

Marine Fisheries Council Meeting

May 8, 2025

Council Attendees:

Joe Rizzo	Barney Hollinger
John Tiedemann	Eleanor Bohaneck
Bob Rush	Walter Johnson
Kevin Wark	Greg Hueth
Pat Donnelly	Jeff Kaelin *
Richard Herb	

DEP and Fish and Wildlife Attendees:

Jeffrey Brust – Chief, Bureau of Marine Fisheries (BMF)*
Brian Scott – Deputy Chief, Bureau of Law Enforcement (BLE)*
Russ Babb – Chief, Bureau of Marine Habitat and Shellfisheries (BMHS)
Heather Corbett – Supervising Biologist, BMF
Mike Celestino – Research Scientist, MRA
Maryellen Gordon – Principal Biologist, BMF*
Greg Hinks – Principal Biologist, BMF*
Peter Clarke – Principal Biologist, BMF*
Jenny Tomko – Principal Biologist, BMHS*
Jennifer Pyle – Senior Biologist, BMF*
Jessica Gorzo – Research Scientist, MRA
Amber Johnson - Senior Biologist, BMF*
Jamie Darrow – Senior Biologist, BMF
Brendan Harrison – Senior Biologist, BMF
Danielle Dyson, Assistant Biologist, BMF
Pat Barker – Senior Wildlife Worker, BMF
Mackenzie Peacock – ASMFC Contract Biologist, BMF

Public Attendees:

James Parker	John Steubing
Jim Hutchinson	Fred Akers*
Bob Elsey	Charles Solan*
Sarah Borsetti	Mark Taylor*
Scot Mackay	Jason Shea (US Army Corps of Engineers)*

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

1. Roll Call. Compliance with OPMA

The meeting was called to order. Notice of the Marine Fisheries Council (Council) meeting was filed with the Secretary of State on April 25, 2025. Dr. Donnelly began the meeting with the Pledge of Allegiance.

2. Approval of Minutes – March 2025

Meeting minutes from the March 6th meeting of the Council were approved without revision. Motion made by Mr. Wark and seconded by Mr. Hollinger. Motion carried unanimously.

3. Enforcement Report – B. Scott

Highlights – Marine Region

March & April 2025

After the exceptional nearshore bluefin tuna fishing this past fall in southern New Jersey, CPOs Tomlin and Raker continued following up on numerous unreported landings. By federal law, bluefin tuna must be reported within 24 hours of landing. Reporting bluefin tuna landings is crucial for sustainable management as it helps track quotas, which help prevent overfishing. Dozens of private and for-hire vessel owners and operators were determined to not have reported bluefin tuna landings in a two-month period—some fishermen landed as many as 20 fish of which none were reported. Cases were referred to the National Marine Fisheries Service (NMFS) for enforcement action.

Mr. Wark asked if they heard anything from NOAA regarding these reports, since this is an HMS violation. Deputy Chief Scott said he is unsure how the cases will be handled given the changes occurring at the federal level. He added that several of the violators didn't even have a permit, and others indicated they didn't know they needed to report.

Mr. Wark asked if these increased violations were from increased effort. Deputy Chief Scott responded that it is likely due to the availability of the fish this season as they are closer to shore and more accessible to those who would not normally fish for them. He also noted that these violations are only regarding non-reporting and that there are many HMS violations in addition to the issue of non-reporting. Mr. Hueth commented that the for hire boats were looking forward to targeting them, but NOAA shut down the fishery because boats were not reporting.

Mr. Rush asked if the ticket goes to the local court system. Deputy Chief Scott responded that the court code on the ticket sends the summonses to the correct area locally.

CPO Tomlin charged a North Carolina-based commercial fishing vessel for exceeding NJ's bycatch allowance. The vessel did not have a directed summer flounder permit for NJ and landed in Cape May in late March with approximately 1,200 pounds in excess of NJ's 200-pound bycatch allowance. The vessel operator claimed the additional summer flounder landed was intended for Virginia, but the vessel also did not have a valid NJ Possession in Excess of Daily Limit License allowing for such activity. The appropriate summonses were issued.

Lieutenant Petruccelli and CPO Tomlin filed multiple charges against two Cumberland County commercial fishermen for unlawful use of a dredge in the hand tong harvest only section of Delaware Bay. After a month-long investigation consisting of several rounds of surveillance operations, CPOs observed the men utilizing the dredge in the unlawful area. CPOs were able to recover the dredge as evidence after the men discarded it in the waters of Delaware Bay after their alleged attempt to conceal their harvest method. In addition to the charges of utilizing the dredge in the unlawful area, the men were charged with using an unlicensed vessel to take oysters in Delaware Bay, utilization of an unlawfully sized dredge to catch oysters in Delaware Bay, failure to tag oysters, failure to report oyster harvest, failing to wear personal floatation devices, and use of an unregistered vessel in State waters.

