the end of March. At its next meeting, the Board will consider state nominations and may solicit additional membership to achieve an even stakeholder distribution.

The Striped Bass Management Board reviewed the timeline for the 2027 Benchmark Stock Assessment, which is scheduled for peer review in March 2027, and will be presented to the Board in May or August 2027. Work on the benchmark stock assessment is getting underway with the Data Workshop expected this summer. The benchmark assessment will include data through 2025, including the re-calibrated MRIP time series expected to be released in spring 2026.

The Board provided guidance to the Plan Development Team (PDT) on the scope of management options for Draft Addendum III on 2026 measures. Per the Board's motion from December 2024 initiating the addendum, the PDT will consider potential reductions based on projections incorporating preliminary estimates of 2024 removals. The Board requested options be developed for both a 50% and 60% probability of rebuilding stock. In addition, the Board requested sensitivity runs with varying assumptions for recruitment and future fishing mortality past the 2029 rebuilding deadline to provide information about potential future population trends as recent poor year-classes mature and enter the spawning stock biomass. For options to meet a 2026 reduction, the PDT will consider options for sector contributions to the reduction. For any commercial reduction, the PDT will consider commercial quota

reductions. The Board added an option to consider requiring commercial tagging at the point of harvest, but decided not to address commercial reallocation in this addendum.

For any recreational reduction in Draft Addendum III, the PDT will consider size limit changes and/or season closures, including mode split options, but will not consider possession limit changes as decided by the Board. For recreational size limits, the Board specified consideration of both minimum size limits and slot limits, with no slots narrower than 3" and no ocean size limits below 28". For ocean recreational season closures, options will include no-harvest and no-targeting closures, and the Board requested consideration of equity from multiple perspectives, including percent reduction by region, access/seasonality by region, and socioeconomic impacts. The Board requested ocean seasonal closures options with two or three ocean regions, but an ocean region cannot be comprised of a single state. Closures can be split between two Waves, and a coastwide closure option could be considered using this structure of a split closure. The Board also noted the PDT should consider both the shortest possible closure options and longer closure options at a different time. For the Maryland Chesapeake Bay recreational season, the Board agreed Maryland could explore a possible change to their baseline (status quo) season for review by the TC. At the 2025 Spring Meeting, the Board will consider whether to include a Maryland baseline season option in the Draft Addendum. Finally, the Board added an option to consider standardizing the method to measure total length for striped bass (i.e., pinching the tail).

The Spiny Dogfish Management Board approved Addendum VII to the Interstate Fishery Management Plan (FMP) for Spiny Dogfish. The Addendum implements measures to maintain consistency with the federal FMP in response to Spiny Dogfish Framework Adjustment 6.

The Mid-Atlantic and New England Fishery Management Councils developed Spiny Dogfish Framework Adjustment 6 in response to a 2021 Biological Opinion and 2022 Action Plan that called for reducing bycatch of Atlantic sturgeon in the spiny dogfish gillnet fisheries. The coastwide Atlantic sturgeon population is made up of five distinct population segments, all of which are listed as threatened or endangered under the Endangered Species Act, and Atlantic sturgeon harvest has been under a coastwide moratorium in federal and state waters since 1998. The Commission's Fishery Management Plan for Atlantic sturgeon maintains the moratorium through at least 2038, and while the 2024 stock assessment update showed signs of improvement, the stock remains depleted coastwide.

The Framework prohibits overnight soaks for federal spiny dogfish permit holders on gillnets with 5"-10" mesh in November and May for a certain area of state and federal waters off New Jersey, as well as for gillnets of 5.25"-10" mesh in November through March in specified areas off of Maryland and Virginia. The Addendum's measures are effective May 1, 2025.

- Mr. Tiedemann asked if the Striped Bass Peer Review Panel was already selected. Mr. Cimino stated that the Panel has not been selected yet. Mr. Tiedemann followed up by asking if NJ staff will be on the Panel. Mr. Brust explained that staff will be involved with the Stock Assessment, but the Peer Review Panel needs to consist of independent members.

