

Fax



To: Below Named Individuals **From:** Art Wolf

Fax: **Pages:** 3

Phone: **Date:** January 25, 2016

Re: **cc:**

X Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Comments:

Please see attached letter from Art Wolf to the following:

Honorable Richard B. Robbins
Mr. John Bullard
Mr. Christopher M. Moore
Rep. Frank LoBiondo
Mr. Richard Beal
Rep. Bill Pascrell, Jr.
Mr. Jim Donofrio
Mr. Alan Risenhoover

Regards,

Art Wolf

Arthur Wolf
180 Oxford Ave,
Saddle Brook, NJ 07663
201-796-3208

January 24, 2016

VIA FAX

Eileen Sobeck
Assistant Administrator for Fisheries, NOAA Fisheries
1315 East-West Highway
Silver Spring, MD 20910

Dear Ms. Sobeck,

I want to thank you for responding to my suggestion to have Director Alan Risenhoover investigate why summer flounder stocks are declining.

I also want to inform you about the conversation we had. The NMFS and NOAA have been very transparent about a system that was implemented nearly thirty years ago. This system, which allowed 95% of summer flounder to be harvested during spawning season, has never replenished one single flounder. What this system did prove was that estimates, scientific data and quotas did not work and never will. The insanity has to stop. This law must be changed immediately.

An analogous example are the regulations covering lobsters when they have eggs or sea bass that have closed seasons. These crustaceans and fish are prohibited to be harvested during spawning season. The same should hold true for summer flounder. Why not?

I also believe that 99% of commercial fishermen with permits to harvest summer flounder will not be affected if you closed the season while the fish are spawning. The reason for this is that most commercial fishermen do not have vessels large enough to go to the Canyons where the flounder are spawning.

I think it this is a win-win for small vessel owners and recreational fishermen, as both will benefit with this solution. Knowingly destroying a precious summer flounder fishery is unconceivable. The law must be changed!

Sincerely,

Arthur Wolf

cc:

Honorable Richard B. Robbins
Mr. John Bullard
Mr. Christopher M. Moore
Rep. Frank LoBiondo
Mr. Richard Beal
Rep. Bill Pascrell, Jr.
Mr. Jim Donofrio
Mr. Alan Risenhoover

Arthur Wolf
180 Oxford Ave,
Saddle Brook, NJ 07663
201-796-3208

October 5, 2015

Mr. John Bullard
Greater Atlantic Regional Administrator
NOAA Fisheries

Re: Summer Flounder in Jeopardy

Dear Mr. Bullard,

This letter reiterates a memo sent via fax on October 5, 2015:

Fact #1

For thirty years, using estimates and scientific data did NOT replenish stocks

Fact #2

Quotas also did not replenish stock, all they do is prolong the inevitable, to deplete stocks to a point where it is no longer feasible to be profitable

Fact #3

Guaranteed method to replenish summer flounder stocks:

*STOP harvesting 95% of the recruits during spawning season (Jan-Feb and Sept-Oct)

*For year 2015, 500 million to 1 billion recruits were killed

Thank you,

Art Wolf

Kirby Rootes-Murdy

From: Robert Beal
Sent: Tuesday, January 26, 2016 8:52 AM
To: Kirby Rootes-Murdy; Toni Kerns
Subject: Fwd: 2016 SeaBass Season

Please add to supplemental materials.

Thanks,
Bob

Sent from my iPad

Begin forwarded message:

From: Dorwin Allen <twoneefsh@aol.com>
Date: January 25, 2016 at 10:22:59 PM EST
Cc: <rbeal@asmfc.org>
Subject: 2016 SeaBass Season

Hello Robert
I am a Charter Boat fisherman in Massachusetts.
Ray Kane and many others have told me to send you information on what we have to deal with this year for our current Sea Bass seaon for 2016.
I have enclosed the letter sent to Doctor David Pierce the head of Massachusetts DMF. The most important problem we have is that DMF has to understood how much has changed in this industry over the last 30 years. please let me know if I can Help in anyway to help all fishermen in the Northeast. I have been fishing for Sea Bass since 1968 and set the first Sea Bass pots in natucket sound during that time I hope I can help you and ASMFC understand better how these fish move, Live, and reproduce. Please let me help in any new regulations that may impact all our fisheries here in New England

Sincerely Yours
Dorwin Allen
F/V Lori-Ann
508 364-7830
51 Gristmill Path
Marstons Mills
MA. 02648

LORI-ANN FISHERIES
Captain Gov Allen
51 Gristmill Path
Marstons Mills, Ma. 02648
twoneefsh@aol.com
508 420-0399

508 364-7830 Cell

Attn: DMF Director David Pierce:
251 Causeway Street, Suite 400
Boston, MA 02114-2152
Tel: (617) 626-1520
Fax: (617) 626-1509

Good Day Dr. Pierce,

As our new director of DMF I know that you have a tremendous amount of issues to deal with this winter and coming spring for 2016. I'm contacting you to help the For-Hire Captains on Cape Cod and the Islands. We need to let our clients know when they can come to fish for Black Sea Bass and Scup during this springs season. Last year we started to fish for Sea Bass on the 23rd of May. Every charter Captain that I have talked to would like to see this springs Sea Bass season start on the 21st of May. This would roughly be the same timing as last year. Most of our customers have already booked Hotel Rooms,Rented homes, and changed their work schedules to have a chance to catch Sea Bass and Scup this Spring in May!

I can't express how important this is to all of us as Charter fishermen. Not only is this timing on the opening imperative to us, it is equally important to the many small business's that rely on our customers to support them during a notoriously slow time in our seasonal economy. The ripple effects of these regulations extend beyond just us fisherman.

Another issue that was discussed at our meeting on January 14th was pertaining to enforcement issues. Black Sea Bass in the spring have been here in such great numbers that it impossible to avoid catching excessive amounts of them. We can't even avoid them as we attempt to target other species as: Scup, Squid, and Blackfish. For the many reasons mentioned here and prior, there is no plausible reasoning why these overpopulated species of fish shouldn't be allowed to be harvested within the regulations during this time period. Compliancy is our number one concern; however, we are and will continue to lose our clientele because they are having a hard time stomaching spending good money down here, catching more Black Sea Bass than any other species. Only to be hounded by mates and captains alike, to release them. Against common sense they must throw these fish back time and time again. Only because they don't adhere to regulations that are so misaligned with what is actually happening on the front "line". We want to comply, the fish are clearly overpopulated, this season should be opened along with the Scup season of Massachusetts, period!

When Sea Bass where being overfished in the 1990's we had a 20 fish limit, 365 days a year. Now that the fish population is very healthy we are being punished with these regulations as if these fish were nearly extinct. Aside from not being overfished, we have lost our fall season completely. Also, our only fishable season is reduced to 3 months and the limit dropped to a mere 8 fish. You must help us find some middle ground here. Otherwise, this will go down in history as a complete failure due solely to mismanagement of a fishery. The charter boat economy that has shaped Cape Cod for many decades will be gone in a blink of an eye. It has already suffered so much damage. We are willing to work with DMF, the same must be done in return. We will work with you on this matter, let me know when we can have a meeting with DMF in the near future. We must discuss our options on these issues. This way fishermen in this industry can be better understood by the regulators of our fisheries. Dr. Pierce can you please let me know when and where we can have this meeting to discuss this problem? We must agree on an opening date and season that works for everyone involved in the 2016 Black Sea Bass season. Willy Hatch and I will communicate this information to the rest of the fishermen that participate in the For-Hire fishery here on the Cape and Islands that we work with.

Sincerely Yours,

Captain Gov Allen
F/V Lori-Ann

Draft Addendum for Public Comment

Atlantic States Marine Fisheries Commission

**DRAFT ADDENDUM XXVII TO THE SUMMER
FLOUNDER, SCUP, BLACK SEA BASS FISHERY
MANAGEMENT PLAN FOR PUBLIC COMMENT**

Summer Flounder and Black Sea Bass Recreational Management in 2016



ASMFC Vision: Sustainably Managing Atlantic Coastal Fisheries

December 2015

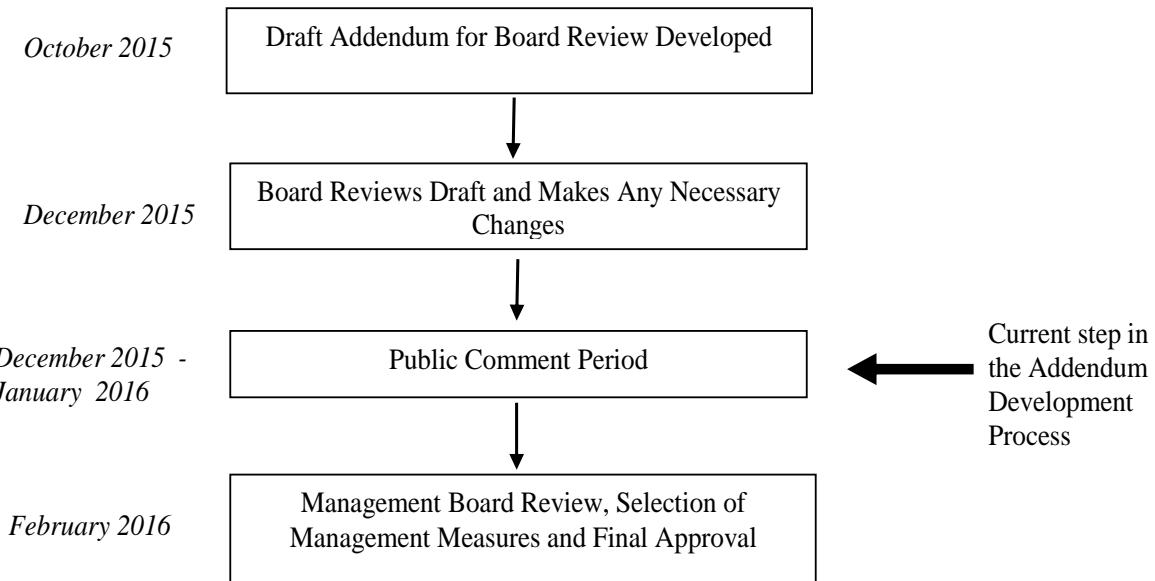
Draft Addendum for Public Comment

Public Comment Process and Proposed Timeline

In October 2015, the Summer Flounder, Scup, and Black Sea Bass Management Board approved a motion to initiate the development of an addendum to the Interstate Fishery Management Plan (FMP) for Summer Flounder, Scup, and Black Sea Bass. The addendum will address the recreational management of Summer Flounder and Black Sea Bass for 2016. This draft addendum presents background on the Atlantic States Marine Fisheries Commission's (Commission) management of summer flounder and black sea bass; the addendum process and timeline; and a statement of the problem. This document also provides management options for public consideration and comment.

The public is encouraged to submit comments regarding this document at any time during the public comment period. The final date comments will be accepted is **January 21, 2016 at 5:00 p.m.** Comments may be submitted at state public hearings or by mail, email, or fax. If you have any questions or would like to submit comment, please use the contact information below.

Mail: Kirby Rootes-Murdy, FMP Coordinator Email: krootes-murdy@asmfc.org
Atlantic States Marine Fisheries Commission (Subject: Draft Addendum XXVII)
1050 North Highland Street, Suite 200A-N Phone: (703) 842-0740
Arlington, VA 22201 Fax: (703) 842-0741



Draft Addendum for Public Comment

1.0 Introduction

This Draft Addendum is proposed under the adaptive management/framework procedures of Amendment 12 and Framework 2 that are a part of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP). Summer flounder, scup, and black sea bass fisheries are managed cooperatively by the states through the Atlantic States Marine Fisheries Commission (Commission) in state waters (0-3 miles), and through the Mid-Atlantic Fishery Management Council (Council) and the NOAA Fisheries in federal waters (3-200 miles).

The management unit for summer flounder, scup, and black sea bass in US waters is the western Atlantic Ocean from the southern border of North Carolina northward to the US-Canadian border. The Commission's Summer Flounder, Scup, and Black Sea Bass Management Board (Board) approved the following motions on November 2, 2015:

- 1) *Move to initiate an addendum to extend ad hoc regional management for black sea bass recreational fisheries in 2016 and 2017.*
- 2) *Move to initiate an addendum to address the discrepancies in measures within Delaware Bay.*

This Draft Addendum proposes alternate approaches for management of the recreational summer flounder fishery for the 2016 fishing year and for the recreational black sea bass fishery for the 2016 and 2017 fishing year.

2.0 Overview

2.1 Statement of the Problem

2.1.1 Summer Flounder

It is important that Commission FMPs strive to provide recreational anglers with equitable access to shared fishery resources throughout the range of each managed species. While equitable access is difficult to characterize, it generally relates to the distribution, abundance, and size composition of the resource with the abundance and distribution of anglers along the coast.

To address the growing concern over equitable access to the resource through state-by-state management measures developed under conservation equivalency, the Board approved Addendum XXV in February 2014 to adopt regional management option for the summer flounder recreational fishery for one year. Regions were defined as following: 1) Massachusetts, 2) Rhode Island, 3) Connecticut-New Jersey, 4) Delaware-Virginia, and 5) North Carolina. As Addendum XXV was only specified for 2014, Addendum XXVI continued regional management in 2015, with the option to extend into 2016. At the November Commission meeting, the Board voted to extend the 2015 provisions of regional management into 2016.

The extension of the addendum only allows for the current regional management alignment. Concern was raised over the shared waters of Delaware Bay, specifically fisherman landing in Delaware can fish on a smaller fish than those landing fish in New Jersey. This addendum proposes an option that would make New Jersey its own region to allow for area specific regulations in the Delaware Bay.

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2.1.2 Black Sea Bass

During the past 15 years, the black sea bass recreational harvest target was exceeded seven times, most recently in 2010, 2012-2014 when the harvest target was the lowest in the time series. Extremely high availability of black sea bass in the northern states (Massachusetts through New Jersey) is resulting in recreational overages despite very restrictive management measures. For the past few years, catch and harvest limits have been set at levels that are not reflective of current abundance, placing undue stress on the fisheries. For 2016, catch limits were set using a new method which incorporates important abundance indices. The Commission's Summer Flounder, Scup, and Black Sea Bass Technical Committee (Technical Committee) recognizes this is a positive step toward reconciling the disconnect between abundance, catch limits, and harvest. The Technical Committee expects this will reduce recreational management uncertainty in 2016.

The FMP for black sea bass does not provide an opportunity to craft recreational management measures by regions or state, it only allows for a set of coastwide management measures. Due to the wide geographic range of black sea bass, the application of coastwide minimum size, possession limit, and season restrictions may not affect every area involved in the fishery the same way. Starting in 2011, the Board approved addenda which allowed for state-specific and regional management measures. These addenda addressed the concern that the coastwide regulations have disproportionately impacted states within the management unit. Each of the addenda have had a sunset provision that for either one or two years. The provisions of the most recent addendum (XXV) expires at the end of 2015, and without a new addendum the FMP will require coastwide regulations. This addendum proposes to continue the ad hoc regional approach for 2016 and 2017.

2.2 Background

2.2.1 Summer flounder

Amendment 2 (1993), which introduced quota-based management to the summer flounder fishery, initially required each state (Massachusetts to North Carolina) to adopt the same minimum size and possession limit as established in federal waters, allowing only for different open seasons. The consistent measures were intended to achieve conservation equivalency in all state and federal waters throughout the species range. However, states soon found that one set of management measures applied coastwide did not achieve equivalent conservation due to the significant geographic differences in summer flounder abundance and size composition.

To address this disparity, the FMP was amended (in 2001 via Addendum IV and again in 2003 via Addendum VIII) to allow for the use of state conservation equivalency to manage recreational harvests. From 2001-2013, the FMP has allowed for, and the Commission and Council utilized, a state-by-state allocation formula based on estimates of state recreational landings in 1998, to establish individual state harvest targets. Individual states have the flexibility to tailor their regulations – namely, minimum size, possession, and season limits – to meet the needs and interests of their fishermen, provided that the targets are not exceeded. The individual state allocations, as a percentage of the total coastwide recreational harvest limit, are set forth in Table 5.

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Re-assessing in the Face of Changing Conditions:

The interim solution of state-by-state conservation equivalency based on estimated state harvests in 1998 was successful initially in mitigating the disparity in conservation burden among states, but the approach is increasingly being viewed as an inadequate long-term solution given recent changes in resource status and fishery performance. Seventeen years have passed since 1998. Even if the allocations were perfectly equitable when adopted over a decade ago, they are now likely out of sync given the substantial variation in stock dynamics that has occurred since then. Over the many years since Amendment 2 was first implemented, the summer flounder spawning stock biomass has increased approximately six-fold, and the number of age classes has increased from 2-3 to 7 or more. These changes have led to geographic shifts in the distribution of the resource (As the stock has rebuilt, its range has expanded). Climate change may also be contributing to shifts in migratory patterns, spatially and temporally. Taken together, these changing conditions have altered the dynamics regarding the challenge of maintaining balance in equivalent conservation burden across the management unit.

Further, the 1998-based allocation formula set forth by the FMP does not reflect changes in socio-economic patterns over the past sixteen years, particularly with regard to the number and distribution of anglers along the coast. During this time, estimates of angler participation have increased 33% from 4.6 million in 1998 to 6.1 million in 2014 (Table 6). Harvest by fishing mode (Shore-based, Party/Charter, and Private/Rental) have also changed over time, with a larger percentage of harvest coming from private and rental boats in recent years (Table 7). Summer Flounder Advisory Panel members for the Commission and Council have noted the continual rise in the cost of fuel, bait and other trip expenditures have impacted anglers financially.