As an update on the new hires, two officers are paired with other officers to conduct their field training. Additionally, two recruits are at the police academy full time with an anticipated graduation in June 2025. Upon graduation, they will be sent to game warden school. Additionally, there may be three potential new hires (one marine) that are in the interview process with an anticipated start date of July 15th.

Officers are now two weeks into a new computer aided dispatch (CAD) system with new benefits including a license scanner to gather information and an automatic e-summonses report. This new system will provide fail-safe options and cut back on paperwork.

In Atlantic City, striped bass fishing has been very high, and enforcement has been receiving many calls. Often there can be multiple complaints per day regarding the same violation from the same person. Violations include undersized fish, oversized fish, over

the limit, and gaffing. Officers have issued approximately 20 tickets in the last week regarding multiple fish.

Mr. Rush noted that in Atlantic City there were potentially violent individuals fishing.

Officers recently completed a well-coordinated response to a call from a citizen regarding someone harvesting over the limit for blackfish (currently a closed season). Three officers responded and apprehended three anglers with 30 fish off the rocks in Manasquan.

Dr. Donnelly noted that officers have been very responsive to calls, especially in the Raritan region, with anglers calling the hotline and seeing action.

Dr. Bochenek noted that she sees lots of individuals ignoring the requirement of wearing a flotation device from November – May. Deputy Chief Scott said that verbal warnings were issued and that those issues are mostly handled by the NJ State Police.

4. Shellfish reports

Delaware Bay – B. Hollinger

Direct market season started on April 7th and approximately 12,000 bushels have been harvested. On April 28th, the oyster transplant program started and to date 40 million (30,000 bushels) have been moved by vessels.

Atlantic Coast – W. Johnson

The Shellfish Council appreciates the respect for letting the Shellfish Council handle issues regarding the Gunning River, and all issues have all been resolved. The area was not on the original application and never would have been considered.

Bureau of Marine Habitat and Shellfisheries – R. Babb

The Gunning River proposal has been dismissed, and that site did not make it to the council.

Mr. Rizzo withdraws his original motion to postpone further discussion on the issue.

Mr. Johnson noted that at a previous public comment period, there were accusations made by Mr. Parsons that were forwarded to the Ethics Committee, but no additional information has been received.

5. Legislative/Regulatory Report – J. Brust

State action:

A4816: Appears to have the updated wording changing from “fishing and surfing” to general “recreation” when the Senate Bill came out on the 25th.

- Mr. Tidemann said that Ocean and Monmouth counties were unhappy with the change.

S216: Directs Department of Agriculture to advertise and promote State aquaculture products through Jersey Fresh Program.

S4273: Modifies definition of "aquaculture" throughout State law to include construction of facilities and appurtenant structures.

Federal action:

HR2925: To amend the Internal Revenue Code of 1986 to extend the exemption from the excise tax on alternative motorboat fuels sold as supplies for vessels or aircraft to include certain vessels serving only one coast.

HR2886: To amend the Outer Continental Shelf Lands Act to withdraw the outer Continental Shelf in the Mid-Atlantic Planning Area from disposition, and for other purposes. The Secretary may not issue a lease for the exploration, development, or production of oil or gas on the outer Continental Shelf in the Mid-Atlantic Planning Area, as such planning area is depicted in the 2024–2029 National Outer Continental Shelf Oil and Gas Leasing Proposed Final Program (September 2023).

HR2881: To amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic, South Atlantic, North Atlantic, and Straits of Florida planning areas.

- Mr. Rush asked whether 2881 and 2886 are being put up for wind as well. Mr. Brust said not at this time.

HR2293: Cormorant Relief Act of 2025-To require the Secretary of the Interior to reissue certain regulations relating to the taking of double-crested cormorants at aquaculture facilities.

HR1894: Federally Integrated Species Health Act of 2025” or FISH Act of 2025: To amend the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters

and migrate to ocean waters and species of fish that spawn in ocean waters and migrate to fresh or estuarine waters, and for other purposes.

HR2375: a bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council.

HR1832: a bill to establish "Golden Sea Bream" as an acceptable market name for *Stenotomus chrysops* (scup or porgy).

HR1808: "Keep America's Waterfronts Working Act of 2025" a bill to amend the Coastal Zone Management Act of 1972 to establish a working waterfronts Task Force and working waterfronts grant and loan programs, and for other purposes.