- Mr. Tiedemann raised concerns that closures associated with striped bass may be developed for a cluster of states and not by waves, as currently defined. Mr. Brust explained that the waves are defined by two-month periods, and that states are defined by regions.
- Dr. Bochenek asked if the Commission is considering summer closures, given the high mortality rates. Mr. Brust responded that it has been discussed at the Board level. The Plan Development Team will consider warm season closures when the mortality rate is high but effort and discards are low, as well as cooler season closures when the mortality rate is lower but effort is higher. Mr. Cimino added that it will depend on the magnitude of reduction is needed.
- Dr. Donnelly commented that two Economists will be a part of the Striped Bass Plan Development Team.
- Mr. Rush requested to discuss sector separation in the recreational fishery. Mr. Brust indicated that ASMFC and MAFMC completed scoping hearings on this issue, but the public comment period is open through March 20th through the ASMFC website. They will use comments received through the scoping process to develop the draft amendment. Mr. Rush requested to meet with Council and develop a public comment on the idea of sector separation. Dr. Donnelly responded that an Advisory Committee on sector separation will be developed.
- Mr. Rush asked if it is known how many for hire permits are issued coastwide. He voiced concerns of an influx of for hire vessels with the potential of implementing sector separation. Mr. Brust explained that a control date would be implemented to prevent new effort into the sector.
- Dr. Bochenek asked if it is known what other state's thoughts are on sector separation. Mr. Hueth responded that comments at other states' public hearings were more in favor of sector separation than was expressed at NJ's public hearing. Mr. Cimino indicated that the next step in the discussion will happen at the joint ASMFC/MAFMC meeting in Galloway, NJ on April 9.

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

J. Cimino gave a presentation to summarize all meetings held during the MAFMC's February meeting.

The Council voted to request that NOAA Fisheries establish control dates for federally permitted recreational for-hire participants in the summer flounder, scup, black sea bass, and bluefish fisheries. Mr. Cimino stated that the control dates are being established to have as a potential option down the line, but there is no intent to currently use them.

- Mr. Wark commented that he has seen numerous control dates come and go in the monkfish fishery that never ended up going into effect.
- Mr. Rush commented that he hoped that the discussions on sector separation didn't result in increased animosity among the private and for hire sectors.

The Council reviewed and provided feedback on several preliminary alternatives to be further developed as part of Spiny Dogfish Accountability Measures Framework. The Spiny Dogfish Fishery Management Plan (FMP) currently requires pound for pound paybacks of any Annual Catch Limit (ACL) overages as an accountability measure. This framework adjustment will consider if there are some circumstances where modified/relaxed payback accountability measures may be sufficient. Per Council discussion at the meeting, staff will work with the Spiny Dogfish Monitoring Committee to ensure the development of a reasonable range of alternative accountability measures and related impact analyses. Both the Mid-Atlantic and New England Fishery Management Councils will review a revised set of alternatives in June 2025. Final action is expected in late 2025, and the Spiny Dogfish Advisory Panel will also have an opportunity to provide advice on the action.

Two SSC members stepped down and were replaced by Dr. Holly Kindsvater from Virginia Tech and Dr. Yong Chen from Stony Brook University.

6. Bureau Reports – J. Brust

J. Brust presented the Marine Fisheries Bureau report.

Mr. Brust presented Council with a performance report for 2024 commercial landings. The commercial fisheries included in the review were summer flounder, black sea bass, scup, bluefish, menhaden, and spiny dogfish.

Mr. Brust presented Council with a draft fisheries management plan (FMP) for blue crab. Mr. Brust noted that the FMP is not ready for public distribution, but the next steps are to present it to the Advisory Committee to determine what the management goals are for the fishery.

- Mr. Rush asked if both commercial and recreational fisheries are included in the fisheries management plan. Mr. Brust confirmed that it did include both sectors.