Finally, any attempt to allocate harvest opportunities on the basis of estimated recreational harvests for a given year is necessarily fraught with uncertainty and error, given the general difficulty of measuring recreational catch and effort on a state-by-state basis. Over the past seventeen years, there have seen strides made by NOAA Fisheries to more accurately estimate catch and effort data by reducing the potential for bias. This has been and will continue to be a process in improving precision in estimates for species such as summer flounder, due to factors including weighting survey intercepts, variety of fishing modes, and catch rates.

Alternative Approaches:

A more realistic and flexible gauge of equitable conservation may be needed to enable the summer flounder management program to adjust to past, current, and future changes in the resource and the fishery. The biological characteristics of the summer flounder stock have changed with the rebuilding of the stock. In particular, there has been a substantial expansion in the size and age composition, as more large summer flounder and greater overall abundance have resulted from management conservation measures over the course of a decade. Since 2011 there have been reductions in the recreational harvest limit (RHL) partly because the spawning stock biomass has been less than the biomass target (SSBMSY proxy = SSB35% = 137.555 million pounds). In addition, from 2010-2013 recruitment was below average. These two stock conditions could lower future recreational harvest

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limits, presenting additional challenges to equitability in fishing and harvest opportunities among states.

2.2.2 Black Sea Bass

The black sea bass recreational fishery is managed on a “target quota” basis. Fifty-one percent of the total allowable landings are allocated as a recreational harvest target and forty-nine percent is allocated to the commercial sector. From 1996 to 2010, a uniform coastwide size, season, and bag limits had been used by the Commission and Council to constrain the recreational fishery to the annual RHL (Table 8). States were concerned the coastwide regulations disproportionately impacted states within the management unit; therefore, the Board approved several addenda which allowed for state-by-state and regional measures for 2011 through 2013 in state waters only. Each of the addenda expired at the end of one year. The Board passed Addendum XXIII in 2013 to provide the necessary management flexibility to mitigate potential disproportionate impacts through the use of regional ad hoc management. Table 9 shows the individual state regulations for the 2015 fishing year. In 2015, the coastwide harvest is estimated at 3.52 million pounds through wave 5 and is approximately 1.19 million pounds over the harvest limit (2.33 million pounds) (Tables 8 and 10). The FMP for black sea bass does not provide an opportunity to craft recreational measures by regions or state, it only allowed for a single coastwide measure. Due to the wide geographic range of this species, the application of coastwide minimum size, possession limit, and season restrictions may not affect every area involved in the fishery the same way. Additionally, black sea bass migrations may result in differences in availability to the recreational fishery in each state.

2.3 Description of the Fishery

2.3.1 Summer Flounder

In practice, the recreational fishery for summer flounder is managed on a “target quota” basis. A set portion of the total allowable landings is established as a RHL, and management measures are implemented by the states that can reasonably be expected to constrain the recreational fishery to this limit each year. Managing the RHL with a quota system is not practical because landings data are not available in a timely manner.

In assessing the performance of the summer flounder recreational fishery over the last 6 years, fishing opportunities and success vary across the range of the management unit (Appendix A assesses the performance of summer flounder fishery from 2009 through wave 4 of 2015). Using metrics including retention rate, fishing trips, possession limits, season length, and scoring each state in relation to each of other, the fishing opportunity differs on a state-by-state basis with little to no regional distinction; for example, retention rates are highest in the states of Virginia, Delaware Rhode Island, and Massachusetts, and the lowest in New York, New Jersey, and Maryland (Tables 12A-12D). Fishing seasons also vary significantly along the coast, with states such as Delaware through North Carolina open all year, while Connecticut through New Jersey have the shortest seasons within the management unit (128 days in recent years). Interest or avidity in relation to successful trips also varies widely as well; for example, trips targeting summer flounder are lowest in Massachusetts (2.1-2.78 % of all trips between 2013-2015) and highest in New Jersey and New York, yet the highest success rates for targeted trips in relation to harvest is in

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Massachusetts (Tables 12A-12D). Bag limits also vary across the states from the most restrictive in Delaware through Virginia (4 fish possession limit) to least in Rhode Island (8 fish possession limit). In comparing states to their nearest neighboring state regarding size limit, Massachusetts¹ and New Jersey have the highest difference between their two neighbors (2 inch average difference compared to Rhode Island in recent years) and smallest average difference between neighbors was Connecticut, New York, and Maryland. In scoring the recreational performance in recent years, New Jersey has had the largest drop in score relative to other states' performance (below average in 2013 to <-2 in 2015).

Recreational Survey Estimates

The Marine Recreational Information Program, or MRIP, is the new way NOAA Fisheries is counting and reporting marine recreational catch and effort. It is an angler-driven initiative that will not only produce better estimates, but will do so through a process grounded in the principles of transparency, accountability and engagement. MRIP replaces the Marine Recreational Fisheries Statistics Survey, or MRFSS, which has been in place since 1979. MRIP is designed to meet two critical needs: (1) provide the detailed, timely, scientifically sound estimates that fisheries managers, stock assessors and marine scientists need to ensure the sustainability of ocean resources and (2) address head-on stakeholder concerns about the reliability and credibility of recreational fishing catch and effort estimates.

The MRIP is an evolving program with ongoing improvements. Most recently, NOAA Fisheries scientists, in partnership with leading outside experts, have created an improved method for estimating recreational catch using data from existing shoreside angler survey data as well as moving from the phone survey to an improved mail survey. The new method addresses a major concern raised by the National Research Council's evaluation of MRFSS –that the MRFSS catch estimation method was not correctly matched with the sampling design used gathering data, leading to potential bias in the estimates. Eliminating potential sources of bias is a fundamental change that lays the groundwork for future improvement and innovations, many of which are already being piloted and implemented. More detailed information on the improvement to the MRIP program can be found at <http://www.st.nmfs.noaa.gov/recreational-fisheries/index>.

2.3.2 Black Sea Bass

Black sea bass are generally considered structure oriented, preferring live-bottom and reef habitats. Within the stock area, distribution changes occur on a seasonal basis and the extent of the seasonal change varies by location. In the northern end of the range (Massachusetts to New York), sea bass move offshore crossing the continental shelf, then south along the shelf edge. By late winter, northern fish may travel as far south as Virginia, however most return to the northern inshore areas by May. Black sea bass along the Mid-Atlantic (New Jersey to Maryland) head offshore to the shelf edge during late autumn, traveling in a southeasterly direction. They also return inshore in spring to the general area

¹ Please note that Massachusetts has only one neighboring state with a declared interest in Summer Flounder, which increases the weighting of size limit difference relative to Rhode Island.

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from which they originated, (Moser and Shepherd, 2009). Black sea bass in the southern end of the stock range (Virginia and North Carolina) move offshore in late autumn/early winter. Because they are close to the continental shelf, they transit a relatively short distance, due east, to reach over-wintering areas (Moser and Shepherd, 2009). Fisheries also change seasonally with changes in distribution; recreational fisheries generally occur during the period that sea bass are inshore.

An examination of the previous five years of recreational harvest data shows there is no systematic pattern in state harvest. For the past three years, the states of Massachusetts, New York and New Jersey make up the majority of the coastwide harvest. An examination of average state-specific MRIP harvest estimates by ‘Area Harvested’ (State v. EEZ waters) for the last three years indicate that the majority of the black sea bass fishery occurs in state waters in Massachusetts, Rhode Island, Connecticut, and New York (60%). For the states of New Jersey to North Carolina, the majority of fishery operates in the waters of the EEZ (NJ and VA 31% and DE, MD and NC 9%).

2.4 Status of the Stock

2.4.1 Summer Flounder

The most recent peer-reviewed benchmark assessment for summer flounder (SAW 57, NEFSC 2013) was updated in July 2015. The assessment uses an age-structured assessment model called ASAP. Results of the assessment update indicate that the summer flounder stock was not overfished but overfishing was occurring in 2014 relative to the updated biological reference points established in the 2013 SAW 57 assessment. The fishing mortality rate has been below its threshold since 1997, but was estimated to be 0.359 in 2014, above the threshold fishing mortality reference point $F_{MSY} = 0.309$. Spawning stock biomass (SSB) was estimated to be 88.9 million pounds (40,323 mt) in 2014, about 65% of the $SSB_{MSY} = 137.6$ million pounds (62,394 mt). The 2014 year class is estimated to be about 41 million fish, higher than the previous four below average year classes in 2010-2013 (34, 20, 23, and 27 million fish). NOAA Fisheries declared the summer flounder stock rebuilt in 2010, based on the 2011 assessment update.

2.4.2 Black Sea Bass

The most recently approved benchmark assessment on black sea bass was peer-reviewed and accepted in December 2008 by the Data Poor Stock Work Group (DPSWG) Peer Review Panel. Based on the June 2012 update, the stock is not overfished and overfishing is not occurring, relative to the biological reference points. Fishing mortality in 2011 was $F = 0.21$, below the fishing mortality threshold. Estimates for 2011 total biomass remain above the biomass maximum sustainable yield. SSB in 2011 was 24.6 million pounds, which is 0.6 million pounds above the SSB_{MSY} target (24 million pounds) and a small decrease from the 2010 SSB estimate. Recruitment at age 1 averaged 26.4 million fish during 1968-1999 and 2000, peaking at 56 million fish. Recruitment estimated by the model was relatively constant through the time series with the exception of high recruitment in the 1975, 1999, and 2001 year classes. The 2011 year class was 21.0 million fish.

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3.0 Proposed Management Program

In the proposed options, the Technical Committee recommends that monitoring of harvest and catch should be conducted for the duration the fishery is open in a given year. **Note:** Summer Flounder Options are listed as a decision tree in Appendix II

3.1. Summer Flounder Options

Option 1: Coastwide or Conservation Equivalency

The Board and Council specify coastwide measures to achieve a coastwide recreational harvest limit or conservation equivalent management measures using guidelines agreed upon by both management authorities in Framework 2 and Addenda XIV and XVII. Under conservation equivalency states can implement state-by-state measures or adjacent states or contiguous states can voluntarily enter into an agreement forming regions. Under either option the combined measures of all the states or regions are developed to achieve the coastwide RHL.

Example of a Coastwide Measure for 2016:

The Council's Monitoring Committee developed a set of non-preferred coastwide measures of 18 inch Total Length (TL) minimum size, 4 fish possession limit, and a season from May 15 to September 15. It also provided a set of precautionary default measures (if the non-preferred measures cannot effectively constrain harvest to the RHL) with a minimum size and possession limit of 20 inches TL and 2 fish and the same season (May 15-September 15). These measures would constrain the coastwide harvest to the 2016 RHL (5.42 million pounds).

State-by-state conservation equivalency:

If state-by-state conservation equivalency is chosen, states would be required to implement size, possession and season limits that constrain the state's harvest to the 2016 harvest target based on the coastwide RHL (see below tables):

Table 1. 2016 Summer Flounder Recreational Harvest Limit

| 2016 Coastwide Recreational Harvest Limit (RHL) | Summer Flounder Mean Weight (lb) | Projected 2016 Coastwide RHL (# of fish) |
|--|---|---|
| 5.42 million pounds | 2.87 ² | 1,882,562 ³ |

² Mean weight determined using preliminary 2015 MRIP estimated harvest in numbers and pounds within the management unit.

³ RHL in numbers of fish determined by dividing coastwide RHL in pounds by mean weight of harvested fish in 2015.

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Table 2. 2015 and 2016 State Summer Flounder Allocations

| STATE | 2015 State by State Allocation (in fish)* | 2015 State by State Harvest through Wave 5 (in fish)** | 2016 State by State Allocation (in fish)*** |
|----------------|---|--|---|
| MASSACHUSETTS | 132,563 | 77,899 | 103,868 |
| RHODE ISLAND | 137,383 | 158,185 | 107,645 |
| CONNECTICUT | 89,179 | 89,440 | 69,875 |
| NEW YORK | 424,201 | 507,383 | 332,376 |
| NEW JERSEY | 942,401 | 485,170 | 738,404 |
| DELAWARE | 74,717 | 49,018 | 58,544 |
| MARYLAND | 72,307 | 37,031 | 56,655 |
| VIRGINIA | 402,509 | 158,650 | 315,380 |
| NORTH CAROLINA | 134,973 | 39,204 | 105,756 |

*This allocation is the 1998 proportion of harvest by state applied to the 2015 RHL. Please note this allocation was not used to determine regional harvest projections for 2015

**Harvest through wave 5 is preliminary and subject to change as subsequent wave data is available. The final 2015 harvest estimates will be available in Spring 2016

***This allocation is the 1998 proportion of harvest by state applied to the 2016 RHL. Please note this allocation is based on preliminary harvest estimates and is subject to change as subsequent wave data becomes available.

Option 2: Adaptive Regional Management

Due to the wide geographic range of this species, the application of single coastwide minimum size, possession limit and season restriction does not affect all jurisdictions involved in the fishery the same way; and the application of state-by-state conservation equivalency can result in disparate measures by neighboring states. Dividing the coastal states into regions allows states the flexibility to mitigate potential disproportionate impacts resulting from coastwide measures. Additionally, regional management allows states to pursue more equitable harvest opportunities, while providing consistent measures to states within the same region, in many cases sharing the same fishing grounds. **This option is not intended to implement new state allocations and is not intended to set a precedent for new state allocations. Under the adaptive regional approach, states would not give up their (1998-based) allocated portion of the RHL and would not be held accountable for anything other than their allocated portion of the RHL. Lastly, states would retain the future opportunity (depending on what management approach is adopted for 2016) to continue managing their fisheries in accordance with their allocated portion of the RHL.**

Under this adaptive regional approach, the Technical Committee would develop proposed measures for each region that, when combined with all regions, would constrain the coastwide harvest to the RHL. The proposed measures would be similar to the 2014 and 2015 regulations for each state, but allow for some flexibility to achieve consistent harvest opportunities among the regions. States within each region would be required to implement the same bag, size limits and season length. Each state would implement a season that, when combined with the other states' seasons length and regional bag and size limit, would constrain the combined regions harvest to the coastwide RHL. Individual state regions (e.g. Massachusetts, Rhode Island, and North Carolina in 2014 and 2015) may set area specific management measures. Once the Technical Committee develops proposed measures for

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each region, the Board would review and approve a set of regional regulations that, when combined, would constrain the coastwide harvest to the RHL.

Management for 2016 and 2017:

- 1) Using state-by-state approach under conservation equivalency

2016

If the Board chooses to go back to state-by-state conservation equivalency in 2016, the following process will occur. The Technical Committee will use each state's harvest from 2015 to predict harvest in 2016 and compare that to the 2016 state harvest target (derived from the state's 1998-based portion of the 2016 RHL). If the state's predicted harvest is higher than the target, the state must adjust their regulations to constrain harvest to the 2016 target. If the state's predicted harvest is lower than the target, the state can adjust their regulations to increase harvest to achieve the 2016 target.

2017

If the Board continues the adaptive regional approach for 2016 and goes back to state-by-state conservation equivalency in 2017, the following process will occur. The Technical Committee will use the state harvest from 2016 to predict harvest in 2017 and compare that to the 2017 state harvest target (derived from the state's 1998-based portion of the 2015 RHL). If the state's predicted harvest is higher than the target, the state must adjust their regulations to constrain harvest to the 2017 target. If the state's predicted harvest is lower than the target, the state can adjust their regulations increase harvest to achieve the 2017 target.

- 2) Using the adaptive regional approach

2016 and 2017

If the Board continues the adaptive regional management approach for 2016, the following process will occur. The Technical Committee will use harvest estimates and fishery performance from 2015 to evaluate the 2015 regional management approach. **If the coastwide RHL is not exceeded, then regions may adjust their management measures if needed to constrain harvest in 2016. If the coastwide RHL is exceeded, then region specific harvest will be evaluated, with the understanding that more restrictive management measures will be needed to constrain regional harvest in 2016. If the predicted 2016 combined regional harvest is higher than the 2016 RHL, regions will have to adjust their management measures in 2016.** The Technical Committee will develop proposed measures for each region that, when combined, will constrain the coastwide harvest to the 2016 RHL.

If the Board continues the adaptive regional management approach for 2016 and 2017, the same process as specified for 2016 will be utilized in determining regional management measures in 2017. Any number of size, possession, and season combinations can be

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evaluated when looking at regional management. **An example of possible regional management under each option is listed below.**

Regional Option 2A: Regional Management Status Quo

Under this alternative the coastwide recreational harvest limit would be divided into five regions: 1) Massachusetts 2) Rhode Island 3) Connecticut-New Jersey 4) Delaware-Virginia and 5) North Carolina.

In 2014 and 2015, Connecticut and New Jersey allowed for a separate shore-based minimum size limit (e.g. 16 TL minimum size) at select sites. This was allowed under regional management as all states in the region had and continue to have the option to have shore-based management. Both states would plan to continue the separate shore-based minimum size limit in 2016 at select sites under this option.