HR1781: a bill to repeal certain executive orders, including Executive Order entitled "Temporary Withdrawal of All Areas on the Outer Continental Shelf from Offshore Wind Leasing and Review of the Federal Government's Leasing and Permitting Practices for Wind Projects" issued January 20, 2025.

HR2211: "Saving NOAA's Workforce Act": To institute a reduction in force moratorium at the National Oceanic and Atmospheric Administration, and for other purposes.

Mr. Brust also commented that S1649 was introduced earlier this week that closes a loophole in excise tax on fishing and hunting equipment that should go towards federal fish and wildlife funding. Currently, fishing and hunting equipment purchased through foreign vendors is not taxed.

Mr. Hollinger identified that Edward Gaine was a new appointment to the Atlantic Coast Shellfish Council. Mr. Johnson indicated that Kevin Kirk is still awaiting appointment and isn't sure why he wasn't approved at the same time.

6. US ACOE Sea Bright offshore borrow area – Jason Shea with NY District

The purpose of this presentation is to assist with the coordination of the fisheries groups for comments on this project. The Sea Bright offshore borrow area is currently being used as it was designated in the 1990s. Its use is authorized through 2049. Production in the borrow pit has slowed with the addition of turtle excluder devices and screens to avoid unexploded ordinances.

However, there is not enough sand in that borrow pit for the need of beaches. This project aims to help select areas for consideration of additional borrow pit(s). Data from the state and BOEM have been analyzed to find areas that had quality sand for beach fill, but did not disturb key fishing areas. Comments from fishermen during the first public hearing resulted in the areas being updated with expanded prime fishing grounds. Other restrictions to consider for borrow areas include depth, established cables, pipelines, shipwrecks, grain size, and distance from shore.

Starting with the identified potential areas, several types of surveys will be conducted to further refine potential sites. Remote sensing surveys will start in July to identify anomalies and obstructions in proposed areas to further limit available areas. That will be followed by geotech boring samples to see if the material is compatible with the requirements of beach sand. ACOE will share results of surveys showing which areas have been eliminated based on sampling.

Benthic sampling is also required for the NEPA process, after which they will develop the Environmental Assessment. Target date for final approval of the project is fall 2026, but ACOE staff expect that timeline to be delayed. There should still be enough material in the current site for another year.

The process is ongoing and ACOE welcomes any comments to help them identify suitable areas. All comments can be sent to Mr. Shea via email, which Mr. Brust has on file. Mr. Shea noted that he does not have any authority over starting or stopping this project, as it was approved by Congress. He recommended contacting Congressmen Smith and Pallone from NJ regarding any concerns with project approval.

- Mr. Tidemann asked about the target completion date of the environmental assessment report and if it will be available for public comment prior to finalization. Mr. Shea responded that the target completion for everything is August 2026. Comments now will be included in the EA. He will ask his environmental team if the draft can be shared as it is not typically required but should be able to be provided.
- Mr. Rush asked who authorized the mining of offshore areas, instead of removing sand from inlets for beach fill. Mr. Shea responded that the project was authorized by Congress with the borrow area, so that was the only area used for this project. Additionally, New York District dredges Sandy Hook Channel, Manasquan Inlet, and Shark River Inlet and that material is available for use on beaches. Overall, inlets do not provide enough material for the need. Mr. Rush asked if the inlets in southern NJ

don't have enough material. Mr. Shea responded that south NJ is a separate project managed by the Philadelphia District. They also take what they can from the inlets, but it generally isn't enough. Mr. Rush commented that it doesn't appear they are dredging the inlets and only taking material from offshore.

- Mr. Wark noted that there is sand piling up south of Manasquan Inlet, such as the Brigantine Shoal. He asked if there is historic baseline benthic data regarding habitat types in these areas and what species use those habitats. Mr. Shea indicated there are data back to preconstruction in the 1980s. The data are available and he can track it down.
- Dr. Bochenek asked what remediation is done to improve and mitigate fish habitat when a site is no longer used. Mr. Shea indicated that only a few small areas off Belmar have even been depleted. He will check to see what steps have been taken to improve habitat there. Since the Sea Bright area is still being used, no formal mitigation strategies have been developed. Dr. Bochenek asked why remediation plans aren't a permitting requirement. Mr. Shea responded that they follow the NEPA process, so remediation is required, but it might not be one to one. He will check what the original NEPA documents say.
- Mr. Hueth asked if sand ever returns to a mined area and if those areas are ever mined again. Mr. Shea responded that they are not going back to any previous areas at this time. He doesn't think the areas replenish with more sand unless some is placed there. Mr. Hueth asked if it is a given that this project will go forward. Mr. Shea responded that it will as long as it is funded by Congress. Mr. Hueth asked at what time of the year this work was being completed and if any specific restrictions are followed. Several proposed sites are near prime fishing grounds, so any work might disrupt fishing, which is a large economic driver for the region, especially in the summer months. Mr. Shea does not believe there are any offshore timing restrictions, but if there are, all time and area specific restrictions are followed, and work is conducted within the required environmental windows in the contract.
- Mr. Johnson asked if the new map is the final plan. Mr. Shea responded that the map is constantly being updated, and areas are excluded based on new information and survey results, in order to identify final candidate areas.
- Dr. Donnelly asked how much sand is harvested on an annual basis from the borrow pit. Mr. Shea responded that it varies depending on funding, but a contract is usually