Mr. Brust noted that the commercial blue crab lottery open period has concluded. In total, 6 requests for active transfers and 12 requests for inactive transfers were submitted. Because only 5 inactive transfers are permitted a year, a lottery will need to be conducted. The lottery will take place on March 20th at the Nacote Creek Research Station.

Mr. Brust noted that there is an anticipated 8,000 tons of concrete to be deployed on the Delaware Bay Reef starting March 18th.

- Mr. Rush asked how far into the bay is the reef location. Mr. Brust responded that the reef is northwest of Cape May point, 12 miles from Fortescue and 6.6 miles from the canal.
- Mr. Rush asked how many inactive blue crab licenses are currently issued in New Jersey. Mr. Brust answered that there are at least 100 inactive licenses.

7. Committee Reports

Mr. Rush read the report for a joint recreational Black Sea Bass, Scup, and Summer Flounder Advisory meeting.

A joint meeting of the NJ Marine Fisheries Council's Recreational Summer Flounder and Black Sea Bass/Scup Advisory Committees were held via webinar on January 22, 2025 to discuss the Atlantic States Marine Fisheries Commissions Recreational Measures Setting Process Addenda. This Addenda will define the process that will be used to set recreational measures for the Summer Flounder, Scup, and Black Sea Bass fisheries in the future.

The current process for setting recreational measures for these species, referred to as the Percent Change Approach, was implemented through the Harvest Control Rule Framework/Addenda in 2023. The goal of the Harvest Control Rule Framework/Addenda was to establish a process such that recreational measures aim to prevent overfishing, are reflective of stock status, appropriately account for uncertainty in the recreational data, take into consideration angler preferences, and provide an appropriate level of stability and predictability in changes from year to year. The Council and the Commission agreed that the Percent Change Approach should sunset by the end of 2025 with the goal of implementing an improved long-term process for setting recreational measures, starting with the 2026 measures. A copy of the Addenda can be found on the ASMFC website. The goal of the Recreational Measures Setting Process Addenda is to consider the process for setting recreational measures for summer flounder, scup, black sea bass, and bluefish for 2026 and beyond.

Because of the complex nature of the Addenda, Staff provided Council and Advisors with a brief overview of the addenda, a short presentation of the options, and the opportunity for Council and Advisors to discuss their preferred option amongst the group. The Addenda includes 5 options;

- A: The previously used method where all individual States would design their own methodology for technical committee approval each year for their list of options.
- B: Percent Change Approach which is what we are currently using within the Harvest Control Rules.
- C: Modified Percent Change Approach using RHL and Harvest.
- D: Modified Percent Change Approach using ACT and Catch.
- E: Biomass & Fishing mortality matrix approach.

Advisors were decidedly in favor of Option C where the current Harvest Control Rules would still be implemented but with the added functionality of using the RHL and Harvest to determine the Percent Change. This option adds an additional biomass category (i.e., around the target), treats overfished

stocks separately, and adds more opportunities for status quo harvest levels. As with the currently implemented Percent Change Approach, recreational measures under this option must aim to achieve a specified percent change in harvest compared to the expectation of harvest in the upcoming two years under current measures. The resulting value of harvest in pounds is referred to as the harvest target.

- Mr. Kaelin asked if staff could discuss the difference between Options C and D. Specifically, when will the Recreational Demand Model be able to analyze options based on total catch instead of just harvest. Mr. Cimino responded that looking at catch will also account for discards for three individual species in addition to their harvest. There is no way of knowing when the additional model work will be conducted given that the model is maintained by NMFS and there are looming concerns over federal staffing.
- Mr. Rush asked if there were any discussions on separating the species back out to manage individually, rather than the current process of accounting for angler choice and interactions among the fisheries. Mr. Cimino answered that there has been no discussion, but feels that the current process is exploratory and believes the question of how to proceed will come up within a few years.

Mr. Rush made a motion to draft a letter in support of Option C to the ASMFC. Seconded by Dr. Bochenek. Mr. Brust indicated that the comment period was closed, but that doesn't prevent Council from weighing in. Mr. Cimino noted that many of NJ's ASMFC and MAFMC reps are present at tonight's meeting and can represent Council's position during deliberations. The motion passes with one abstention.