Table 3. Regional Option 2A

| STATE | Example Size Limit | Example Possession Limit | Example Season (in number of days) | 2016 Regional Harvest Estimate | 2016 RHL |
|----------------|---------------------------|---------------------------------|---|---------------------------------------|-----------------|
| MASSACHUSETTS | 16" | 5 | 132 | 77,899 | |
| RHODE ISLAND | 18" | 8 | 245 | 158,185 | |
| CONNECTICUT | 18" | 5 | 128 | | |
| NEW YORK | 18" | 5 | 128 | 1,081,993 | |
| NEW JERSEY | 18" | 5 | 128 | | |
| DELAWARE | 16" | 4 | 365 | | |
| MARYLAND | 16" | 4 | 365 | 244,852 | |
| VIRGINIA | 16" | 4 | 365 | | |
| NORTH CAROLINA | 15" | 6 | 365 | 39,466 | |
| Total | | | | 1,602,396 | 1,882,562 |

Regional Option 2B: New Jersey Delaware Bay Proposed Region

This option was developed to address the management discrepancies within Delaware Bay between the states of New Jersey and Delaware that were created as a result of the regional management structure implemented in 2014 and 2015.

Under this alternative, the coastwide RHL would be divided into six regions: 1) Massachusetts 2) Rhode Island 3) Connecticut-New York 4) New Jersey 5) Delaware-Virginia and 6) North Carolina. New Jersey would become its own region due to the stipulation outlined under ASMFC Addenda XIV and XVII and the MAFMC's Framework 2 that require each state within a region to have the same management measures. This approach allows more equitable regulations in Delaware Bay between Delaware and New Jersey by allowing New Jersey to craft different regulations on the New Jersey side of Delaware Bay (NJ DelBay) and the rest of New Jersey. Outside of Delaware Bay, the New Jersey regulations would remain consistent (i.e. same size limit, possession limit, and season length) with those in the Northern Region of New York and Connecticut; while the

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NJ DelBay options will have a similar size limit as Delaware, the same possession limit as Delaware and the same season as the rest of New Jersey north of Delaware Bay. The line of demarcation for the NJ DelBay will occur along the COLREGS Demarcation Line at the western end of Cape May.

This option allows for a smaller size limit on New Jersey's portion of Delaware Bay to create a more equitable size limit difference (e.g. 1 inch difference versus the 2 inch difference in 2014 and 2015) while at the same time constraining harvest with a lower possession limit and shorter season. Based on analysis using preliminary 2015 harvest estimates, an additional 5,455 fish or 1% of the New Jersey Delaware Bay total harvest, when compared to the status quo option would be needed under the example option below. This additional amount of fish would be available because the projected harvest estimates for all the regions combined is anticipated to be below the 2016 RHL.

In 2014 and 2015, Connecticut and New Jersey allowed for a separate shore-based minimum size limit (e.g. 16 TL minimum size) at select sites. This was allowed under regional management as all states in the region had and continue to have the option to have shore-based management measures. Under this option, both Connecticut and New Jersey would plan to continue the separate shore-based minimum size limit in 2016 at select sites under this option in each of their respective regions.

Table 4. Regional Option 2B

| STATE | Example Size Limit | Example Possession Limit | Example Season (in number of days) | 2016 Regional Harvest Estimate | 2016 RHL |
|--|--------------------|--------------------------|------------------------------------|--------------------------------|-----------|
| MASSACHUSETTS | 16" | 5 | 132 | 77,899 | |
| RHODE ISLAND | 18" | 8 | 245 | 158,185 | |
| CONNECTICUT | 18" | 5 | 128 | | |
| NEW YORK | 18" | 5 | 128 | 596,823 | |
| NEW JERSEY* | 18" | 5 | 128 | | |
| NEW JERSEY/ DELAWARE BAY COLREGS** | | | | | |
| DELAWARE | 16" | 4 | 365 | | |
| MARYLAND | 16" | 4 | 365 | 244,852 | |
| VIRGINIA | 16" | 4 | 365 | | |
| NORTH CAROLINA | 15" | 6 | 365 | 39,466 | |
| Total | | | | 1,607,852 | 1,882,562 |

*New Jersey east of the COLREGS line at Cape May, NJ will have management measures consistent with the northern region of Connecticut – New York.

**New Jersey west of the COLREGS line at Cape May, NJ inside Delaware Bay will have a similar size limit to the southern region (DE-VA), the same possession limit as the southern region (DE-VA), and the same season length as the northern region of Connecticut – New York.

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3.1.1 Timeframe for Summer Flounder Measures

Option 1: No extension

This addendum would expire at the end of 2016. After 2016, measures would revert back to the FMP status quo: The Board and Council specify coastwide measures to achieve a coastwide recreational harvest limit or permit conservation equivalent management measures using guidelines agreed upon by both management authorities in Framework 2 and Addenda XIV and XVII. Under conservation equivalency, states can implement state-by-state measures or adjacent/contiguous states can voluntarily enter into an agreement forming regions. Under either option, the combined measures of all the states or regions need to constrain recreational landings to the coastwide RHL.

Option 2: One year extension

The Board would take action, through a Board vote, to extend this addendum for one year, expiring at the end of 2017. After 2017, measures would revert back to the FMP status quo coastwide/conservation equivalency measures.

Option 3: Two year extension

The Board would take action, through a Board vote, to extend this addendum for two years, expiring at the end of 2018. After 2018, measures would revert back to the FMP status quo coastwide/conservation equivalency measures.

Option 4: No sunset

The Board would take action, through a Board vote, to extend the provisions of this addendum indefinitely. For different regional management alignments to be utilized in future years, a new addendum would be needed. Each year in December through Board Action, the Board would decide to proceed with coastwide, state-by-state or regional management.

3.2 Black Sea Bass Management Options

The measures in this Draft Addendum are only proposed for state waters in 2016. Absent any subsequent action by the Board, coastwide measures will be implemented in 2016. The Draft Addendum is not intended to implement state allocations and is not intended to set a precedent for state allocations. The Technical Committee recommends that monitoring of harvest and catch should be conducted for the duration the fishery is open in a given year.

The federal FMP does not allow for conservation equivalency and would require an amendment to the FMP to make the necessary changes consistent with those proposed in this document; therefore, a single coastwide measure is set in federal waters. Federal permit holders have to follow regulations set by the NOAA Fisheries regardless of where they are fishing. The Monitoring Committee recommends the federal measures for the 2016 fishing year remain status quo at: 12.5 inch TL minimum size, 15 fish possession limit, and open season of May 15-September 21 and October 22-December 31 and the northern region states take the required reduction so long as the combined reduction in state waters and federal waters landings meet NOAA requirements. Under the proposed measures in Option 2, the northern region states (New Jersey through Massachusetts) will implement recreational black sea bass management programs that utilize minimum size limits,

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maximum possession limits and seasonal closures designed to achieve a specific harvest reduction that, when combined with the other regions in the management unit, achieve the required coastwide reduction for 2016 of 23% compared to 2015 projected harvest. If the northern region states measures do not address the required reduction, a backup set of measures would need to be implemented to constrain landings to the 2016 RHL. The Monitoring Committee recommends the backup coastwide measures include a 14 inch TL minimum size, 3 fish possession limit, and an open season from July 15-September 15.

Reduction tables, provided by the Technical Committee, will be used to determine which suite of possession limits, size limits and closed seasons would constrain recreational landings to the recreational harvest limit for the state/region. Tables would be adjusted for each region to account for past effectiveness of the regulations. Each region would propose a combination of size limit, possession limit, and closed seasons that would constrain landings to the appropriate level. These regulations will be reviewed by the Technical Committee and approved by the Board. States would not implement measures by mode or area unless the PSE of the mode or area for that region is less than 15%.

Note: State specific MRIP data is less precise than data pooled coastwide or by region.

For each of the options listed below a 23% reduction in harvest is necessary to achieve the RHL. This is based on preliminary harvest estimates and projections for the remainder of 2015. This value may change as new data are made available.

Option 1: Status Quo

2016 black sea bass recreational measures would be set using a single coastwide size limit, bag limit, and season. A 23% reduction in harvest would be required to achieve the 2016 RHL (2.82 million pounds).

Option 2: Ad Hoc Regional Measures

Two regions will be established. Each region will implement recreational black sea bass management programs that utilize minimum size limits, maximum possession limits and seasonal closures designed to achieve a specific harvest reduction. The combined harvest of the regions in the management unit will achieve the required coastwide limit for 2016. The northern region will contain the states of Massachusetts through New Jersey and the southern region will contain the states of Delaware through North Carolina (North of Cape Hatteras). All states will agree to the regulations implemented within the region. While not required, states will work to develop consistent regulations to allow for similar recreational management programs within the region. Under this option, the states of Massachusetts through New Jersey would reduce their regulations based on the region's performance in 2015. The states of Delaware through North Carolina (North of Cape Hatteras) will set their measures consistent with federal regulations (current recommended Federal measures are: 12.5 inch TL minimum fish size, 15 fish possession limit, and open season from May 15-September 21 and October 22-December 31). The regulations of the two regions combined would require a total harvest reduction of 23% harvest to achieve the 2015 RHL (2.82 million).

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3.2.1 Timeframe for Black Sea Bass Measures

Option 1: No extension

This addendum would expire at the end of 2016. After 2016, measures would revert back to the FMP status quo: The Board and Council specify coastwide measures to achieve a coastwide RHL.

Option 2: One year extension

The Board would take action, through a Board vote, to extend this addendum for one year, expiring at the end of 2017. After 2017, measures would revert back to the FMP status quo coastwide measures.

Option 3: Two year extension

The Board would take action, through a Board vote, to extend this addendum for two years, expiring at the end of 2018. After 2018, measures would revert back to the FMP status quo coastwide measures.

Option 4: No sunset

The Board would take action, through a Board vote, to extend the provisions of this addendum indefinitely. For different regional management alignments to be utilized in future years, a new addendum would be needed. Each year in December through Board Action, the Board would decide to proceed with coastwide or ad hoc regional management.

4.0 Compliance: To be determined by the Board

4.1 Summer Flounder

4.2 Black Sea Bass

Tables and Figures

Table 5. State summer flounder harvest in 1998 and the proportion of harvest that state-by-state harvest targets under conservation equivalency are based on

| State | 1998 estimated harvest (thousands) | Percent of the 1998 harvest |
|--------------|---|------------------------------------|
| MA | 383 | 5.5% |
| RI | 395 | 5.7% |
| CT | 261 | 3.7% |
| NY | 1,230 | 17.6% |
| NJ | 2,728 | 39.1% |
| DE | 219 | 3.1% |
| MD | 206 | 3.0% |
| VA | 1,165 | 16.7% |
| NC | 391 | 5.6% |

Table 6. Angler Participation on the Atlantic Coast with percent change from 1998-2014

| Angler Participation coastwide from 1998-2014 | | | | |
|--|----------------|--------------------|--------------|---------------------------------|
| Year | Coastal | Non-Coastal | Total | Percent Change from 1998 |
| 1998 | 4,137,554 | 447,172 | 4,584,726 | |
| 1999 | 3,797,901 | 480,630 | 4,278,531 | -6.68% |
| 2000 | 5,074,359 | 653,104 | 5,727,463 | 24.92% |
| 2001 | 5,537,676 | 717,490 | 6,255,166 | 36.43% |
| 2002 | 4,660,668 | 597,327 | 5,257,995 | 14.69% |
| 2003 | 5,697,540 | 768,372 | 6,465,912 | 41.03% |
| 2004 | 5,623,004 | 832,386 | 6,455,390 | 40.80% |
| 2005 | 6,965,785 | 892,768 | 7,858,553 | 71.41% |
| 2006 | 6,886,353 | 889,097 | 7,775,450 | 69.59% |
| 2007 | 7,799,919 | 910,168 | 8,710,087 | 89.98% |
| 2008 | 6,541,755 | 944,118 | 7,485,873 | 63.28% |
| 2009 | 5,581,259 | 812,991 | 6,394,250 | 39.47% |
| 2010 | 5,848,691 | 882,858 | 6,731,549 | 46.83% |
| 2011 | 5,293,098 | 726,760 | 6,019,858 | 31.30% |
| 2012 | 5,399,706 | 821,199 | 6,220,905 | 35.69% |
| 2013 | 5,215,365 | 634,369 | 5,849,734 | 27.59% |
| 2014 | 5,380,148 | 758,782 | 6,138,930 | 33.89% |

Source: Personal Communication from National Marine Fisheries Service, Fisheries Statistics Division, 11/30/2015

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Table 7. The number of summer flounder harvested from Maine through North Carolina by mode, 1981-2014.

| Year | Shore | Party/Charter | Private/Rental |
|----------------------------------|--------------|----------------------|-----------------------|
| 1981 | 3,145,683 | 1,362,252 | 5,058,639 |
| 1982 | 1,120,521 | 5,936,006 | 8,416,173 |
| 1983 | 3,963,680 | 3,574,229 | 13,458,398 |
| 1984 | 1,355,595 | 2,495,733 | 13,623,843 |
| 1985 | 786,185 | 1,152,247 | 9,127,759 |
| 1986 | 1,237,033 | 1,608,907 | 8,774,921 |
| 1987 | 406,095 | 1,150,095 | 6,308,572 |
| 1988 | 945,864 | 1,134,353 | 7,879,442 |
| 1989 | 180,268 | 141,320 | 1,395,177 |
| 1990 | 261,898 | 413,240 | 3,118,447 |
| 1991 | 565,404 | 597,610 | 4,904,637 |
| 1992 | 275,474 | 375,245 | 4,351,387 |
| 1993 | 342,225 | 1,013,464 | 5,138,352 |
| 1994 | 447,184 | 836,362 | 5,419,145 |
| 1995 | 241,906 | 267,348 | 2,816,460 |
| 1996 | 206,927 | 659,876 | 6,130,182 |
| 1997 | 255,066 | 930,633 | 5,981,121 |
| 1998 | 316,314 | 360,777 | 6,302,004 |
| 1999 | 213,447 | 300,807 | 3,592,741 |
| 2000 | 569,612 | 648,755 | 6,582,707 |
| 2001 | 226,996 | 329,705 | 4,736,910 |
| 2002 | 154,958 | 261,554 | 2,845,647 |
| 2003 | 203,717 | 389,142 | 3,965,811 |
| 2004 | 200,368 | 463,776 | 3,652,354 |
| 2005 | 104,295 | 498,614 | 3,424,557 |
| 2006 | 154,414 | 315,935 | 3,479,934 |
| 2007 | 98,418 | 499,160 | 2,510,000 |
| 2008 | 79,339 | 171,951 | 2,098,583 |
| 2009 | 62,691 | 176,997 | 1,566,490 |
| 2010 | 59,812 | 160,109 | 1,281,546 |
| 2011 | 34,849 | 137,787 | 1,667,240 |
| 2012 | 106,342 | 96,386 | 1,996,407 |
| 2013 | 117,289 | 284,048 | 2,120,990 |
| 2014 | 62,248 | 440,750 | 1,938,626 |
| % of Total, 1981-2014 | 9% | 14% | 78% |
| % of Total, 2008-2014 | 4% | 10% | 86% |

Source: Personal Communication from National Marine Fisheries Service, Fisheries Statistics Division, 11/30/2015

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Table 8. Black Sea Bass Specifications and Harvest estimates from 1998-2013

| Year | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|-----------------------------|-------------------------|----------|----------|-------------------------|----------|------------------------|------------------------|----------|
| Harvest Limit (m lb) | 3.15 | 3.15 | 3.15 | 3.15 | 3.43 | 3.43 | 4.01 | 4.13 |
| Harvest (m lb) | 1.51 | 1.94 | 4.30 | 3.98 | 4.65 | 3.44 | 2.88 | 2.55 |
| Size (inches) | 10 | 10 | 10 | 11 | 11.5 | 12 | 12 | 12 |
| Bag[^] | -- | -- | -- | 25 | 25 | 25 | 25 | 25 |
| Open Season | 1/1-7/30 and 8/16-12/31 | All year | All year | 1/1-2/28 and 5/10-12/31 | All year | 1/1-9/1 and 9/16-11/30 | 1/1-9/7 and 9/22-11/30 | All year |

| Year | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 |
|-----------------------------|----------|----------|----------|-----------|---------------------------|------------------|------------------|------------------|------------------|------------------|
| Harvest Limit (m lb) | 3.99 | 2.47 | 2.11 | 1.14 | 1.83 | 1.84 | 1.32 | 2.26 | 2.26 | 2.33 |
| Harvest (m lb) | 2.31 | 2.64 | 2.40 | 2.56 | 3.19 | 1.17 | 3.19 | 2.46 | 3.61 | 3.52** |
| Size (inches) | 12 | 12 | 12 | 12.5 | 12.5 | Varied by region |
| Bag[^] | 25 | 25 | 25 | 25 | 25 | Varied by region |
| Open Season | All year | All year | All year | All year* | 5/22-10/11 and 11/1-12/31 | Varied by region |

[^] The state of Massachusetts has a more conservative bag limit of 20 fish.

* In 2009 Federal waters were closed on October 5, 2009

**Preliminary Harvest estimates are only available through wave 5 (September/October) of 2015

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Table 9. 2015 Black Sea Bass recreational management measures.