around 1 – 2 million cubic yards to be placed on the beaches. Some contracts last more than one year, and there isn't always a contract in every year.

- Mr. Wark noted that south of Barnegat there is accelerated activity with multiple dredges working around the clock at Harvey Cedars, etc. He asked if there is an acceleration of sand loss since Hurricane Sandy that led to this increased effort. Mr. Shea responded that the New York district cut off is Manasquan. Projects in this region were in operation prior to Hurricane Sandy and there is no increase in erosion except at Monmouth Beach. Projects in southern NJ in the Philadelphia District were mostly still in the study or design phase (not operational) before Sandy. The increase in activity is likely the result of the Sandy Bill providing additional funding to complete projects in the region. The multiple dredges is a contractor decision, based on quickly they want to complete the project.

Contact information will be shared for Philadelphia and New York Districts for comments.

- A public comment from Bob Elsey asked why sand is placed near the inlets that need to be dredged. Mr. Shea responded that their material is placed north of the inlet as that is the way that drift moves for the area. Mr. Elsey also commented that once material is removed from an area, it doesn't come back, and it affects the fishing and people's livelihoods. He understands the need to do the work, but recommended finding material elsewhere so people could continue to fish and make a living.
- A public comment from Scott Mackay of Garden State Seafood Association said that the cumulative impacts of these projects are getting to be too large for commercial and recreational fishing industries. More ground is being lost, and the area becomes unfishable after material is taken out and there is no rehabilitation. Mr. Mackay also noted that the offshore wind cable routes had previously been excluded as borrow areas and asked if they would be added back in for the wind projects that have are not moving forward. Mr. Shea responded that the excluded areas were based on existing fiber optic and communication cables and not proposed cable routes. ACOE is working with the wind developers to ensure their proposed cable routes avoid the borrow areas.
- Mr. Wark reinforced his and Mr. Elsey's comments that the fishing industry is concerned that the areas will be dead zones after material is taken. Old sites have never recovered, which makes them unfishable. He added that the cumulative

effects of these and other projects are obvious. Impacts to industry and natural resources are negative, and the only benefits are for protecting shore property.

- Mr. Hueth remarked that he is upset that the fish habitat is being lost, and it negatively affects both fishing access and regulations when populations decline.

Mr. Tiedemann reminded Council that this project was authorized in the 1990s for 50 years. Once it is authorized, it's hard to stop, so it's very important that interested parties provide comments to help steer the project and minimize impacts. He also doesn't think that restoration is a requirement, so adding it as a requirement in future projects would be a good comment to make. Mr. Johnson agreed and noted that this is the first time in decades that they have asked for input, so it seems like a step in the right direction.

Mr. Hueth made a motion to write a letter from the Council to submit to the Philadelphia and New York Districts with these concerns. The motion was seconded by Dr. Bochenek.

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

The ASMFC Spring meeting ended today and the official summary is to follow. Ms. Corbett provided some highlights from the meetings.

American Lobster

The Lobster Board approved Addendum XXXII which repeals all gauge and escape vent size requirements that were approved through Addendum XXVII in the Gulf of Maine.

Spiny Dogfish

The Spiny Dogfish Board approved Technical Addendum I to correct a misprint in the coordinates of the Maryland-Virginia Bycatch Reduction Area that was established in Addendum VII.

Atlantic Herring

The Atlantic Herring Board approved revised harvest specifications which increase the quota for 2025– 2027.

Sciaenids

The Sciaenids Board initiated an addendum to address concerns in the southern region where overfishing is occurring, and as a precautionary measure in the northern region where overfishing is not occurring, but fishing mortality has been increasing.