Dr. Bochenek read the report for an Angler Survey Subcommittee meeting that was held on January 29, 2025.

The Angler Survey Subcommittee met virtually with staff and advisors to continue development of surveys to inform future management decisions for summer flounder and black sea bass.

Staff briefly reviewed existing reporting forms for individual anglers that constitute the NJFW Volunteer Angler Survey, including an online form for computer users, an online form for mobile devices, and a paper form. The group confirmed that using the existing platforms was an efficient path forward instead of developing new forms. Participants requested the addition of a question on avidity to better characterize responses. Staff also indicated that more precise fishing location information would be needed to better identify where geographic splits should be investigated, and the group agreed to have NJFW staff work out the details in consultation with the chair and report back to the group.

Staff also presented a draft form to collect information from for hire vessels. The committee made a recommendation to include both species on a single form that includes all relevant lengths and discussed how to get sufficient precision in fishing location.

The group also discussed the discrete choice experiment (DCE) conducted by NMFS. Results of the survey are used in the recreational demand model (RDM) that evaluates different management options and may be beneficial for evaluating angler preferences for different options. NMFS staff confirmed that the RDM can handle options that allow NJ to split the state in various ways but recommended avoiding a few types of options the model has trouble evaluating. The RDM is not currently available, but NMFS will update the model with additional NJ (and coastwide) data in time to evaluate 2026 options.

Finally, the group talked about a timeline that included finalizing the VAS forms in February for final review by the subcommittee in March. Staff will begin advertising the project in April with implementation occurring when the summer flounder and black sea bass seasons open.

There was a brief discussion on developing an angler preferences survey. This survey, if conducted, would be made available towards the end of the summer to help inform development of management options.

- Dr. Bochenek commented that she is working with staff to develop new questions regarding avidity and other demographics, with the goal to have revised forms for review in March. She also noted that NMFS has indicated will need a thousand lengths per bin along the NJ coast to successfully run the model.
- Mr. Brust commented that the revised forms will need to be distributed before the next full Council meeting. Dr. Bochenek suggested the full Council have an opportunity to review the final document before distribution, and staff agreed.

7. Regulatory Actions – J. Brust

There were no regulatory actions to report.

8. Old Business – J. Brust

Mr. Brust supplied Council with formal comment letters from the Marine Fisheries Council, the Atlantic Coast Section of the Shellfisheries Council, and the Delaware Bay Section of the Shellfisheries Council, as they pertain to Fish and Wildlife's proposed access restriction to tidal waters for endangered species protection.

Mr. Brust provided Council with an update to modify the fillet at sea permit from the current rule of 15 or more passengers to all inspected vessels, which includes passengers of 7 or more. Staff support the modification, and the change is currently going through a full rule proposal.

Mr. Brust presented staff with a slide overview from the EPA's proposed new disposal sites off the coast of NJ. Council should email any questions to Mr. Brust, and he will forward to the EPA for answers.

- Mr. Tiedemann asked if the EPA gave a timeline during the meeting. Mr. Brust commented that they currently have three proposed areas, and are still working on permitting, so there is no "near term" timeline.

- Mr. Rush how the proposed areas overlap with offshore wind project areas. Mr. Wark indicated that the Empire Wind project is slightly north of the proposed area.

Mr. Brust stated that all Committee appointee requests have been received and he will work with Dr. Donnelly to make new assignments. He added that there will be some new Committees to address topics such as non-traditional species and sector separation.

- Mr. Rush asked if there have been any requests from the ASMFC or the regional Councils to implement regulations for some of the non-traditional species. Mr. Brust commented that some states have contacted others states and ASMFC to gauge interest, particularly for sand lance. Mr. Cimino confirmed that some northern states implemented their own regulations, and that ASMFC has recently been discussing regional coordination for false albacore. Mr. Rush expressed concern for implementing regulations if they aren't necessary. Dr. Donnelly agreed, but recommended we hear the public concerns and then prioritize which to act on.