Note: Cells are shaded to help with table readability.

| State | Minimum Size (inches) | Possession Limit | Open Season |
|---|-----------------------|------------------|--|
| Maine | 13 | 10 fish | May 19-September 18 |
| New Hampshire | 13 | 10 fish | January 1-December 31 |
| Massachusetts | 14 | 8 fish | May 23-August 27 |
| Rhode Island | 14 | 1 fish | July 2- August 31 |
| | | 7 fish | September 1-December 31 |
| Connecticut (Private & Shore) | 14 | 3 fish | June 1-August 31 |
| | | 5 fish | September 1-December 31 |
| CT Authorized Party/Charter Monitoring Program Vessels | 14 | 8 fish | June 21-December 31 |
| New York | 14 | 8 fish | July 15- October 31; |
| | | 10 fish | November 1-December 31 |
| New Jersey | 12.5 | 2 fish | July 1-July 31 |
| | | 15 fish | May 27-June 30; October 22-December 31 |
| Delaware | 12.5 | 15 fish | May 15-September 21; October 22-December 31 |
| Maryland | 12.5 | 15 fish | May 15-September 21; October 22-December 31 |
| Virginia | 12.5 | 15 fish | May 15-September 21; October 22-December 31 |
| North Carolina, North of Cape Hatteras (N of 35° 15'N) | 12.5 | 15 fish | May 15-September 21; October 22-December 31 |

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Table 10. Black Sea Bass MRIP Harvest Estimates (in numbers of fish).

| State | Year | | | | | |
|--|-----------|---------|-----------|-----------|-----------|-----------|
| | 2010 | 2011 | 2012 | 2013 | 2014 | 2015Wv5* |
| NH | 0 | 0 | 3,195 | 12,284 | 0 | 0 |
| MA | 702,138 | 194,753 | 519,910 | 291,678 | 457,100 | 351,424 |
| RI | 160,428 | 50,204 | 102,548 | 75,097 | 214,464 | 231,609 |
| CT | 15,682 | 8,377 | 110,858 | 107,900 | 406,785 | 261,446 |
| NY | 543,245 | 274,475 | 321,516 | 353,034 | 423,406 | 710,694 |
| NJ | 687,450 | 148,486 | 734,928 | 345,333 | 468,400 | 384,013 |
| DE | 21,029 | 42,962 | 40,141 | 36,559 | 23,878 | 9,899 |
| MD | 36,019 | 47,444 | 33,080 | 29,678 | 68,468 | 12,309 |
| VA | 29,717 | 18,964 | 4,075 | 21,296 | 14,368 | 37,919 |
| NC** | 10,850 | 30,975 | 3,664 | 7,785 | 696 | |
| Total | 2,206,558 | 816,640 | 1,873,915 | 1,280,644 | 2,077,565 | 1,999,313 |
| NH-NJ | 2,129,972 | 719,257 | 1,833,096 | 1,221,885 | 1,994,033 | 1,949,085 |
| DE-NC | 76,586 | 97,383 | 40,819 | 58,759 | 83,532 | 50,228 |
| *2015 estimates are preliminary through wave 5 | | | | | | |
| **post-stratified data for 2015 is unavailable | | | | | | |

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Table 11. 2015 Summer Flounder recreational management measures.

Note: Cells are shaded to help with table readability.

| State | Minimum Size (inches) | Possession Limit | Open Season |
|--|-----------------------|------------------|------------------------|
| Massachusetts | 16 | 5 fish | May 22-September 23 |
| Rhode Island | 18 | 8 fish | May 1-December 31 |
| Connecticut | 18 | | |
| CT Shore Program (45 designed shore sites) | 16 | 5 fish | May 17- September 21 |
| New York | 18 | 5 fish | May 17- September 21 |
| New Jersey | 18 | 5 fish | May 23- September 26 |
| NJ pilot shore program 1 site | 16 | 2 fish | May 22-September 26 |
| Delaware | 16 | 4 fish | January 1- December 31 |
| Maryland | 16 | 4 fish | January 1- December 31 |
| PRFC | 16 | 4 fish | January 1- December 31 |
| Virginia | 16 | 4 fish | January 1- December 31 |
| North Carolina | 15 | 6 fish | January 1- December 31 |

Appendix I.

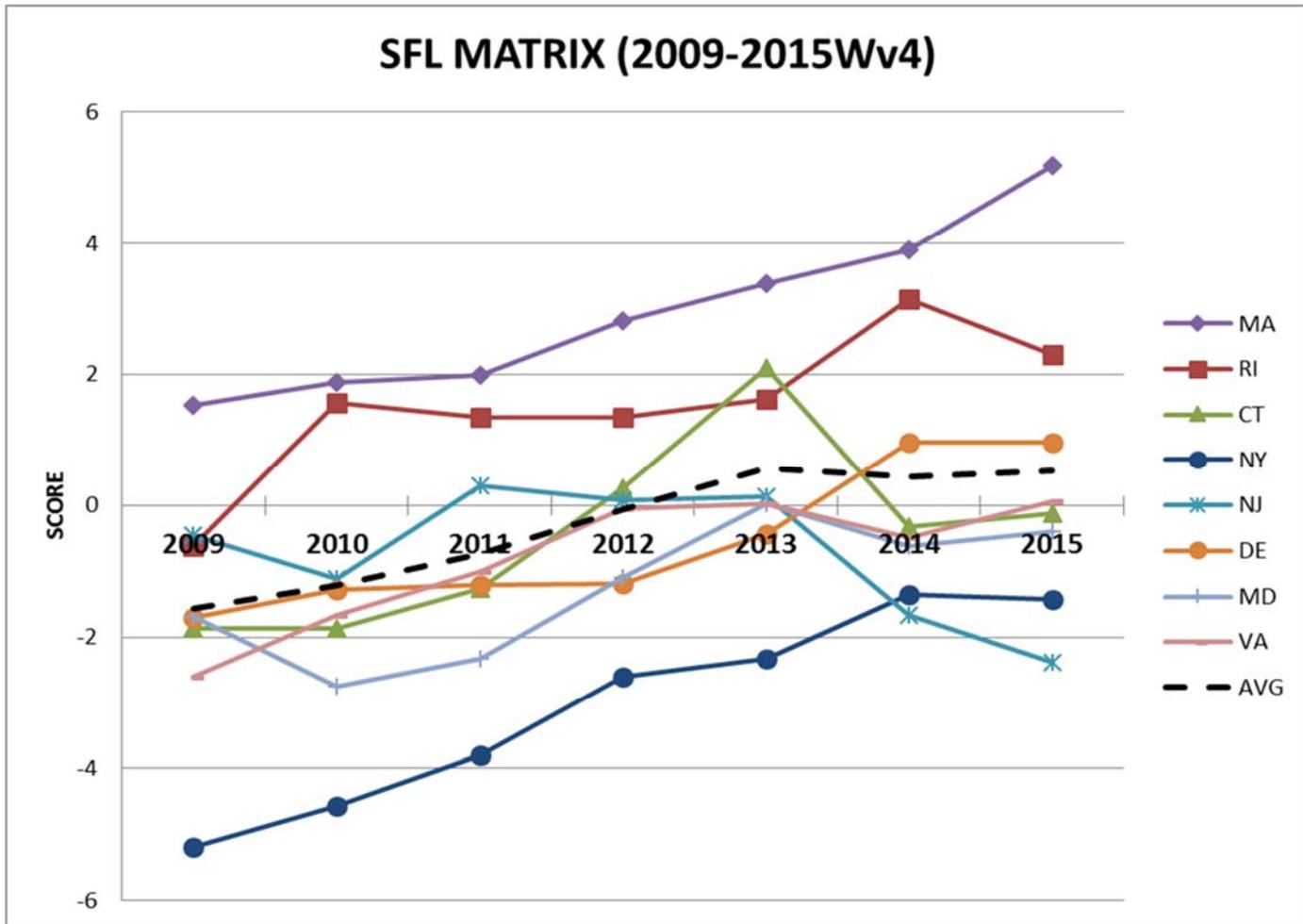


Figure 1. Summer Flounder Recreational Performance by State 2009-2015 Wave 4*#

*The North Carolina recreational flounder fishery regularly catches 3 species of flounder. Due to problems with angler identification of species, released flounder are included in MRIP categories for left eye flounder genus or family. Trip targets are also generally reported as left eye flounder although it is likely that some trips are more likely to catch a particular flounder species. Determining the number of releases and targeted trips for summer flounder based on available information would require assumptions that cannot be tested without further study. Therefore, any fishery metric that includes released or trips targeting summer flounder for North Carolina is too uncertain to be used for management decisions and is listed as NA. For this reason, North Carolina is excluded from this analysis.

#Harvest estimates through wave 4 for 2015 are preliminary and are subject to change as subsequent wave estimates become available.

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Table 12A. Recreational Summer Flounder Fishery Performance 2009-2010

| YEAR | 2009 | 2009 | 2009 | 2009 | 2009 | 2009 | 2009 | 2010 | 2010 | 2010 | 2010 | 2010 | 2010 | 2010 | 2010 | 2010 |
|---|-------|--------|-------|-------|-------|--------|-------|--------|-------|--------|-------|-------|-------|--------|-------|--------|
| STATE | MA | RI | CT | NY | NJ | DE | MD | VA | MA | RI | CT | NY | NJ | DE | MD | VA |
| METRIC | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| RETENTION RATE | 34.3% | 15.8% | 9.5% | 5.1% | 7.3% | 8.3% | 7.3% | 7.4% | 17.4% | 34.0% | 8.6% | 4.8% | 5.0% | 8.0% | 2.0% | 9.7% |
| INTERCEPTS HARVEST : CATCH | 0.47 | 0.32 | 0.27 | 0.15 | 0.29 | 0.21 | 0.27 | 0.16 | 0.55 | 0.31 | 0.24 | 0.18 | 0.19 | 0.22 | 0.07 | 0.28 |
| BAG LIMIT | 5 | 6 | 3 | 2 | 6 | 4 | 3 | 5 | 5 | 6 | 3 | 2 | 6 | 4 | 3 | 4 |
| #. FISH HARVEST: #. TARGETED TRIPS | 0.54 | 0.49 | 0.26 | 0.24 | 0.44 | 0.28 | 0.25 | 0.33 | 0.95 | 0.83 | 0.25 | 0.27 | 0.27 | 0.25 | 0.09 | 0.41 |
| % CORE SEASON (1% of total harvest in wave 1996-1998) | 31.7% | 100.0% | 35.9% | 41.3% | 57.1% | 100.0% | 62.0% | 100.0% | 77.7% | 100.0% | 56.0% | 62.5% | 54.9% | 100.0% | 89.4% | 100.0% |
| % of ALL S/W TRIPS TARGETING SFL | 2.7% | 14.9% | 12.1% | 26.0% | 35.2% | 33.7% | 8.8% | 28.8% | 1.4% | 11.5% | 9.2% | 28.5% | 35.0% | 26.4% | 9.5% | 24.4% |
| NEAREST NEIGHBOR SIZE LIMIT | -2.5 | 2.0 | -1.5 | 2.3 | -1.8 | 0.5 | -0.8 | 2.5 | -1.0 | 0.5 | -0.75 | 2.25 | -1.75 | 0 | 0.5 | 1.5 |

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Table 12B. Recreational Summer Flounder Fishery Performance 2011-2012

| YEAR | 2011 | 2011 | 2011 | 2011 | 2011 | 2011 | 2011 | 2011 | 2012 | 2012 | 2012 | 2012 | 2012 | 2012 | 2012 | 2012 |
|---|-------|--------|-------|-------|-------|--------|-------|--------|-------|--------|-------|-------|-------|--------|--------|--------|
| STATE | MA | RI | CT | NY | NJ | DE | MD | VA | MA | RI | CT | NY | NJ | DE | MD | VA |
| METRIC | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| RETENTION RATE | 24.2% | 18.2% | 12.0% | 4.9% | 8.3% | 9.8% | 3.1% | 13.8% | 23.2% | 21.3% | 16.9% | 9.2% | 13.9% | 15.2% | 9.6% | 23.3% |
| INTERCEPTS HARVEST : CATCH | 0.40 | 0.43 | 0.24 | 0.18 | 0.26 | 0.20 | 0.08 | 0.29 | 0.50 | 0.43 | 0.28 | 0.22 | 0.35 | 0.23 | 0.20 | 0.41 |
| BAG LIMIT | 5 | 7 | 3 | 3 | 8 | 4 | 3 | 4 | 5 | 8 | 5 | 4 | 5 | 4 | 3 | 4 |
| #. FISH HARVEST: # TARGETED TRIPS | 0.81 | 0.78 | 0.39 | 0.27 | 0.39 | 0.28 | 0.10 | 0.49 | 0.79 | 0.69 | 0.27 | 0.43 | 0.57 | 0.27 | 0.18 | 0.43 |
| % CORE SEASON (1% of total harvest in wave 1996-1998) | 95.0% | 100.0% | 61.4% | 83.2% | 77.2% | 100.0% | 93.5% | 100.0% | 95.0% | 100.0% | 92.4% | 83.2% | 79.9% | 100.0% | 100.0% | 100.0% |
| % of ALL S/W TRIPS TARGETING SFL | 2.6% | 18.6% | 9.3% | 33.5% | 36.4% | 25.8% | 5.5% | 22.4% | 3.4% | 13.9% | 17.2% | 31.7% | 39.3% | 19.2% | 5.7% | 23.7% |
| NEAREST NEIGHBOR SIZE LIMIT | -1.0 | 0.5 | -1 | 2.25 | -1.25 | 0 | 0.25 | 1 | -2.0 | 1.25 | -1 | 1.75 | -1.25 | 0.75 | -0.25 | 0.5 |

Draft Addendum for Public Comment

Table 12C. Recreational Summer Flounder Fishery Performance 2013-2014

| YEAR | 2013 | 2013 | 2013 | 2013 | 2013 | 2013 | 2013 | 2014 | 2014 | 2014 | 2014 | 2014 | 2014 | 2014 | 2014 | 2014 |
|---|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| STATE | MA | RI | CT | NY | NJ | DE | MD | VA | MA | RI | CT | NY | NJ | DE | MD | VA |
| METRIC | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| RETENTION RATE | 34.4% | 19.6% | 23.8% | 9.8% | 16.0% | 18.8% | 15.0% | 26.8% | 25.1% | 30.7% | 15.8% | 10.1% | 11.0% | 24.1% | 11.2% | 17.8% |
| INTERCEPTS HARVEST : CATCH | 0.63 | 0.51 | 0.54 | 0.29 | 0.50 | 0.31 | 0.27 | 0.35 | 0.61 | 0.73 | 0.41 | 0.30 | 0.32 | 0.40 | 0.24 | 0.30 |
| BAG LIMIT | 5 | 8 | 5 | 4 | 5 | 4 | 4 | 4 | 5 | 8 | 5 | 5 | 5 | 4 | 4 | 4 |
| #. FISH HARVEST: #. TARGETED TRIPS | 0.52 | 0.77 | 0.98 | 0.41 | 0.79 | 0.35 | 0.32 | 0.44 | 1.30 | 0.99 | 0.51 | 0.39 | 0.63 | 0.48 | 0.32 | 0.40 |
| % CORE SEASON (1% of total harvest in wave 1996-1998) | 95.0% | 100% | 92.4% | 82.6% | 70.7% | 100% | 100% | 100% | 95.0% | 100% | 69.6% | 69.6% | 69.6% | 100% | 100% | 100% |
| % of ALL S/W TRIPS TARGETING SFL | 2.1% | 14.0% | 24.4% | 35.1% | 42.9% | 20.5% | 5.9% | 19.6% | 2.5% | 16.9% | 17.2% | 32.8% | 38.2% | 22.3% | 9.9% | 16.2% |
| NEAREST NEIGHBOR SIZE LIMIT | -2 | 1.25 | -1 | 1.5 | -0.5 | 0.25 | -0.5 | 0.5 | -2.0 | 1.0 | 0.0 | 0.0 | 1.0 | -1.0 | 0.0 | 0.5 |