Striped Bass

The Striped Bass Board reviewed the draft addendum that considers management measures to support stock rebuilding during the rebuilding time period. Several changes were made to the document, and the Board postponed approval of the document for public comment until their August meeting, to allow additional time for review of the revised document

- Dr. Bochenek asked for confirmation of a potential 7% reduction. Mr. Brust responded that the addendum includes that as an option, and they will be accepting public comment on all options once the document is approved for public comment.
- Mr. Rush asked if there was any movement on the three-inch slot limit. Ms. Corbett said that the option for larger sizes was removed from the draft addendum.
- Mr. Tiedemann asked if New Jersey is lumped in with New England for a wave closure. Mr. Brust said that there are two regional options: CT to NC or RI to NC. If a seasonal closure is implemented, there are options for different states within the region to close during different periods so that all states are equally affected.
- Mr. Kaelin said that no target and no harvest closure options may be required to be at least 14 days. Dr. Bochenek asked about the rationale for the minimum 14-day closure. Mr. Brust said that if a closure is too short then it is easier for people to adjust when a trip occurs, so you get a shift in effort rather than a reduction. Other ASMFC species also recommend a 14-day minimum closure.
- Mr. Rush asked to consider starting the Bonus Program (SBBP) earlier than May 15. Mr. Brust indicated there are a number of hurdles to changing the season, such as ASMFC approval and whether we can change the season by Notice or a full rule proposal. He suggested scheduling a Striped Bass Committee meeting to discuss with advisors what changes they would like to see. Brendan Harrison added that the number of tags to distribute is limited by ASMFC, and in the last few years the majority of tags have been issued. Opening the SBBP earlier may result in not having enough tags available for fall participation. These issues can further be discussed at a committee meeting. Mr. Rush asked how many tags are allotted to be distributed. Mr. Harrison said around 25,000 tags per year are distributed and are limited by

ASMFC conservation equivalency. That number issued ensures that if every permit is used, NJ would be as close to the quota as possible without going over. Mr. Kaelin said that ASMFC is currently reviewing the Conservancy Equivalency process, which could affect NJ's ability to make changes to the SBBP.

- Public comment from Mr. Elsie expressed frustration that there is no commercial quota for striped bass, and he's stuck catching inexpensive dogfish. He also noted that the stock cannot be preserved with the discard mortality on charter boats.

ACCSP

The Coordinating Council approved the annual Request for Proposals. Proposals are due June 16, and funding will be available in October 2026.

Atlantic Menhaden

The Work Group on Precautionary Management in the Chesapeake Bay presented their final report with a range of management options that could be considered. The Board tasked the Technical Committee with review the options with a report to be presented at the August meeting.

The Board also received an update on the Ecosystem Reference Point multispecies stock assessment. The assessment will be completed and peer reviewed this summer with final results presented at the ASMFC Annual Meeting in October.

Tautog

The Technical Committee presented a review of different fish tags for the commercial fishery to address concerns of mortality and product damage from the currently used tags. None of the tag styles used in the study performed appreciably better than the current tags, and the Board decided to continue use of the current tags.

Horseshoe Crab

The Horseshoe Crab Board approved Addendum IX which allows the Board to set multi-year specifications for male-only harvest. They also approved a recommendation from the ARM Subcommittee that recommended seeking stakeholder input to inform updates to several parameters of the ARM model.

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

MAFMC met jointly with the ASMFC Policy Board to discuss options for setting recreational measures for summer flounder, black sea bass, scup, and bluefish. During

the public comment period, Council and advisors expressed preference for Option C, which is similar to the current process but provides the addition of a fourth category for stocks that were near the biomass target and a new process for stocks that are overfished. Option D used a similar process but was based on total catch and the annual catch limit as opposed to harvest and recreational harvest limit. The inclusion of discards is considered an improvement because it accounts for all removals, but many anglers from NJ and elsewhere expressed concern that this method had never been tested to evaluate how well it would perform. Since the public hearing ended, NMFS staff have been able to test the method and confirm that it performs as expected. As such, MAFMC and ASMFC voted to adopt Option C – referred to as the modified percent change approach - beginning in 2026, but transition to Option D by 2030. Doing so allows more flexibility in setting management measures in the short term, and allows more testing of the method that accounts for all removals.

MAFMC and ASMFC also received a summary of comments from scoping hearings about possible recreational sector separation and data collection. Overall, there was substantial opposition for sector separation. In addition, there was support to remove recreational data collection from this action and deal with it separately. The sector separation action will continue, but goals and objectives of the data collection issue need to be better defined before being pursued.

An update on ecosystem work and the annual state of the ecosystem report from NMFS in Woods Hole was provided. Overall things are looking okay, and the Council is meeting its management objectives, but there were concerns about declines in seafood production and commercial revenue, and many of the species that support commercial and recreation fisheries in the region are considered climate vulnerable. It was also noted that migration, distribution, timing, and spawning have changed, many in a negative direction. The report also stated that last year was the warmest year on record, but there might be a pause on ocean warming for the next six to seven years in the mid-Atlantic region.

