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ENVIRONMENTAL PROTECTION

FISH AND WILDLIFE

Notice of Administrative Change

Marine Fisheries

Modification of Scup Recreational Season and Summer Flounder Recreational Season and Size Limit

N.J.A.C. 7:25-18.1

Take Notice that, pursuant to N.J.A.C. 7:25-18.1(p), the Commissioner of the Department of Environmental Protection (Commissioner), with the approval of the New Jersey Marine Fisheries Council (Council) at its March 7, 2024, meeting, has modified the recreational season for scup and the recreational season and size limit for summer flounder. The actions for scup and summer flounder have been taken to comply with the Atlantic States Marine Fisheries Commission (ASMFC) fishery management plan.

In December 2023, the MAFMC and ASMFC Summer Flounder, Scup and Black Sea Bass Management Board (Board) jointly approved a 28 percent coastwide reduction in recreational summer flounder harvest under the Percent Change Approach to meet the 2024-2025 stock biomass target level. Also, in December 2023, the MAFMC and ASMFC Summer Flounder, Scup and Black Sea Bass Management Board jointly approved a 10 percent coastwide reduction in recreational scup harvest under the Percent Change Approach to meet the 2024-2025 stock biomass target level (88 FR 80263).

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At its February 2024 meeting, the Board approved the State of New Jersey's conservation equivalency proposal to meet the respective coastwide reductions for scup and summer flounder for the 2024-2025 recreational seasons.

The Council's Recreational Summer Flounder Advisory Committee held two meetings on January 10, 2024, and February 28, 2024, to discuss management options for the New Jersey recreational summer flounder and scup fisheries for the 2024 fishing year. The Committee reviewed a total of six options for summer flounder and two options for scup. All options reviewed met the minimum reduction for each species and measures will be effective for two years including 2024 and 2025. The committee unanimously supported the preferred option under conservation equivalency process.

Accordingly, the Council approved changes to the scup and summer flounder recreational fisheries consistent with the ASMFC's and MAFMC's Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. Previously, the scup open season was August 1 to December 31 with a 30-fish possession limit and 10-inch minimum size limit. The Council approved an open season of January 1 to June 30 and September 1 to December 31, with the possession and size limits remaining unchanged. Previously, the summer flounder open season was May 2 to September 27 with a 3-fish total possession limit, two with a minimum size limit of 17 to less than 18 inches, one 18 inches or greater in total length. The Council approved a 3-fish possession limit with an 18-inch minimum size limit and an open season of May 4 to September 25 for the 2024 and 2025 recreational summer flounder fishery.

These changes will be reflected in the Fish and Wildlife rules at N.J.A.C. 7:25-18.1(c). As required in N.J.A.C. 7:25-18.1(p), changes to N.J.A.C. 7:25-18.1 will be published in the

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New Jersey Register, the New Jersey Fish and Wildlife Marine Digest, and on the New Jersey Fish and Wildlife website.

Full text of the changed rule follows (additions indicated in boldface **thus**, deletions indicated in brackets [thus]):

7:25-18.1 Size, season, and possession limits

(a) – (b) (No change.)

(c) A person angling with a hand line or with a rod and line or using a bait net or spearfishing shall not have in his or her possession any species listed below less than the minimum length, nor shall such person take in any one day or possess more than the possession limits as provided below, nor shall such person possess any species listed below during the closed season for that species. Exceptions to this section as may be provided elsewhere in this subchapter shall be subject to the specific provisions of any such section. Fish length shall measure from the tip of the snout to the tip of the tail (total length), except as noted below:

<u>Species</u>	<u>Minimum Size In Inches</u>	<u>Open Season</u>	<u>Possession Limit</u>
• • •			
Scup (Porgy)	10	[Aug.] Jan. 1--Jun. 30 and Sept. 1--Dec. 31	30

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Summer Flounder (Fluke)

[All other marine waters	As specified at (c)5ii below	May 2 – Sept 27	As specified at (c)5ii below]
Delaware Bay and tributaries	17	May [2]4 – Sept. [27]25	3
Island Beach State Park	16	May [2]4 – Sept. [27]25	2
(shore mode fishing only as provided at (c)5iv below)			

All other marine waters	As specified at (c)5ii below	May [2]4 – Sept [27]25	As specified at (c)5ii below
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1. – 4. (No change.)

5. The following provisions are applicable to the recreational harvest of summer flounder.

i. (No change.)

ii. In all other waters of the State, a person shall not take, or possess, more than three summer flounder during the summer flounder recreational open season, [two of which shall be equal to,

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or larger than 17 inches, but less than 18 inches, total length and one of which shall

be]measuring 18 inches or greater, total length.

iii. – v. (No change.)

6. (No change.)

(d) – (r) (No change.)