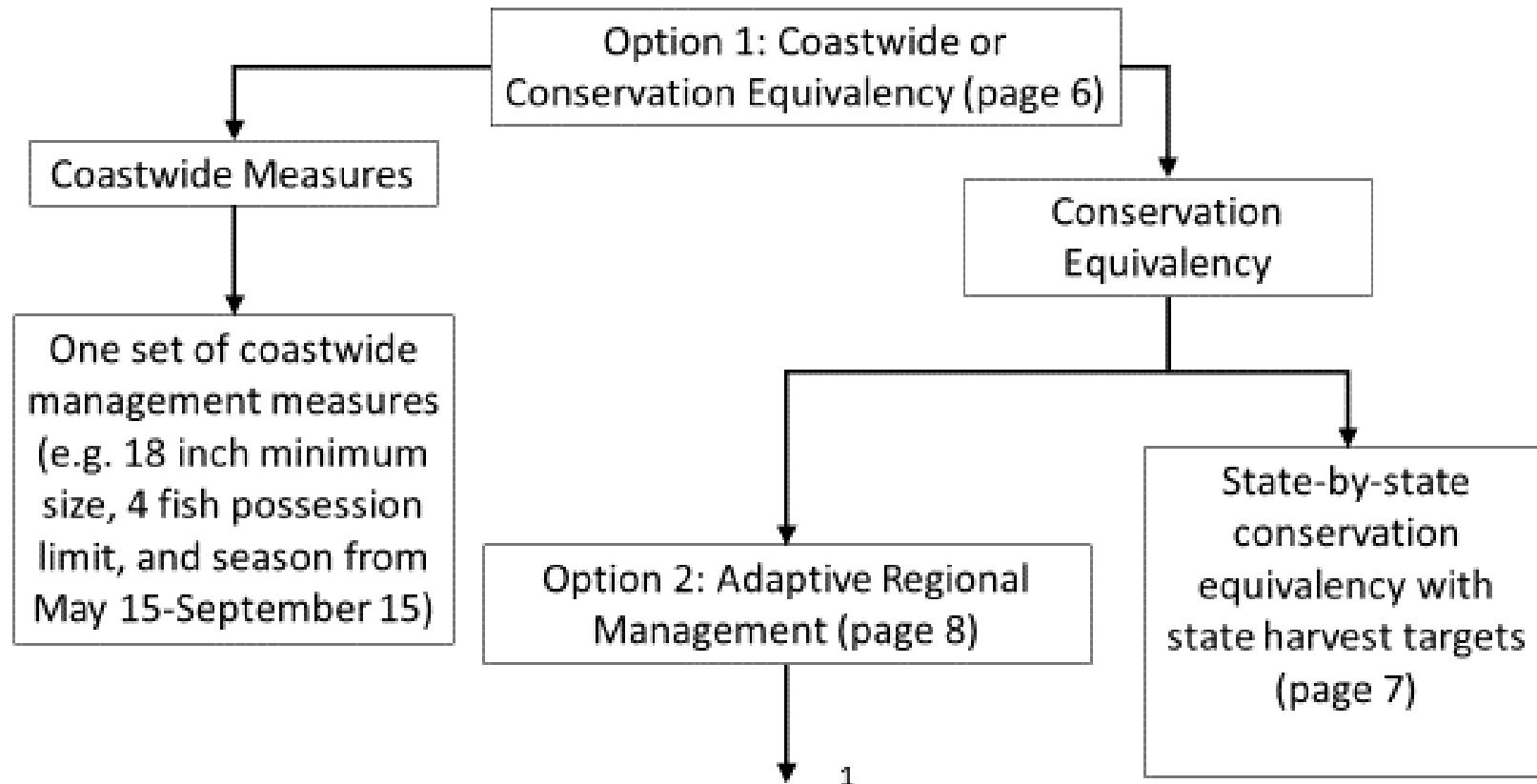
Draft Addendum for Public Comment

Table 12D. Recreational Summer Flounder Fishery Performance 2015 (Through Wv4)

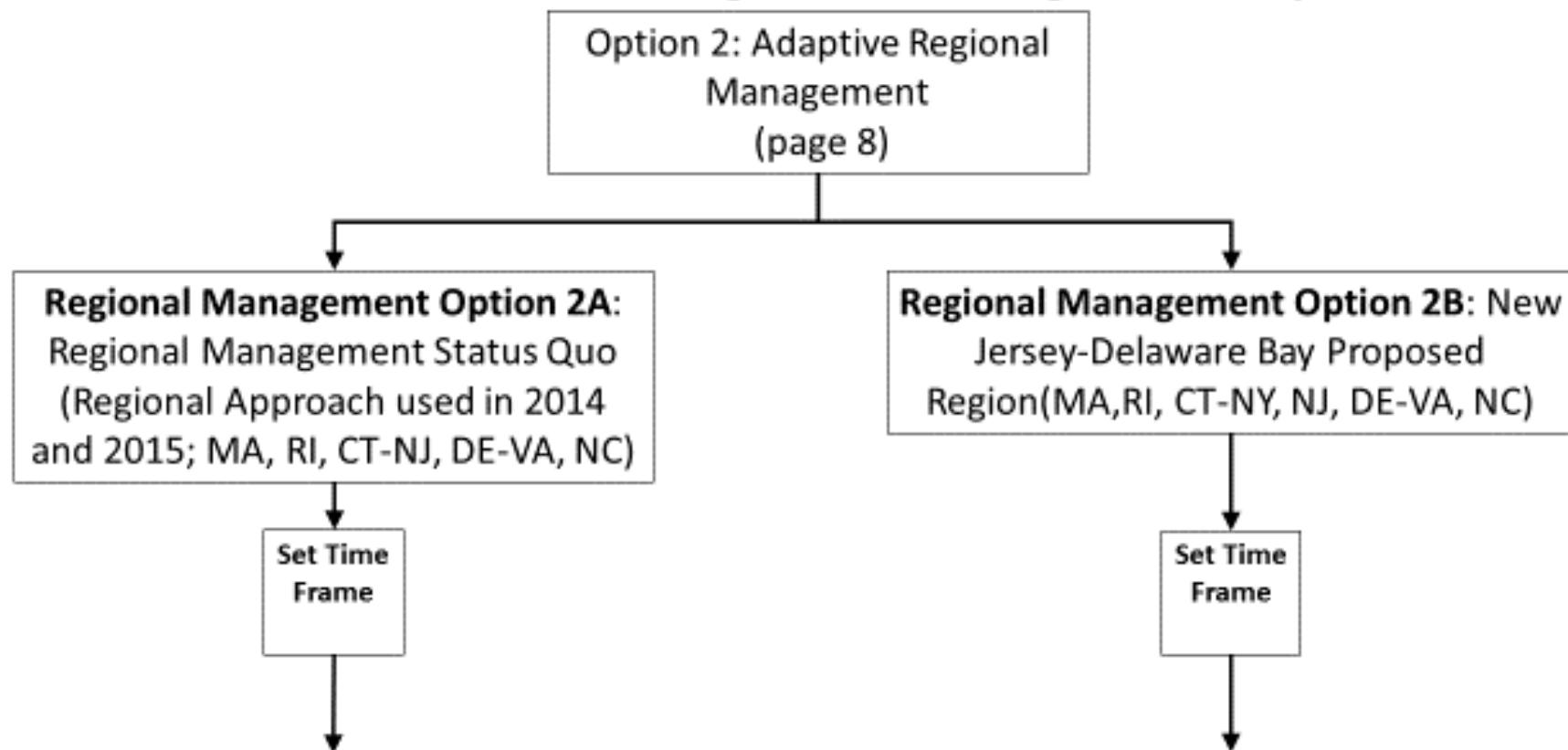
| STATE | MA | RI | CT | NY | NJ | DE | MD | VA |
|---|-------|--------|--------|--------|--------|--------|--------|--------|
| METRIC | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| RETENTION RATE | 45.2% | 28.9% | 17.9% | 12.9% | 9.8% | 26.0% | 16.3% | 20.0% |
| INTERCEPTS HARVEST : CATCH | 0.63 | 0.63 | 0.38 | 0.31 | 0.27 | 0.40 | 0.24 | 0.41 |
| BAG LIMIT | 5 | 8 | 5 | 5 | 5 | 4 | 4 | 4 |
| #. FISH HARVEST: #.TARGETED TRIPS | 1.56 | 0.85 | 0.63 | 0.48 | 0.34 | 0.46 | 0.30 | 0.54 |
| % CORE SEASON (1% of total harvest in wave 1996-1998) | 95.0% | 100.0% | 69.6% | 69.6% | 69.6% | 100.0% | 100.0% | 100.0% |
| % of ALL S/W TRIPS TARGETING SFL | 2.78% | 29.56% | 16.27% | 48.85% | 45.69% | 25.75% | 8.03% | 18.93% |
| NEAREST NEIGHBOR SIZE LIMIT | -2.0 | 1.0 | 0.0 | 0.0 | 1.0 | -1.0 | 0.0 | 0.5 |

Appendix II

ASMFC Decision Tree for Draft Addendum XXVII for Summer Flounder Recreational Management



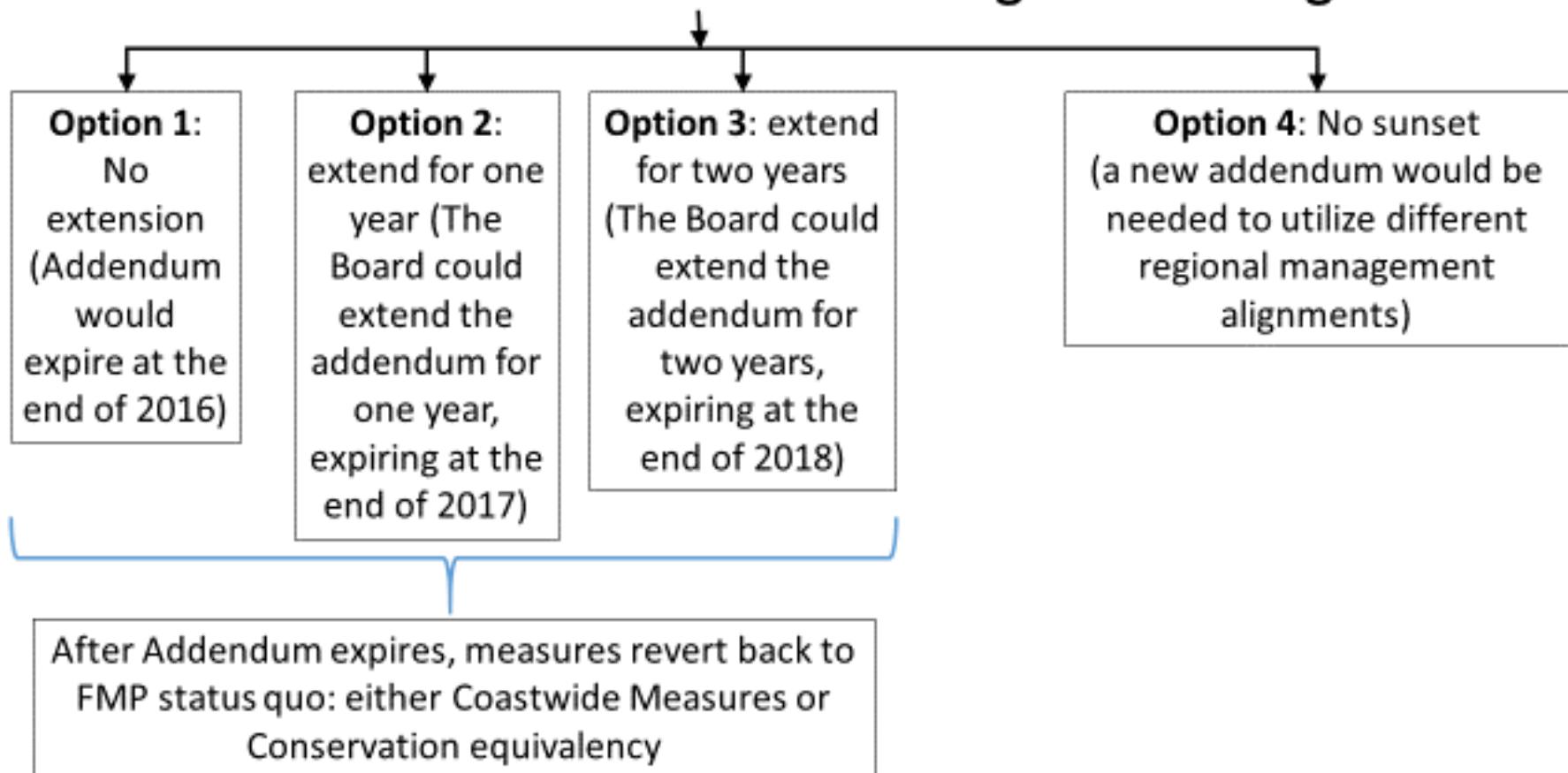
Summer Flounder Regional Management Options



Draft Addendum for Public Comment

Please Note: This Draft Addendum specifies multiple timeframe options for continuing the Regional Management approach (Option 2A) utilized in 2014 and 2015. The Board approved the continuation of Addendum XXVI in November 2015 for 2016. Provisions of Addendum XXVI expire at the end of 2016. For the Regional Management approach (2A) to be extended beyond 2016, it must be done so through this Draft Addendum or a new addendum.

Timeframe for Summer Flounder Regional Management



**DRAFT ADDENDUM XXVII TO THE INTERSTATE FISHERY
MANAGEMENT PLAN FOR SUMMER FLOUNDER, SCUP, AND BLACK
SEA BASS**

PUBLIC HEARINGS SUMMARIES

| <u>Date</u> | <u>Location</u> |
|------------------|-----------------------------|
| January 5, 2016 | Old Lyme, Connecticut |
| January 6, 2016 | Narragansett, Rhode Island |
| January 7, 2016 | East Setauket, New York |
| January 7, 2016 | Manahawkin, New Jersey |
| January 12, 2016 | Lewes, Delaware |
| January 12, 2016 | Newport News, Virginia |
| January 14, 2016 | Buzzards Bay, Massachusetts |

January 2016

PUBLIC HEARING SUMMARY

Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass the Interstate Fishery Management Plan

Connecticut

*Marine Headquarters
Boating Education Center
333 Ferry Road
Old Lyme, Connecticut*

January 5, 2016

Public Attendance: see sign-in sheet (8 members of the public)

State Personnel and Commission Staff:

Dave Simpson (CT DEEP)
Mark Alexander (CT DEEP)
Greg Wojcik (CT DEEP)
Matt Gates (CT DEEP)
Kirby Rootes-Murdy (ASMFC)

Summary:

Summer Flounder

Three people spoke in favor of regional management option 2B: New Jersey Delaware Bay Proposed Region. Reasons cited for support were there should be enough fish to allow a small increase in the harvest in the Delaware Bay in 2016. While there was belief that there would be enough fish to allow for the increased harvest, two people took issue with the summer flounder harvest estimates in Connecticut waters in 2015- they felt that numbers were too high and unrealistic.

All three people who spoke in favor option 2B were in favor of the timeframe option 2: extend management measures through 2017. Reasons cited were consistent management measures for at least two years would provide more stability for fisherman in planning and preparing for each season.

One person spoke in favor of option 1: a coastwide set of management measures. Reasons cited for this were concern that fishing pressures throughout the coast affect other areas and that one set of measures coastwide would alleviate that fish pressure. They did not specify a timeframe option.

Black Sea Bass

Three people spoke in favor of continuing Option 2: ad-hoc regional management. Reasons cited included the super abundance of black sea bass in Connecticut state waters and the impact their presence is having on other species. Other reasons cited were concern on being group with southern states in terms of management measures- the perception is fish are more abundant up north and management measures in the south aren't reflective of that. Both people expressed concern over the coastwide catch limit for 2016 and argued that it should be higher based on observed abundance.

In terms of time frame, two people in favor of continuing Option 2: ad hoc regional management were in favor of timeframe Option 1: no extension beyond 2016. Reason cited for a one year extension only was hope that the 2016 benchmark stock assessment would provide new information to affect management decisions in 2017. A third person was in favor of timeframe Option 2: extend for one year through 2017. They cited the need to have a management approach in place different than coastwide measures ahead of the benchmark stock assessment completion at the end of 2016, as the time may not be quick enough to affect 2017.

**Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass
Fishery Management Plan for Public Comment**

Atlantic States Marine Fisheries Commission
January 5, 2016
Connecticut

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PUBLIC HEARING SUMMARY

Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass the Interstate Fishery Management Plan

Rhode Island

*University of Rhode Island, Corliss Auditorium
South Ferry Road
Narragansett, Rhode Island*

January 6, 2016

Public Attendance: see sign-in sheet (9 members of the public)

State Personnel:

Jason McNamee (RI DEM)
Scott Olszewski (RI DEM)
Robert Ballou (RI DEM)

Summary

Summer Flounder

Five meeting participants gave oral comments. All meeting participants supported Option 2A – Regional Management Status Quo. The specific comments included:

- General agreement that the program had worked well for the past 2 years.
- Discussion about setting precedent along the coast and endangering the existing program, which they felt was working well.

Section 3.1.1: Timeframe for Summer Flounder Measures

All Five meeting participants in support of Option 2A Regional Management Status Quo were in support of the timeframe Option 3 – two year extension through 2018. The specific comments included:

- Because the program was working well, there was some comfort in letting the program roll forward an additional two years without automatically triggering a review, but they were not yet comfortable allowing it to go forward indefinitely.

Black Sea Bass

Five meeting participants spoke in support of Option 2 – Ad Hoc Regional Measures. The specific comments included:

- General agreement that the program was working as well as could be expected given the low quota and high biomass in local waters.

- There was additional discussion about local management options, there was general dislike for RI's program in 2015 which included a 1 fish bag limit for most of the season.

Section 3.2.1: Timeframe for Black Sea Bass Measures

All Five meeting participants in support of Ad Hoc Regional Management were in support of timeframe Option 3 – two year extension through 2018. The specific comments included:

- Because the participants supported the existing program, there was some comfort in letting the program roll forward an additional two years without automatically triggering a review, but they were not yet comfortable allowing it to go forward indefinitely.

**Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass
Fishery Management Plan for Public Comment**

Atlantic States Marine Fisheries Commission

January 6, 2016
Rhode Island

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PUBLIC HEARING SUMMARY

Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass the Interstate Fishery Management Plan

New York

*Bureau of Marine Resources
205 North Belle Mead Road
East Setauket, New York*

January 7, 2016

Public Attendance: see sign-in sheet (4 members of the public)

State Personnel:

John Maniscalco (NYSDEC)
Steve Heins (NYSDEC)
Jim Gilmore (NYSDEC)

Summary:

Summer Flounder

One person spoke in favor of regional management option 2A: Status Quo. Reasons cited were concern over enforcement issues previously experienced under state by state management and a belief that there were benefits to having consistent regulations over the long term. In terms of timeframe option, this person was in favor of timeframe option 4: no sunset. Reasons cited related to the previously mentioned long term benefits of consistent regulations.