The ecosystem approach to fisheries management risk assessment shows identified close to 80 risks to MAFMC's ability to successfully manage stocks. Most risks were considered low, but several moderate risks were identified, including distribution shifts, discards, regulatory complexity, and ecosystem changes.

An update was provided on the alternative gear marking framework which would allow harvesters to use on demand (ropeless) gear instead of having to mark gear with lines.

Adam Nowalsky was presented the Ricks E Savage Award, MAFMC's most prestigious award, for an individual who has made exceptional contributions to the management and conservation of fishery resources in the Mid Atlantic.

Mr. Wark commented that commercial values are dropping and have been for a long time. Scallop fishing had been propping up the trends for several years, but now those are starting to decline so the underlying trend is noticeable. He indicated that cumulative management measures are to blame, reducing catch and driving participants out of the fishery. Reasonable management approaches to valuable fish would result in significant improvements. He also noted that he was not able to see the presentation the gear marking framework but urges caution to make sure that the fishermen are protected from unintended consequences. Mr. Brust responded that the framework is still in draft form and there is still time to review.

Mr. Rizzo requested that the Council draft a letter to Adam thanking him for his service.

Mr. Brust noted that there is an out-of-cycle at large seat available because someone from NY has stepped down early. Nominations are due on Monday and the selected candidate will be at the table for the August or October meeting. New Jersey has submitted candidates in an attempt to claim that seat.

Mr. Kaelin added that the researcher who has spearheaded the state of the ecosystem and risk assessment has now retired.

9. Marine Fisheries Bureau Reports – J. Brust

Mr. Brust introduced the following new staff members: Mackenzie Peacock (new position for marine mammals), Jessica Gorzo (Research Scientist for quantitative team), and Anya Phelps (Biologist working on Striped Bass Bonus Program).

The 2025 Marine Digest is available in print and online.

The 2025 regulations were translated into three different languages (Mandarin, Spanish, and Vietnamese). The translations are available online and per request.

10. Committee Reports

Angler survey: E. Bochenek

Angler Survey Subcommittee Summary

Staff distributed draft reporting forms to Council and subcommittee advisors for a last round of comments before finalization. Options included the traditional volunteer angler survey reporting forms as well as a simplified tally sheet for for-hire vessels focusing on just summer flounder and black sea bass.

Several comments recommended changes to the tally form so that private anglers could use it also, not just for hire.

Staff made the recommended changes and met with subcommittee members to discuss finalization of the reporting forms and provide updates from NMFS regarding the timeline for incorporating data into the recreational demand model.

Regarding data collection forms, the committee and staff made some final tweaks to the tally form and agreed to develop a companion instructional sheet. Staff also agreed to make some revisions to the Administration's VAS splash page to make it a little more user friendly for first time visitors. Staff will work on those edits for hopeful finalization prior to the start of the summer flounder season (May 4th).

Regarding NMFS discussions, staff indicated that NEFSC staff suggest that data collected this year may not be incorporated into the recreational demand model; MRA staff will follow up with NEFSC staff to learn more about timing constraints as well as workloads related to implementing a proof-of-concept regional split in NJ. The committee and staff agreed that having several years of this fine-scale data will help the Marine Fisheries Council in future years.

She thanked staff for being able to make the last minute changes and provided suggestions for future participation announcements and reminders to focus more on the need for flounder and BSB data to support this initiative, rather than focusing on the general angler survey. Mr. Brust acknowledged that text regarding the current project was added at the end of the regular annual VAS reminder and that future announcements can emphasize the flounder and BSB data.

Mr. Rush suggested changes to the question about trips in 2024. Dr. Bochenek responded that question is intended to capture avidity. Mr. Rush commented that the question might be confusing for people who report more than once. Mr. Brust replied that it is not a mandatory field it can be skipped if anglers are confused or have already reported. Mr. Rush also agreed that the announcement should focus on requesting BSB

and flounder data. Mr. Brust agreed to revise the language for future announcements and reminded Council that they can promote the survey as well.