Mr. Brust expressed the need for upcoming Committee meetings, including the Volunteer Angler Survey, blue crab, and striped bass, landing license, and shark committee meetings. Mr. Brust expressed that priority will be given to the Volunteer Angler Survey Subcommittee, Blue Crab Committees, and the Enforcement Committee to meet before the start of the fishing seasons.

- Mr. Johnson asked staff to notify committee members of their roles. Mr. Brust and Dr. Donnelly commented that they will begin the review of applications soon.

Mr. Brust explained that the upcoming September Marine Fisheries Council meeting still needs a location but was scheduled to be held in Manahawkin. Council agreed that the location of tonight's meeting will suffice.

9. New Business

Mr. Brust presented Council with a slide overview of the Army Corps proposed sand mining operations off Monmouth County. The purpose of the proposed areas is in response to current mining sites having been exhausted. Additionally, the proposed locations will not interfere with current established essential fishing habitat. Mr. Brust stated that the Army Corp was open to presenting their proposal to Council if interested.

Council requested that the Army Corp present their proposal.

- Mr. Wark raised concerns about the amount of beach replenishment projects occurring off the coast which is affecting fish distribution, habitat and where fishing vessels can operate. Mr. Wark requested that there be a discussion on the effects on benthic habitat. Mr. Brust responded that he will work on scheduling a meeting with the Army Corp.
- Mr. Johnson asked if they were reaching the end of the authorization period for the current location. Mr. Brust responded that the authorization is valid for several more years, but

increased mining activity as a result of Superstorm Sandy and other events has depleted the area earlier than expected.

- Mr. Rush asked if anyone had looked at the economics of mining new areas as opposed to dredging inlets like they used to do. Mr. Brust responded that a similar comment was made during the public hearing about sand from previous replenishment projects washing into inlets and creating navigation hazards. Several Council members confirmed this concern.
- Mr. Hueth expressed concern over the potential economic impacts to recreational and commercial fishing due to habitat loss.
- Mr. Rush asked what authority DEP had over allowing these projects. Mr. Brust indicated that if the mining occurs in state waters, they will need a permit from DEP, so staff would have an opportunity to review the project proposal, and the permitting office would make a determination. If the project is in federal waters, DEP will still be able to review and comment on the proposal, but has no say in the final decision.

Mr. Brust supplied Council with a meeting notice presented by Rutgers University's Cooperative Extension. The meeting will be held on March 20th to discuss preliminary findings associated with fish response to sand dredging off Brigantine Shoal. The meeting will be held at the Jacques Cousteau National Estuarine Research Reserve.

Dr. Bochenek asked that Council addresses the issue surrounding recreational night fishing for tautog. Dr. Donnelly recommended that staff schedule a tautog committee meeting to discuss the issue.

- Mr. Tiedemann asked if the main concern was poaching. Deputy Chief Scott indicated that once they were aware night fishing was happening, nearly every inspection they made resulted in a violation.

Mr. Rizzo mentioned he had heard about a proposed floating oyster farm located in the Gunning River and expressed concerns over the location because it is traditionally a waterfowl and crabbing location. He had contacted staff of the Bureau of Marine Habitat and Shellfisheries for more information and encouraged stakeholders to submit comments to the Bureau.

- Mr. Normant gave an overview of the proposed operation. The proposal was submitted to the Shellfisheries Council, which was referred to the Leasing Committee. The new area is needed because an existing lease site is currently experiencing poor water quality and growers need to move their operations. The committee met on March 5 to review comments and discuss the proposal. Mr. Normant added that the committee recommended an alternative due to conflicts of the proposed location in the Gunning River. The recommendation will go to the Shellfisheries Council on March 17th for consideration.
- Mr. Johnson mentioned that the Shellfisheries Council has not received the Committee Report, and it is a Shellfisheries Council decision, not a Marine Fisheries Council, so conversation on the issue before the Shellfisheries Council meets is inappropriate. Anyone who would like to comment on the proposal should attend the Shellfisheries Council meeting.