One person spoke in favor of regional management option 2B: New Jersey Delaware Bay Proposed Region. Reasons cited was because New York had suffered under similar size limit difference with neighboring states as what New Jersey has had over the last two years with Delaware. For a timeframe option, this person was in favor of timeframe option 3: two year extension beyond 2016 through 2018.

Black Sea Bass

Two people spoke in favor of Option 2: ad-hoc regional management. No specific reasons were cited. Each person was in favor of a different timeframe option; one was in favor of option 4: no sunset and the other was in favor of option 3: two year extension beyond 2016 through 2018. No reasons were cited.

**Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass
Fishery Management Plan for Public Comment**

Atlantic States Marine Fisheries Commission
January 7, 2016
New York

-- PLEASE PRINT CLEARLY --

Name

Company/Organization

City, State

Renee Jannotti
RONALD TURBINE
NEIL DELANOE
Steven R. Wittner

PUBLIC HEARING SUMMARY
Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass the Interstate Fishery
Management Plan

New Jersey
Stafford Township Municipal Building
260 East Bay Avenue
Manahawkin, New Jersey

January 7, 2016

Public Attendance: see sign-in sheet (52 members of the public; 42 signed in)

State Personnel & Commission Staff:

Tom Baum (NJ DFW)
Peter Clarke (NJ DFW)
Toni Kerns (ASMFC)

Summary

Summer Flounder

Vote: 37 people were in favor of regional management option 2B for 2016 only.

The overwhelming majority of the attendees were in favor of region option 2B, which would allow New Jersey to split the state regulations east and west of the COLREGs line. The majority of the group was only in favor of this regional approach for 2016. After 2016, the group would like to see the Board go back to state-by-state management where New Jersey can manage the state's 39% of the RHL to meet the needs of their fishery. The attendees are in favor of the split state regulations due to the significant difference in the size and season regulations between fishermen from NJ and DE in the Delaware Bay. With a size limit that is 2 inches smaller and a year round fishery, more fisherman have been booking from Delaware charters when fishing in the bay. This has resulted in a significant and devastating loss of business in southern New Jersey including charter boats, head boats, and bait and tackle shops. In addition if a New Jersey fisherman wants to fish in Delaware waters they must pay a fee to the state of Delaware. While allowing the state to split the regulations east and west of the COLREGs will alleviate some inequities the state has faced it will not solve all the problems. There will still be a one inch size difference and a much longer season on the Delaware side. The group does not like the regulations that were handed down in the regions. NJ has always tried to be conservative in its management approach and now is now forced to pay the sins of other states by putting them in a region.

Attendees also spoke about concerns that those fishing in the ocean from the southern half of the state do not see the same size fish those in the north see. It would be better if the southern part of the state could also have smaller size limits to match the availability of the size classes seen off their waters.

A few individuals spoke in favor of NJ allowing for a smaller size limit for the shore mode again in 2016.

Since moving away from the smaller size limits of 13 and 14 inches, where the population was able to grow and thrive, and putting in large size limits of 18+ inches it forces anglers to keep the breeding females and stop the population growth. Why do we not take a smaller fish or a combination of an overall length? Families can take home fish and not throwing them back to die. People just want to take home fish for dinner. There needs to be good science and common sense to make the programs work.

Black Sea Bass

The group did not focus their comments on the options contained in the document instead spoke about black sea bass management and the lack of a good assessment that correctly characterizes the status of the resource. Please see the written comments from the NJ Coast Anglers Association (NJCAA) for details, the majority of the group was in agreement with the comments that were read from NJCAA's letter. The majority of the group is in favor of New Jersey going out of compliance with the Commission's FMP. The group does not feel the current quotas are reflective of the population health therefore the state should not have to restrict regulations to meet an unrealistic RHL. New Jersey has consistently been setting regulations that are conservative and obeying the rules while other states set size limits that could have negative impacts on population health (taking the larger fecund females). The state is tired of being punished for the regulations and over harvest by other states. Black sea bass management is failing. By setting quotas that are too low and putting strict restrictions on regulations, it incentivizes fisherman to break the law because they know there are plenty of fish out there to catch without hurting the population.

PUBLIC HEARING SUMMARY
Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass the Interstate Fishery Management Plan

Delaware and Maryland (Joint Public Hearing)

*DNREC Lewes Building
901 Pilottown Road
Lewes, Delaware*

January 12, 2016

Public Attendance: see sign-in sheet (3 members of the public)

State Personnel and Commission Staff:

John Clark (DE DFW)
Stew Michels (DE DFW)
Mike Waine (ASMFC)

Summary

Summer Flounder

Three people are in favor of adaptive regional management option 2A. Their justifications included the following:

- New Jersey does not have adequate law enforcement to enforce regional management option 2B. They would like to see the Law Enforcement Committee address whether New Jersey could actually enforce this option.
- If you split Delaware Bay at some point Delaware will end up with two different size limits and that will be a big issue. They are in favor of one size limit for all Delaware waters.

Two people are in favor of timeframe option 4: no sunset because they think regional management is far superior to state-by-state harvest targets under conservation equivalency.

Black Sea Bass

Two people are in favor of option 2 ad-hoc regional measures, but they wish they knew what the actual regional measures will be in 2016. One person believes National Marine Fisheries Service should require states to develop regional measures at the same time as the fallback coastwide so that they can be compared during public comment periods. Two people are in favor of timeframe option 4 no sunset because they prefer regional management.

General Comments

The Delaware general assembly does not care about recreational fisheries and only commercial fisheries as demonstrated by eel being out of compliance and the striped bass don't have to be tagged until they come off the boat.

A drawing consisting of two separate clusters of thin, dark, wavy lines. The cluster on the left is more compact and circular in shape, while the cluster on the right is more elongated and spread out.

3 people

Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan for Public Comment

Atlantic States Marine Fisheries Commission
January 12, 2016
Delaware and Maryland

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PUBLIC HEARING SUMMARY

Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass the Interstate Fishery Management Plan

Virginia

*Marine Resources Commission
2600 Washington Avenue
Newport News, Virginia*

January 12, 2016

Public Attendance: see sign-in sheet (4 members of the public)

State Personnel:

Rob O'Reilly (VMRC)

Joe Cimino (VMRC)

Katie May Laumann (VMRC)

Summary:

Four members of the public attended, and two provided public comment. One attended as a representative of the Norfolk Anglers Club, who met previously to vote on their preferences.

For flounder management, one person indicated preference for Option 1: Coastwide or Conservation Equivalency with a state-by-state approach. This individual supports Timeframe Option 2: Management for one year through 2017. Another individual, representing the Anglers club, expressed support for Option 2: Adaptive Regional Management, and noted that if sub-option 2B is implemented, it will not impact states other than NJ, NY, and CT. He expressed concern over how overages would be handled, wondering if states responsible for overages would take any required reductions, or if reductions would be implemented coastwide. This individual preferred Timeframe Option 3: Management for two years through 2018, noting that management for two years rather than one year lends more "stability to the process".

Two members of the public indicated support for Option 2: Ad-hoc Regional Management of Black Sea Bass. Both prefer Timeframe Option 3: two years through 2018.

Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan for Public Comment

Atlantic States Marine Fisheries Commission

January 12, 2016

Virginia

-- PLEASE PRINT CLEARLY --

Name

Company/Organization

City, State

JILL BIRANSKI
LERS ALLEN

NORFOLK ANGLERS CLUB
VSSA

NORFOLK VA

Dek 12 PG 67

Bill Fogle

PSLICE*

Hampton

PUBLIC HEARING SUMMARY
Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass the Interstate Fishery Management Plan

Massachusetts
*Massachusetts Maritime Academy
101 Academy Drive
Buzzards Bay, Massachusetts*

January 14, 2016

Public Attendance: see sign-in sheet (25 members of the public; not all signed in)

State Personnel & Commission Staff:

Nichola Meserve (MA DMF)

Summary

Summer Flounder

Public comment was limited, presumably because Massachusetts regulations are expected to be status quo under either conservation equivalency or adaptive regional management.

- One person expressed their support for Regional Management Option 2B. They noted doing so will assist Delaware and New Jersey in having more similar measures in Delaware Bay without affecting Massachusetts fishery. They also expressed hope that support for this option now could benefit Massachusetts later when we have a request.
- One person expressed their support for Regional Management (no specific sub-option). They agreed with moving away from 1998-based allocations given changes in fishery and resource since then.

Timeline Options: No comment.

General Comment:

- Disagree with assessment for fluke showing decline in biomass.

Black Sea Bass

Management Options:

- Four people were in Support of Option 2: Ad Hoc Regional Management, only because it's better than Coastwide Management Measures.
- Two people commented that regarding ad hoc regional management, New York needs to do more to control harvest and achieve required cuts because they have a history of exceeding their projected harvest and it's negatively impacting the rest of the Northern Region.
- One person commented that with regards to ad hoc regional management, they disagree with Northern Region having to take the entire reduction.
- One person commented that regarding ad hoc regional management, they would like to see sub-options with additional regional break-downs (similar to summer flounder). Resource and fishery very different between states in current regions.

Timeline Options:

- One person was in support of Option 4 (no sunset).

General Comment:

- Most attendees disagreed with harvest reduction for 2016. Stock biomass is very high, the availability of fish in Massachusetts is unprecedented, and the RHL is unrealistically low. Need an increase in the RHL for any management program to work well. Next stock assessment can't come soon enough. (General sentiment within room.)
- One person noted that harvest reductions should be undertaken gradually just as increases are generally allowed.
- One person commented that annual recreational management process needs to occur faster in order for for-hire businesses to plan for the upcoming season (advertising, booking trips, etc.).
- Two people commented that black sea bass is the most mismanaged recovered stock. The economic impact on the for-hire industry is severe. The fishery is being forced to fish for depleted stocks like cod rather than the healthy black sea bass stock.
- Two people expressed concern about reliability of MRFSS estimates.

General Comments

- There were many other comments about the specific regulations that Massachusetts should implement assuming adoption of ad hoc regional management for 2016. They are not reported here.

4:30 pm

Draft Addendum XXVII to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan for Public Comment

Atlantic States Marine Fisheries Commission

January 14, 2016

Massachusetts

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| Name | Company/Organization | City, State |
|-------------------|----------------------------|-----------------|
| BILL DULUDE | CAPE COD SALTIES | MA |
| Dave MacLeod | " | " |
| Jack Coughlin | " | " |
| Alton | LORI AND FISHPIES | HANCOCK MA |
| Brian Bozeman | Absolute Sport fishing | Nantucket MA |
| PAT CONWELL | Hyline CRUISES | MA |
| MATT OSTRouski | Ree | W. Barnstable |
| JERRY KISSELL | MARINERS CHARTERS | STRAWBERRY, MA |
| With Hatch | CAPE COD SALTIES | Falmouth MA |
| Terry (assumed) | CAPTAIN SANDY'S | PROvincETOWN MA |
| Steve Mislevy | CC SALTIES | KIRKSTON, MA |
| Jay Tavich | Patriot Boats | EDDIE'S MA |
| Jim Tietje | NBF INC. | FALMOUTH, MA |
| CHES WHITMER | BoatInt'l/Gen & Spottedfin | OCEAN, MA |
| Jeff Vianello | myself (recreational fish) | Yarmouth MA |
| John Wart | SELF | Andover, MA |
| WHA'S NOT | SELF | FAIRHAVEN MA |
| NOVA MURRAY | SELF | FREEPORT MA |
| Andrew NAPOLITANO | SELF | EASTHAM MA |

Written Comment Summary on Draft Addendum XXVII to the Interstate FMP for Summer Flounder, Scup, and Black Sea Bass

In total 52 written comments were received, with 9 comments provided on behalf of groups or organizations. Two additional written comments were received after the public comment submission deadline and are not included in the summary numbers below.

Individual Comments

Summer Flounder

44 individual comments were received. 15 individuals provided comments in support of adaptive regional management in 2016, with a majority (12) in favor of adaptive regional management Option 2B: New Jersey Delaware Bay Region. Reasons cited for creating a separate New Jersey region with area specific management measures in the Delaware Bay included concern over the difference in size limit that neighboring Delaware anglers have while fishing on the same water body and same size fish relative to New Jersey anglers in recent years; the change in management measures of one inch and one less fish in the Delaware Bay relative to previous years is not significant; and lastly, concerns over the economic impact that different management measures have had on southern coastal New Jersey businesses. Many of these individuals also expressed interest in maintaining the shore based possession limit of two fish at 16 inches or greater at Long Beach Island State Park, New Jersey in 2016.

2 individuals provided comments in support of continuing the regional management alignment (Option 2A: status quo) that were in place in 2014 and 2015. Reasons cited for this option were a continuation of the previous year's regional alignment and management measures would provide stability to anglers; concern over allowing New Jersey to become its own region and accountability; and lastly concern that option 2B would undermine the regional management approach by having nearly as many different management measures as there are states in the management unit.

Timeline for Implementation

Of the written comments received specifying a timeframe for their preferred regional management option, the majority of individuals (9) who supported regional management option 2B were in favor of timeframe Option 1: For 2016 only. No reasons were provided for this timeframe option. For the two individuals in support of regional management option 2A, one was in favor of timeframe option 2: for 2016 and 2017 and the other was in favor of timeframe option 4: no sunset. The individual supporting option 4: no sunset cited that regional management has been successful and felt there was no need to revisit the issue on a regular basis.

Conservation Equivalency

One commenter indicated their initial preference for returning to state-by-state conservation equivalency. Reasons cited included concern over the lack of rules for how coastwide overages of the recreational harvest limit (RHL) would be dealt with in subsequent years under adaptive regional management. But, they indicated if state-by-state conservation equivalency is not implemented in 2016 their preference was for regional management option 2A: status quo (already mentioned previously).

Other Comments

A majority of individuals (23) that provided comment on summer flounder management did not specify an option that was included in Draft Addendum XXVII. Of those not specifying a listed option, 9 form letter comments requested that a 17 inch minimum size be extended across the New Jersey side of the Delaware Bay up to the northern extent of Cape May County. 7 additional individuals expressed interest in extending the New Jersey Delaware Bay region management measures up the New Jersey coast to encompass ‘southern New Jersey’, but all gave varying boundary lines for where the northern extent of those management measures would end. For these individuals specifying regional management options for New Jersey not contained in the draft addendum, all did not specify a timeframe for their preferred measures to be in place. Lastly, one commenter expressed concern over discard mortality for summer flounder and requested that essential fish habitat and ecosystem considerations should be better utilized in the management of summer flounder.

Black Sea Bass

21 individual comments were received. Of the 3 comments that indicated preference for specific management options, all were in favor of continuing ad hoc regional management (Option 2). A majority of the comments received (14) did not specify a preferred management option, but stated that the 23% reduction should be not be implemented for black sea bass harvest in 2016. The primary reason cited for no reduction was the abundance of black sea bass observed by anglers.

Other comments provided requested an earlier season start for recreational black sea bass, concern over trust being lost in management entities by the recreational community, the need for New Jersey to go out of compliance for black sea bass recreational management in 2016.

Timeline for Implementation

Of the 3 written comments in support of continuing ad hoc regional management, each individual supported different timeframes: one individual supported Option 1: for 2016 only, another supported Option 2: for 2016 and 2017, and the third supported Option 4: no sunset.

Group/Organization Comments

The following 9 groups/organizations offered written comment on preferred summer flounder and black sea bass management options in Draft Addendum XXVII:

- Money Island Marina Community
- Norfolk Anglers Club
- Jersey Coast Anglers Association (JCAA)
- Rhode Island Saltwater Anglers Association
- Gateway Stripper Club, Inc.
- Strathmere Fishing and Environmental Club
- Manasquan River Marlin & Tuna Club
- Cape May County Party and Charter Boat Association (CMCPCBA)
- New Jersey Recreational Fishing Alliance (NJ RFA)

For summer flounder management, 6 of these organizations (Norfolk Anglers Club, JCAA, Gateway Striper Club, Manasquan River Marlin & Tuna Club, CMCPBA, NJ RFA) were in favor of regional management option 2B: Jersey Delaware Bay Region. Reasons cited were similar to those expressed by individuals supporting option 2B, with additions of concerns over the biomass off of New Jersey's coast relative to other states and to reduce inequity between New Jersey and Delaware anglers. Preferred timeframes for these groups were largely for option 1: for 2016 only. The Rhode Island Saltwater Anglers Association indicated their preference for summer flounder regional management continuing into 2016 through 2018, but did not specify a preferred regional alignment. Two organizations- Money Island Marina and Community and the Strathmere Fishing and Environmental Club- did not specify a preference for options included in the draft addendum but expressed interest in Delaware Bay measures being extended throughout the Bay and up the New Jersey coast to Great Egg Inlet.

For black sea bass management, 3 organizations (Norfolk Anglers Club, Rhode Island Saltwater Anglers Association, and CMCPBA) were in favor of continuing ad-hoc regional management. Reasons cited were similar to those expressed by individuals. Each organization preferred a different timeframe; CMCPBA was in favor of timeframe option 1: for 2016 only; Norfolk Anglers Club was in favor of option 2: for 2016 and 2017; and Rhode Island Saltwater Anglers Association was in favor of option 3: for 2016 through 2018.