Enforcement Committee: B. Rush

The Marine Fisheries Council Law Enforcement Committee met to discuss issues and solutions related to shore based shark angling in New Jersey. The discussion was exploratory in nature, aiming to identify opportunities and challenges related to regulation, education, enforcement, and municipal engagement. Staff presented issues related to:

- Ambiguity in the legal definition of “shark fishing” and “shark fishing gear,” complicating enforcement efforts
- Public safety concerns arising from shore-based fishing for large sharks on recreational beaches
- Unregulated or inadequately managed fishing practices, such as mobile bait deployment
- Limited public awareness of responsible catch-and-release and safe handling practices
- Uncertainty over state, municipal, and federal jurisdictional boundaries and regulatory authority
- The need to evaluate whether education requirements, fines, and gear mandates could improve compliance and conservation outcomes

It was noted that some municipalities have indicated they might implement local regulations to prohibit shark fishing due to safety concerns. It was questioned to what extent municipalities could self-regulate. Enforcement staff noted that municipalities cannot restrict beach access due to the public trust doctrine, but they can regulate activities. Some towns already designate separate swimming and fishing areas, and may have ordinances that indirectly regulate shark fishing by banning specific equipment, such as drones and bait cannons. It was noted that municipalities can enact ordinances more quickly than the state passes regulations, and handling it at the municipal level gives towns the flexibility to act according to local pressures. Questions remain regarding how activity could be controlled on state and federal properties where municipal authority does not apply.

Concerns were raised about differing regulations by town, which may be confusing for anglers. As a way to help standardize regulations, the committee discussed developing a set of “best management practices” that identify concerns and suggested solutions that could serve as outreach and education for anglers, but could also be implemented as

ordinance by the towns. Some examples include restricting shark fishing during daylight hours near swimming beaches, requiring non-stainless steel hooks and steel leaders of a certain length, approved bait deployment methods, and long handled de-hookers. Staff will check regulations in other states for useful ideas. Law enforcement staff emphasized the importance of clearly defining shark fishing and any best management practices such that they are enforceable.

Proper handling and release of the catch was a recurring concern during the meeting. It was proposed that outreach materials focus on safe handling practices, and participants discussed whether it would be possible to require mandatory training, such as what is available through NMFS.

The committee deliberated on the best way to distribute educational materials. There was support for making hard copies for enforcement to distribute during interactions with anglers, as this has been successful in the past. It was also proposed that a link be added to the NJ Saltwater Registry page that links anglers to online resources. Staff raised a concern that this might attract more shark angling activity by advertising it to anglers who were unaware of it, but it was stated that additional angling activity is less of a concern if it is being done properly. The group also supported enhanced public signage at beaches, but recommended that signs do not mention sharks directly, to prevent undue concern from swimmers.

Participants discussed the possibility of requiring a permit or endorsement specific to shark fishing. It was noted that a registry stamp may not be possible without a formal licensing structure, but one member suggested municipalities could implement special permit or badge requirements for nighttime fishing.

Increasing fines and penalties was proposed as a way to deter violations. This has been successful for reducing violations for other species, such as tautog. Staff noted that these would need to be done through regulation.

The concern about the trajectory of shore-based shark fishing is evident. Each year brings increased effort, and current regulations are difficult to enforce. Staff will pursue development of outreach and education materials that may also be implemented as regulations at the local or state level.

Blue crab: B. Hollinger

A meeting of the New Jersey Marine Fisheries Council's Blue Crab Advisory Committee was held via in person and webinar on May 1, 2025 to discuss New Jersey's Blue Crab Fisheries Management Plan (FMP) draft. This FMP which is required by law will provide a framework for managing Blue Crab.

Staff presented work that has already been completed for the FMP which includes:

- Overview of species biology – Marine Fisheries Council recommended that the state be separated between the Atlantic Coast and Delaware Bay. Also recommended was separating the commercial and recreational fisheries.
- History of landings and regulations – Staff presented a history of commercial landings along with landing separated by region and gear. Also presented was the number of commercial and recreational license holders.
- Summary of population trends from surveys – Staff presented population trends for surveys conducted by Marine Resources Administration for both Delaware Bay and Atlantic Coast.

Advisors provided valuable feedback including updating survey years, differences in how pounds per bushel and price per pound change throughout the year, the number of recreational licenses sold, recreational traps and recreational reporting.

Staff asked advisors for their input on parts of the FMP that haven't been completed such as fishery goals and objectives. Advisors were presented with goals and objectives for the FMP, along with the defining optimum yield. Advisors did not have issues with the goals and objectives presented. Discussion between staff and advisors included earlier start dates, minimizing ghost gear, co-operative research, ecological impacts, biodegradable pots and increased enforcement.

At the conclusion of the meeting staff informed advisors that additional comments are welcomed. Staff will update the draft with comments. Additional meetings may be scheduled before the FMP is released for public comment.

- Mr. Brust commented that the blue crab meeting was very productive and advisors seemed generally happy with the fishery. He reminded Council that the FMP is being developed to meet statutory requirements, not because we have any regulatory changes in mind. If any regulatory changes are proposed during FMP development, they would need to go through the rule making process.