- Mr. Rizzo made a motion the the Marine Fisheries Council making a recommendation to the Shellfisheries Council on the Gunning River Oyster Farm proposal. Mr. Rush seconded the motion.
- Mr. Johnson expressed opposition to the motion because the Shellfisheries Council had not heard the committee report and recommendation. He again invited interested parties to attend the meeting to provide comment.
- Several Council members asked for clarification on the motion, such as what the recommendation would be and what user groups would be affected, particularly recreational fishing, if the site was selected.
- Mr. Wark indicated that the site is used by various stakeholder groups, but agreed with Mr. Johnson that it is inappropriate to discuss before Shellfisheries Council hears it. He also mentioned it would be important to see the size of the proposed area to estimate the amount of impact.
- Mr. Johnson noted that even after the Shellfisheries Council meeting, there are several other steps, including Bureau review and DEP review, which would be more appropriate for public comment.
- Mr. Rizzo indicated he primarily wanted to make Council aware of the proposal in case a decision was made that affected marine fisheries user groups. Mr. Johnson questioned how Council could be informed of the Lease Committee's deliberations before the Shellfisheries Council had heard it.
- Dr. Bochenek made a motion to postpone the discussion until the Shellfisheries Council makes a decision on the proposal. Mr. Tiedemann seconded the motion. The motion passed with one abstention.

10. Public Comment

Dale Parsons requested that the Army Corp provide a timeline on their current sand mining sites. Mr. Tiedemann asked if there was a geographical location to focus on. Mr. Parsons responded that any sites along New Jersey's coast from Sandy Hook to Cape May. Mr. Brust explained that northern and southern NJ are in different Army Corps regions. Mr. Parsons expressed concerns on the southern region, where his operations are located. Mr. Tiedemann mentioned that the Army Corp website provides the public with how much sand was put on any individual beach.

Additionally, Mr. Parsons expressed his support for Mr. Rizzo's concerns. The area that was proposed would be in the center of navigating in and out of Gunning River. He also state that he felt the Shellfisheries Council intended to act without the Lease Committee recommendation. Mr. Johnson clarified Shellfisheries Council deliberations and recommended that Mr. Parsons provide his concerns to the Shellfisheries Council.

Peter Belasco, from Cape May County, asked for Council's guidance on expanding test sites for biologically codesigned reef mimicking units currently being tested by Rutgers University. The units are designed to encourage coral and oyster growth. Mr. Belasco mentioned that units may help in shore preservation and act as a wave break. The project is currently funded in Florida waters but is exploring additional sites. Mr. Brust commented that NJ is only authorized to develop artificial reefs in specified offshore locations, but the Bureau of Marine Habitat and Shellfisheries may be interested in the potential to be used in nearshore applications. Council recommended that Mr. Belasco supply them with materials on the project to review. Mr. Tiedemann also suggested the NJ Coastal Resilience Collaborative, a joint state/university partnership on coastal resiliency being run out of Monmouth University, might be an appropriate avenue to pursue.

Eddie Yates from Barnegat Light expressed his concerns with sector separation. Adopting sector separation may result in shorter fishing seasons. Mr. Yates asked that if NJ adopts sector separation, that NJ implements a pilot program that allows vessels to choose the days that they fish within a fishing wave. Council voiced concerns that Law Enforcement may have with the concept. Mr. Yates responded that the fishing days could be monitored through VTRs. Mr. Cimino commented that a scoping document is being developed by ASMFC and MAFMC which could look at options such as this. He also commented that new ideas like this are necessary to maintain or expand our for hire fleet. Mr. Hueth added that the concept would have to be presented to the ASMFC and MAFMC.

The meeting concluded at 7:55 pm. The next Marine Fisheries Council Meeting will be held on May 8th at 5:00 pm at the Galloway Township Public Library.