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Congress of the United States
House of Representatives
Washington, DC 20515-3006

January 21, 2016

Kirby Rootes-Murdy, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, VA 22201

Dear Mr. Rootes-Murdy,

I write today regarding the Atlantic States Marine Fisheries Commission Draft Addendum XXVII to the Summer Flounder, Scup and Sea Bass Fishery Management Plan. This addendum proposes actions relating to two important fisheries in New Jersey, summer flounder and sea bass. Summer flounder and sea bass are two of the most important recreational fish to resident and non-resident anglers.

Recreational fishing directed at summer flounder and sea bass is a critical component of the state's economy. My district has thousands of private anglers and attracts individual anglers from all over the nation. These anglers support local small businesses and drive the coastal economy of my home state. It is critical for New Jersey to receive fair treatment in the development of restrictions placed on key recreational species.

With respect to summer flounder, I request the Commission adopt Regional Option 2B: New Jersey Delaware Bay Proposed Region. This option will enable New Jersey to become its own region and allow anglers to have a more equitable size limit within the Delaware Bay area. As the Commission considers the timeframe for summer flounder measures, I request the Commission adopt option 1, which would hold that this addendum expires at the end of 2016.

Further, I support a less restrictive quota than the proposed 23% reduction that is included in the draft addendum for recreational sea bass harvest. There continues to be a troubling lack of confidence among fishermen and many fisheries managers in the data that guide stock assessments. As Congress considers reauthorization of the Magnuson Stevens Fishery Conservation and Management Act, the reliability of data collection remains one of our primary concerns. We must ensure that inaccurate and out of date science is not guiding decisions to needlessly restrict fisheries.

Recreational anglers in New Jersey and along the Atlantic Coast deserve fair quotas based on sound science. According to NOAA Fisheries, commercial and recreational fishing

supported approximately 1.7 million jobs in 2012. New Jersey's relies greatly upon this critical industry. I appreciate your attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Frank Pallone, Jr." The signature is fluid and cursive, with "Frank" and "Pallone" connected by a single stroke, and "Jr." written separately at the end.

FRANK PALLONE, JR.
Member of Congress

flounder and seabass

David Gilhooley [davidgilhooley@comcast.net]

Sent: Friday, January 01, 2016 11:07 AM

To: Kirby Rootes-Murdy

ASMFC,

It's quite obvious to us here in New Jersey that we do not get the size fish that they get in New York state.

We therefor should not be grouped in with New York on the flounder regulations.

It's also obvious that allowing 15 fish per person has been a drastic decision. Not allowing us to fish in the summer is a great burden to charter captains.

frustratedly yours,

Captain Norman Hafsrud
Ocean City New Jersey

fish regulations

Gary Sloan [sloangc@yahoo.com]

Sent: Saturday, January 02, 2016 3:51 PM

To: Kirby Rootes-Murdy

Dear Regulator:

I live in southern NJ and fish in the local waters for over 50 years. Flounder fishing has been poor for 5 years in our end of the state. Whatever the cause it certainly not from recreational catches. The lower Delaware bay has been even less productive. I truly believe the unrestricted by catch of commercial fisheries certainly is a major contributor to this problem. Can you comprehend or understand the thousands of pounds of fish that die as by catch in order for a commercial netting operation to call it a day. All fish should be brought back to port and count against their quota. If you did that those boats would not be out in May, June and early July knowing the majority of those fish are undersized. Secondly, I believe management zones should be geographically suited. I fish the Delaware bay where on the same body of water if I catch a fish and drift 20 feet into the other side I can be issued a ticket. Do you really believe that is common sense management. If I release a 17inch fish and he swims 20 feet and is caught by a Delaware fisherman what have we accomplished.

The science of marine fisheries is not infallible. Remember science once believed the ocean was flat. Quit blaming recreational fishing. Fish Biomass tend to cycle up and down regardless of your influence. Your desired biomass numbers may be perfect for you but nature is seldom perfect. Balance is as important as quota's. Large number of stripers means less small weakfish. Lots of spiny dogs means less seabass. Winter crab dredging ruins beds of clams and oysters in the Delaware bay. No beds,no food for fish means no fish.

You meetings have turned into a Dog and Pony show. Most believe you have your tonnage limits regardless if Jesus Christ walked in a gave you an option. Remember Public Agencies create their own demise but losing public trust. We may not have the collection ability as Recreational fishermen to compete with the Commercial money, but we do carry the most votes.

Yours Truly,

Gary C Sloan
116 East 3rd Ave
North Wildwood,
New Jersey

Comments on the DRAFT ADDENDUM XXVII TO THE SUMMER FLOUNDER, SCUP, BLACK SEA BASS

Karp, Caroline [caroline_karp@brown.edu]

Sent: Wednesday, January 06, 2016 11:39 AM

To: Jason E. Mcnamee

Cc: Kirby Rootes-Murdy; Kayla Weststeyn [kayla_weststeyn@brown.edu]; Jane Jacoby [jane_jacoby@brown.edu]; James Corbett [james_corbett@brown.edu]; Evan Gross [evan_gross@brown.edu]

Attachments: Bartholomew and Bohnsack 2~1.pdf (412 KB)

hi Jay,

Everything you said makes sense. However, I know you can imagine that there might be some benefit from:

- Trying to manage spatially where the agencies have *Essential Fish Habitat* (EFH)/ecosystem information -- which the state, regional and federal agencies do for these species. In addition, RI and MA already made a (prelim) effort to id key fishing and nursery grounds as part of the offshore wind projects so EFH seems like something to factor in with any new regulations [that affect the New England region] in order to rebuild depleted stocks and stocks where overfishing is occurring. And
- (Over-) estimating discard mortality as a way to account for uncertainty--- especially for the recreational fishery as per Bartholomew and Bohnsack, attached.

I'm copying Dr. Krootes-Murdy (ASMFC) on these comments on the proposed Draft Addendum to the **SUMMER FLOUNDER, SCUP, BLACK SEA BASS FMP** in the hope that they will be considered by the **SUMMER FLOUNDER, SCUP, BLACK SEA BASS Committee** and the Commission.

In addition, I think I mentioned that I'm co-managing a year-long class at Brown with Prof Ross Cheit on *Fish, Fisheries and Seafood*. Several of the students have personal and/or family experience with commercial and recreational fishing and are interested in by catch and ecosystem-based management, among other things.

I've copied a couple of the students on this email because they are working on regulatory bycatch/waste issues, and because I recommended summer flounder/fluke as an interesting candidate because of potentially high regulatory discard mortality in the commercial and recreational fisheries. [You may already know this but an Alaskan student in the class, Evan Gross, reported that Alaskan natives are offended by *catch and release* because they think of it as "playing with food". This caught my attention because it raises the idea of abandoning size limits in favor of strict bag limits and biomass based quotas.]

I/we hope to invite you to meet with us sometime this term to talk about your ecosystem-based mgmt model and your thoughts about some of the differences between regulating fisheries for food, economic and community security as well as coordination between fisheries agencies. I know that a number of students are eager to talk with you so I'll be in touch with some possible dates.

with warm regards as always,

Caroline

Caroline A. Karp, Esq. [and a member of the ASMFC CESS]
Senior Lecturer/Faculty Fellow

Institute at Brown for Environment and Society

UEL Room 201

TEL: (401) 863-3874



On Wed, Jan 6, 2016 at 9:00 AM, McNamee, Jason (DEM) <jason.mcnamee@dem.ri.gov> wrote:

Hi Caroline. Hope you are well and hope you had a good holiday season.

I can answer your second question the quickest and say that we do not currently use area or spatial management for any of the three species and therefore we have not investigated the effects nor have we quantified the effects that closing identified essential fish habitat might have on these stocks. A lot of it has to do with the machinery of how we manage, which does not exist for spatial management of these species.

On the addendum, it is specific to how we are going to manage this year (regional, state-by-state, etc...), so is not a very comprehensive addendum so this specific action does not address discards. Discard mortality is clearly addressed and accounted for in the setting of the quota, and at the Monitoring Committee we definitely discuss whether the management options will significantly impact discard rates (as well as other implications), so it is definitely part of our process (this is the management uncertainty part of the spec setting). One thing I will note though is that we are currently working on a better way to estimate/quantify this aspect of our process. We are currently working on a model with Dr John Ward as well as reinvestigating a MSE model developed by Wilberg and Weidenman a few years back. I have been extremely uncomfortable with the lack of formality in our management uncertainty process so I look towards these approaches as how we will address some of the things you mention in the future.

Hope that all makes some sense, and I wish you a Happy New Year.

-J

From: Karp, Caroline [mailto:caroline_karp@brown.edu]

Sent: Tuesday, January 05, 2016 11:01 PM

To: McNamee, Jason (DEM) <jason.mcnamee@dem.ri.gov>

Subject: DRAFT ADDENDUM XXVII TO THE SUMMER FLOUNDER, SCUP, BLACK SEA BASS

Dear Jay,

The ASMFC description of the summer flounder's stock status as of the end of 2015 isn't great. It says in part,

" The fishing mortality rate in 2014 was estimated to be 16% above the fishing mortality threshold reference point. ...The update also estimates that recruitment has been overestimated by a range of 22% to 49% for 5 of the last 7 year classes, which has contributed to an overestimation of stock size in recent years. According to the 2015 update, estimated biomass has been trending down since 2010.

Given these findings, the Commission and the Mid-Atlantic Fishery Management Council approved an acceptable biological catch (ABC) limit of 16.26 million pounds for the 2016 fishing season, an approximate 29% decrease from 2015. After accounting for projected discards in the commercial and recreational fisheries, this ABC is divided into a commercial quota of 8.12 million pounds and a recreational harvest limit of 5.42 million pounds for the 2016 fishing year." Summer Flounder Stock Status accessed online
@ <http://www.asmfc.org/species/summer-flounder> (Jan 05, 2016)

QUESTIONS FOR YOU AND THE ASMFC :

To what extent do you -- fisheries scientists and managers, think the Draft Addendum to the SUMMER FLOUNDER, SCUP, BLACK SEA BASS FMP adequately addresses the amount and effect of discard mortality that is likely to occur for summer flounder (or black sea bass and scup) if size limits are allowed to vary along the coast and between state and federal waters? The Draft Addendum is silent re projected effect on discard mortality.

To what extent does the most current FMP for these species use information re *Essential Fish Habitat* to regulate where/when fishing occurs, i.e., to effectively create seasonal no-take zones or corridors in addition to size limits and catch quotas?

Thank you and best as always,

with warm regards,

Caroline

Caroline A. Karp, Esq.

Senior Lecturer/Faculty Fellow

Institute at Brown for Environment and Society

UEL Room 201

TEL: [\(401\) 863-3874](tel:(401)863-3874)

Draft addendum XXVI

Bobcope [captbobjr@yahoo.com]

Sent: Thursday, January 07, 2016 8:09 PM

To: Kirby Rootes-Murdy

I as owner of Full Ahead Sport Fishing CapeMay NJ support option 2B for the year 2016
Capt Bob Cope

Sent from my iPhone

Black Sea Bass**Bob Cope [bobcope@me.com]****Sent:** Monday, January 11, 2016 10:26 AM**To:** Kirby Rootes-Murdy

After attending the meeting on 1/7 in New Jersey i find it with total dis-regard that you can in any way take more Sea Bass away from the recreational sector. How in the hell can you continue to tell us we are over fishing when you have not taken a stock assessment since the year 2011. I believe that we should continue to fish under the current regulations until you get new data to support your findings that we are over Black Sea Bass. You continue to put people out of business with faulty information leading to regulation that is so far out of line you should be ashamed to work with it

I am now agreeing with the sediment of those at the meeting that the only way is to go OUT OF COMPLIANCE until you have solid data to prove we are over fishing

Thank You: Capt. Bob Cope

Full Ahead

Sport Fishing

NJ

(609) 847-2304

Cape May

Draft Addendum XXVII

Tom Trageser [tomtrageser@gmail.com]

Sent: Friday, January 08, 2016 10:37 AM**To:** Kirby Rootes-Murdy

In regards to the proposed seabass regulations for 2016. It is my understanding the commission is seeking a 23% reduction in the recreational seabass harvest.

This is obscene. As I have previously written, the seabass population in the central New Jersey area is thriving. I have been seabass fishing for over 20 years and I can tell you they are plentiful. This summer every single fluke and cod trip my crew was inundated by large, mature seabass (>2.5#). I can't begin to tell you the frustration in having to release these fish. Please help me understand how it is helping the fishery to release seabass in 120' of water with inflated swim bladders. It is an absolute shame we are not able to harvest a fish that you and I know will certainly die because of bogus regulations.

I strongly oppose any changes to the seabass quota for 2016. If the quota is reduced, the commission will lose any credibility remaining with the recreational community. This will disenfranchise the community and will essentially ignore the size and bag limits pertaining to seabass and potentially other fish as well.

Enough is enough already.

Summer Flounder - Black Sea bass

Granville Printing [sir@snet.net]

Sent: Monday, January 11, 2016 12:12 PM

To: Kirby Rootes-Murdy

Summer Flounder

Option 2 with Option 2 time frame

Black Sea Bass

Option 2 Regional Measures with Option 1 no extension

Some contrary observations from my trips and what I see people coming to the docs with.

There seems to be a balance developing between Black Sea Bass and Porgy when I fish I get some of each by changing bait and lures -same area.

If I start to catch fluke about the same size that are short I move to a different location, fewer hook-ups usually means larger fish.

Big Black Sea Bass some up to 4-5 pounds many 13-14 inch fish later in the season more 15 inch fish

Smaller Fluke than previous years not many over 5 pounds, plenty of fish 18+ to 20.

Not many porgy this year over 2.5 pounds but more than ever 1.5 - 2 lb. fish.

It is loaded with 2 inch Bunker in Long Island Sound fishing from shore for herring late December sometimes two or three peanut bunker, get snagged by the rigs.

In a couple of hours casting 5-10 herring is a good day in Bridgeport Harbor and Black Rock Harbor.

People anchored fishing for Blackfish off New Haven Breakwaters caught buckets of herring Mid December.

I went to the meeting thanks for giving use the opportunity to learn how management decisions are made.

Frank Stirna

Draft Addendum XXVII

Marc Chiappini [chipnsnj@yahoo.com]

Sent: Wednesday, January 13, 2016 8:00 AM

To: Kirby Rootes-Murdy

Mr. Rootes-Murdy:

Delaware Bay should be treated as one body of water as it is one ecological system, therefore it should have the same size limits regardless of state waters, NJ v. Del. The NJ game warden riding with the coast guard to inspect fish in the waters of Del (they cruised both sides) last year became a nuisance as did the Del game wardens cruising the border doing the same thing. Why? Different size limits. As a boater and fisherman, it is costly to enjoy, we don't need added frustration and inconvenience to what should be relaxing.

Treat Delaware Bay as a body of water not two states of water.

"The most formidable weapon against errors of any kind is reason."

Thomas Paine, 1794

Draft Addendum XXVII

philip [psuwelsh@gmail.com]
Sent: Thursday, January 14, 2016 4:19 PM
To: Kirby Rootes-Murdy

Hello,

As an avid southern NJ fisherman, I would like to submit my input.

Fluke:

From Avalon south (possibly Sea Isle/Ocean City), NJ fishermen fish the same sites as Delaware; Cape May Reef, RS11, Old Grounds. I am at these sites all season and see many Delaware boats fishing next to me. While it makes no sense for NJ to have the same lower limits as Delaware due to overfishing potential, something has to be done to equalize these common sites. Therefore, I would propose that southern NJ, from those porting from some point to Cape May have the same ocean fishing fluke regs as Delaware. I do not see why this cannot be done. After all, the fish and game people check boats as they approach or are at port and therefore could easily have a different limit than northern NJ.

On the issue of the Delaware Bay - the fishing in the DB is terrible and while equalizing NJ and DL for that body of water makes sense, it will have little impact due to lack of fish. Also, it makes my point that southern NJ could have a different rule than northern NJ as how will fish and game know where the fish were caught when checked at port?

As far as bag limits, size and season dates - keeping large fluke means keeping females. That makes no sense. What seems to make the most sense is a slot system. As far as season dates go, after the first few weeks the fluke fishing dies off until mid July and remains good until at least late September or October. Therefore, if there is a way to stagger the season to keep it open from July 1 into mid October I would favor that.

Sea Bass:

My biggest issue is the closure of the season during the summer and early fall when ability to get to offshore wrecks is easiest. Last season was terrible for all of us who fish until mid October. It seems the regs are set for those who fish mid-October and on and that eliminates many of us due to weather, ability, and time. Many marinas begin to close in October and/or charge extra for being in the water after mid-October. This only favors for-hire boats. So, I would favor a longer season with smaller bag limits (say, 5 each) that gives us the ability to fish and not be greedy.

Finally, many of us fish the offshore wrecks for both fluke and sea bass. It disturbs many of us to be fluke fishing and pull up sea bass from 125+ ft knowing we have throw back sea bass. Many don't know how to "deflate" sea bass and those fish are left to die. Any effort to somehow keep fluke and sea bass at similar season dates would be helpful.