- Mr. Hollinger commented that the lack of recreational data is a major concern. Mr. Rush stated that there should be mandatory reporting for recreational dredge permit holders. Mr. Brust said that accountability for the recreational sector is being discussed. Mr. Rush asked how a dredge is allowed on the recreational side. Mr. Hollinger responded that it keeps the fishery open to everyone (both commercial and recreational).
- Mr. Hollinger noted that there are two shellfish diseases that seem to be affecting crabs as well. He asked if samples could be analyzed for *Vibrio*. Mr. Brust responded that he would contact the Fish and Wildlife Health and Forensics Lab with the request.
- Dr. Bochenek asked if sheepshead could be considered as the next FMP for development. Mr. Brust responded that the decision would fall to the Council for input.

11. Regulatory Actions – J. Brust

There were no regulatory actions to report.

12. Old Business – J. Brust

A copy of the comment letter for the ASMFC/MAFMC recreational measures addendum was provided. No further action is needed.

Information on the REEF-ENSE project was provided, as requested by Council at the March 2025 meeting.

Mr. Brust asked the Council's preference for committee meetings before the next meeting.

The Tautog Committee is scheduled to meet on May 21st to discuss nighttime angling and if the spring season can be shifted to close the day before sea bass opens to limit down time of boats. Mr. Hueth suggested looking into implementing a slot limit, and Dr. Donnelly will agreed to add it to the meeting agenda.

The striped bass, nontraditional, and executive committees were also proposed to meet before the July meeting. Mr. Brust noted that the nontraditional species

has no advisors. It was recommended that the committee meet to prioritize species before sending out a call for advisors.

Dr. Donnelly commented that Council and staff need to improve how Council members attending virtually are included in discussions. He will check with those who have attended virtually to ask for suggestions. Mr. Brust indicated he will talk with Dr. Donnelly about ideas, such as alternative ways to set up the meeting space that would be more inclusive.

Mr. Wark inquired about the status of the spiny dogfish transfer with North Carolina. Mr. Brust said that he will contact NC and will put the issue of increasing trip limits on the July agenda to discuss.

A public comment from Mr. Elsie requested increasing the quota to 6,000 pounds, so that the fishermen could make a living. He commented that the stock is very large and there are only 10 boats fishing, which is not enough to damage the stock. Mr. Wark said this was a reasonable request and is justification for the quota transfer.

13. New Business

Cod Emergency action:

The New England Fisheries Management Council (NEFMC) closed the southern New England and Georges Bank Recreational cod fishery. NJ adopted measures to follow NEFMC England FMC previously for new state regulations. Now that closures are in place, NEFMC is asking NJ to follow suit and close the recreational fishery. It will be discussed at the July MFC meeting.

Route 71 Bridge:

Mr. Hueth explained that NJDOT is replacing fenders on the Route 71 bridge in Belmar, and the construction will result in restricted access for vessels because the bridge will only open a few times a day. He expressed concerns that the openings are not frequent enough and would prevent for vessels from participating in the black sea bass season. Industry members sought support from local officials, resulting in NJDOT and the USCG agreeing to additional openings that should be sufficient, although it will likely extend the duration of the project. He provided Council with a letter that was sent to the press thanking all parties for their support.

- Mr. Tiedemann provided information that NJ transit put out a press release that they are planning on replacing the Brielle Railroad Draw Bridge and work is

supposed to start in the Spring of 2027. Dr. Donnelly indicated he had received a survey from them asking how often he uses the bridge.

- Mr. Hueth asked if there was a way to have the access committee meet when these types of projects are proposed and suggested there should be a process in place so they don't need to wait for a full Council meeting to take action. Dr. Donnelly said that it is possible and requested a meeting of the Access Committee for July. The main concern is requesting to be included in discussions when projects are being planned.
- Mr. Hollinger made a motion to send a letter to NJDOT, NJ Transit, and copy the Commissioner to get on the interested party list for these projects. The motion was seconded by Mr. Johnson.

14. Public Comment

Charles Solan online commented that he was talking with spiny dogfish gill netters and would appreciate a trip limit increase and the quota transfer.

James Parker asked that the Tautog Committee meet in person, rather than virtual attendance. Dr. Donnelly said that the May meeting is set as virtual, but he would also like to see it shift back to in person despite the larger time commitment.

15. Date of Next Meeting:

The meeting concluded at 8:16 pm. The next Marine Fisheries Council Meeting will be held on July 10, 2025, at 5:00 pm at the Stafford Township Fire House. Motion to adjourn meeting by Mr. Johnson and seconded by Mr. Rush. Meeting Adjourned.