Thanks,

Philip Welsh
Stone Harbor

flounders

SoupBone1@comcast.net

Sent: Thursday, January 14, 2016 9:26 AM

To: Kirby Rootes-Murdy

we appricate the adjustment in del bay.but why don't you make the whole bay 17inchesand 4 fish.still defeating the purpose were throwing them back and they can keep them. thank you

Addendum XXVII

Eugene Lenard [ewlenard@comcast.net]

Sent: Friday, January 15, 2016 11:33 AM

To: Kirby Rootes-Murdy

Importance:High

I've fished from Sea Isle City for over 40 years. In my experience, and I fish 90-100 days per year, fluke fishing has gotten kind of ridiculous over the past 10 or so years.

Short after short comes up and has to be released, many die from the trauma. Most keeper fish need close measurement since invariably they're barely above the limit. Bag limits?! Forget them. I haven't gotten over 3 keepers in decades!

Fishing in South Jersey is different than North Jersey. Just look at catch records, and tournament results. Dedicated taggers like Bucktail Willie have the numbers and records to back this up. North Jersey and New York produce more and bigger fish on a consistent and historical basis. WE NEED SEPARATE LIMITS TO RECOGNIZE THIS SIMPLE FACT! Fisherman, marinas, bait and tackle shops and tourism are ALL affected by this.

My very simple proposal:

For one year South Jersey has a 2 inch lower limit than North Jersey and New York. Draw the line at wherever you choose south of Atlantic City. Enforcement is easy. You can't possess a short fish north of the line-on or off the water within 1 mile of the coast. (Face it, officials check at or near inlets or at docks and marinas anyway. Not an issue.)

As an alternative, have South Jersey limits the SAME as Delaware. Anyone can understand it.

Monitor the results and see what happens. I'll bet that the fishery doesn't suffer at all and the economy receives benefit.

Eugene W Lenard

ewlenard@comcast.net

Draft Amendment XXVII

Trout26805@aol.com

Sent: Sunday, January 17, 2016 6:37 AM

To: Kirby Rootes-Murdy

Kirby,

In reference to Draft Addendum XXVII regarding fluke I support Option 2, Adaptive Regional Approach and more specifically, Regional Option 2B. This regional option would allow New Jersey to be its own region. We would still be required to have the same size and bag limits and same season length as the region to our north (New York and Connecticut). However, we would be allowed to have special regulations for Delaware Bay. In 2015, people in southern NJ were treated unfairly in that fishermen from New Jersey and Delaware were fishing essentially the same waters in Delaware Bay but had different size limits. Delaware had a 16" size limit while fishermen from NJ had an 18" size limit. This option would allow for a 17" size limit for NJ fishermen fishing in Delaware Bay and close the gap with those fishing from Delaware. While a 16" size limit for NJ anglers fishing in Delaware Bay would seem even more equitable, that would then create a two inch gap between Delaware Bay and the rest of NJ. A one inch gap is not as severe and is something most of us can live with.

We also favor the option in that it would allow NJ to continue its shore based enhanced fishing opportunity to keep two fluke, 16" or greater at Island Beach State Park and possibly expand this program to other areas as well. Lastly we prefer option 1, no extension under Section 3.1.1, Timeframe for Summer Flounder Measures.

The addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which is unacceptable. I will not support any addendum or any regulation that would further restrict our harvest of sea bass.

Sincerely,

Andrew J. Krotje

ADENDUM XXVII FLUKE

BUCKTAIL8@aol.com

Sent:Sunday, January 17, 2016 8:07 PM

To: Kirby Rootes-Murdy

I firmly support the Delaware Bay with a 17 " size limit for summer flounder as the area is severely depressed .HOWEVER I believe that line needs to come up the NJ coast to at least Great Egg Inlet and my reasoning goes as follows.

#1 I have been tagging for ALS for over 20 years and my data for past 20 years indicates the average yearly size in Cape May County inshore waters for summer flounder is 14.29 " over past 20 years ..April always has largest fluke at over 19" May there is a drop to 17.8" ,June 17.25" and July/Aug /Sept 13.78"

#2 Summer flounder population began improving with the implementation of a size limit which started at 13" and moved up over the years to 14,16 17 and 17 1/2" and the stock grew to a high level. BUT since implementation of an 18" regulation in NJ the stock has been deteriorating and tougher restrictions were implemented . THE REASON for the downturn in population is because we are killing too many prime female spawners , in my opinion and there has been data to support that well over 98% of all summer flounder over 18" are females

#3 -Tagging data clearly indicates that 80% of fluke when returning after a spawn are returning further north than originally caught and not to area originally tagged which means the largest flounder will be to the north of South Jersey

So bottom line I would asked the council to seriously looking at extending the Delaware Bay line further up the South Jersey Coast

But without that option an alternative could be to allow a fisherman to keep 2 fish between 16-18" in their bag limit . The industry in South Jersey is dying with marina's and tackle shops closing and as I read the ASMFC guidelines economic impact should be considered

Thank you for the job you do
Bill Shillingford

paul yw [ywpaul@yahoo.com]

Sent:Sunday, January 17, 2016 2:31 PM

To: Kirby Rootes-Murdy

REF: Fluke Adendum XXVII

As a Southern New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able to take fluke for harvest. As you know we would like 17" size limit in the area of Cape May county as well as Delaware Bay.

Respectfully Yours,

Christopher yaworski

fluke fishing in South Jersey

macadmin [donaldjone@gmail.com]

Sent: Sunday, January 17, 2016 5:31 PM**To:** Kirby Rootes-Murdy

As a Southern New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able to take fluke for harvest. As you know we would like 17" size limit in the area of Cape May county as well as Delaware Bay.

Respectfully Yours,
Don Jones

Summer Flounder, Scup, Black Sea Bass Management Plan.

Frank Brenner [fbrenn6@gmail.com]

Sent: Sunday, January 17, 2016 5:21 PM

To: Kirby Rootes-Murdy

Kirby,

In reference to Draft Addendum XXVII regarding fluke I support Option 2, Adaptive Regional Approach and more specifically, Regional Option 2B. This regional option would allow New Jersey to be its own region. We would still be required to have the same size and bag limits and same season length as the region to our north (New York and Connecticut). However, we would be allowed to have special regulations for Delaware Bay. In 2015, people in southern NJ were treated unfairly in that fishermen from New Jersey and Delaware were fishing essentially the same waters in Delaware Bay but had different size limits. Delaware had a 16" size limit while fishermen from NJ had an 18" size limit. This option would allow for a 17" size limit for NJ fishermen fishing in Delaware Bay and close the gap with those fishing from Delaware. While a 16" size limit for NJ anglers fishing in Delaware Bay would seem even more equitable, that would then create a two inch gap between Delaware Bay and the rest of NJ. A one inch gap is not as severe and is something most of us can live with. We also favor the option in that it would allow NJ to continue its shore based enhanced fishing opportunity to keep two fluke, 16" or greater at Island Beach State Park and possibly expand this program to other areas as well. Lastly we prefer option 1, no extension under Section 3.1.1, Timeframe for Summer Flounder Measures.

The addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which is unacceptable. I will not support any addendum or any regulation that would further restrict our harvest of sea bass.

Sincerely,

Frank Brenner

--

Frank Brenner
17 Peg Leg Way
Waretown, NJ 08758

Southern Flounder

Frank Walsh [squidder329@gmail.com]

Sent: Sunday, January 17, 2016 2:07 PM

To: Kirby Rootes-Murdy

REF: Fluke Addendum XXVII

As a Southern New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able take fluke for harvest. As you know we would like 17" size limit in the area of Cape May county as well as Delaware Bay.

Respectfully Yours,

Frank Walsh

Cape May, NJ.

Draft Addendum XXVII

John Tiano [jatiano@mac.com]

Sent: Sunday, January 17, 2016 8:25 AM

To: Kirby Rootes-Murdy

Kirby Rootes-Murdy, FMP
Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, Va. 22201

Kirby,

In reference to Draft Addendum XXVII regarding fluke I support Option 2, Adaptive Regional Approach and more specifically, Regional Option 2B. This regional option would allow New Jersey to be its own region. Also, the addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which is unacceptable. I will not support any addendum or any regulation that would further restrict our harvest of sea bass.

Thank you for your attention to this matter,

John Tiano
Manasquan, NJ

Draft Addendum XXVII regarding fluke

Lindsay Fuller [jlinfuller@aol.com]

Sent: Sunday, January 17, 2016 5:59 PM

To: Kirby Rootes-Murdy

January 16, 2016

Kirby Rootes-Murdy, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, Va. 22201

Dear Kirby,

In reference to Draft Addendum XXVII regarding Fluke, I support Option 2, Adaptive Regional Approach and more specifically, Regional Option 2B. This regional option would allow New Jersey to be its own region. We would still be required to have the same size and bag limits and same season length as the region to our north (New York and Connecticut).

However, we would be allowed to have special regulations for Delaware Bay. In 2015, people in southern NJ were treated unfairly in that fishermen from New Jersey and Delaware were fishing essentially the same waters in Delaware Bay but had different size limits. Delaware had a 16" size limit while fishermen from NJ had an 18" size limit. This option would allow for a 17" size limit for NJ fishermen fishing in Delaware Bay and close the gap with those fishing from Delaware.

While a 16" size limit for NJ anglers fishing in Delaware Bay would seem even more equitable, that would then create a two inch gap between Delaware Bay and the rest of NJ. A one inch gap is not as severe and is something most of us can live with.

We also favor the option in that it would allow NJ to continue its shore based enhanced fishing opportunity to keep two fluke, 16" or greater at Island Beach State Park and possibly expand this program to other areas as well.

Lastly we prefer option 1, no extension under Section 3.1.1, Timeframe for Summer Flounder Measures.

The addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which is unacceptable. I will not support any addendum or any regulation that would further restrict our harvest of sea bass. I sure do not know where you get your catch data but I can tell you that absolutely NONE of my charters in 2015 limited out on Sea Bass on any charter. Some individual anglers may have but the limits for the entire charter party were never reached. We had two 6-person charters in 2015 that fished on several artificial reefs off Long Beach Island and **DID NOT CATCH ONE SEA BASS** due to the activity of the commercial fish potters who have covered the artificial reefs with hundreds of pots.

Sincerely,

Capt. Lindsay Fuller
June Bug Sportfishing
Beach Haven, NJ 08057
609-685-2839

Subject: Draft Addendum XXVII
HAROLD JR Rozell [hls31silverton@msn.com]
Sent: Sunday, January 17, 2016 12:46 PM
To: Kirby Rootes-Murdy

Dear Kirby Rootes-Murdy,
FMP Coordination
Atlantic States Marine Fisheries Commission,

In reference to Draft Addendum XXVII regarding fluke I support Option 2, Adaptive Regional Approach and more specifically, Regional Option 2B. This regional option would allow New Jersey to be its own region. We would still be required to have the same size and bag limits and same season length as the region to our north (New York and Connecticut). However, we would be allowed to have special regulations for Delaware Bay. In 2015, people in southern NJ were treated unfairly in that fishermen from New Jersey and Delaware were fishing essentially the same waters in Delaware Bay but had different size limits. Delaware had a 16" size limit while fishermen from NJ had an 18" size limit. This option would allow for a 17" size limit for NJ fishermen fishing in Delaware Bay and close the gap with those fishing from Delaware. While a 16" size limit for NJ anglers fishing in Delaware Bay would seem even more equitable, that would then create a two inch gap between Delaware Bay and the rest of NJ. A one inch gap is not as severe and is something most of us can live with. We also favor the option in that it would allow NJ to continue its shore based enhanced fishing opportunity to keep two fluke, 16" or greater at Island Beach State Park and possibly expand this program to other areas as well. Lastly we prefer option 1, no extension under Section 3.1.1, Timeframe for Summer Flounder Measures.

The addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which is unacceptable. I will not support any addendum or any regulation that would further restrict our harvest of sea bass.

Sincerely,
Harold Rozell Jr.

Flounder Cape May NJ

Mike Gentile [mgentile1963@aol.com]

Sent: Sunday, January 17, 2016 4:38 PM

To: Kirby Rootes-Murdy

As a Southern New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able to take fluke for harvest. As you know we would like 17" size limit in the area of Cape May county as well as Delaware Bay. As you know at 18" we are harvesting mostly all females

Sent from my iPad

Fluke Adendum XXVII**MARK WESTCOTT [mjwestcott@verizon.net]****Sent:** Sunday, January 17, 2016 9:41 PM**To:** Kirby Rootes-Murdy

As a Southern New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able to take fluke for harvest. As you know we would like 17" size limit in the area of Cape May county as well as Delaware Bay.

Respectfully Yours,
Mark Westcott

Mark mark [md4848@msn.com]

Sent:Sunday, January 17, 2016 8:58 PM

To: Kirby Rootes-Murdy

The Fluke regs need to be changed in a big way, the season should start sooner period. The limit makes no séance at all, most all the 18 inch fluke are female thus putting to much pressure on them. I fish just about every day weather allows out of Avalon so as far as I can tell the regs haven't helped.

NJ Flounder Size

ratchethead48@comcast.net

Sent: Sunday, January 17, 2016 10:45 AM**To:** Kirby Rootes-Murdy

Gentlemen, May I recommend that south Jersey Flounder Fishery size limitations be reduced to the size limitations that the state of Delaware recommends for its recreational Flounder fishing. Thanks for your consideration. Tom Lenhard, Newark, Delaware

Fluke Adendum XXVII

Iredell, Jeffrey [jeffrey.iredell@wolterskluwer.com]

Sent: Monday, January 18, 2016 7:57 PM

To: Kirby Rootes-Murdy

I have fished out of Ocean City, New Jersey since I was 5 years old. I will be 45 in April. I have seen the fluke population decline greatly and then be brought back through management efforts. At this point, the ever increasing size limit is having negative consequences for the sport and likely for the fishery itself. It has been theorized that the majority of flounder at 18 inches and above are females. If this is true, we are targeting the fish needed to spawn the next generation.

I own a 25 foot Parker and fish both in the bay and offshore. In 2015, we caught two keeper flounder for the entire season. We caught dozens of 15 inch to 17.5 inch flounder. I can speak from personal experience that my children are far less interested in fishing because they cannot keep and eat what they are catching.

As a Southern New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able to take fluke for harvest. I believe that a 17" size limit in the area of Cape May county as well as Delaware Bay would represent an appropriate step in the right direction.

I appreciate your work on this issue.

Jeff
202-905-4319

Fluke Regulations

John Lynch [johnlynch21@yahoo.com]

Sent: Monday, January 18, 2016 11:47 AM

To: Kirby Rootes-Murdy

REF: Fluke Adendum XXVII

As a New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able to take fluke for harvest. As you know we would like 17" size limit in New Jersey.

Respectfully Yours,

John Lynch

Sent from my iPhone

2016 Fluke regulations for New Jersey

jmunizza1023@aol.com

Sent: Monday, January 18, 2016 3:52 PM

To: Kirby Rootes-Murdy

I am writing to you to express my feelings on the upcoming fluke season in new jersey.

It is my understanding that it would be possible to split New Jersey in half and have separate regulations for each half.

This makes sense to me for a number of reasons.

1. The northern and southern regions of NJ focus on fishing for fluke at different times of the year. Most fishermen in southern NJ like to start fluke fishing in late April/early May, while northern fishermen are focused on striped bass at that time of year. It would make sense to me to have northern NJ and NY have the same season since they are fishing for fluke at the same general time. It would also make sense for southern NJ and Delaware have the same season since they would be fishing for fluke at the same general time.

2. It is my understanding that the fluke population tends to be of larger size the farther north you go in the fishes range. Because of this, it would make sense to have separate size limits for the northern and southern regions. It would make sense to me to have northern NJ and NY using the same size limits and seasons since they are fishing the same general areas for fluke, especially Raritan bay. It would also make sense for NJ and Delaware to have the same size limits since they are fishing the same general areas for fluke, especially Delaware bay.

I know many people argue that it would make it difficult for game wardens to enforce the regulations if there were separate regulations for northern and southern NJ for fluke fishing. I do not buy into this argument. NJ has some of the most confusing deer hunting regulations in the US but somehow the game wardens can handle all of those regulations. Are we really to believe that they can handle those regulations but not 2 zones with different fluke regulations? Ridiculous!

With all that being said, I hope that a 5/1/16 opening day with a 5 fish @ 17 inches bag limit is a possibility for southern NJ.

Thank you for taking the time to read this.

Jim Munizza

2016 Fluke recreational limits

wilk@rcn.com

Sent: Monday, January 18, 2016 1:26 PM

To: Kirby Rootes-Murdy

I run a small charter fishing boat out of Brigantine, NJ. Most of my trips are in the bay or near shore ocean. I recommend that the state be split at about Little Egg Inlet with the southern portion size limit be at 16"or 17" with a bag limit of 2 to 4 per person. I fished the Chesapeake Bay which had a thriving charter boat fleet based a a striped bass (rockfish) summer fishery of 2 fish at 18 inches. There is less meat on an 18" stripers than is on a 16" fluke. The current 18" fluke limit results in mostly females being taken, and in a high death rate for the fish being released. A 16" or 17" limit would help improve this problem.

Thanks for reading,
Capt. John Wilkinson
www.babucharters.com
410-320-9351

Draft Addendum XXVII

Robert Waldron [robertgwaldron@gmail.com]

Sent: Monday, January 18, 2016 2:00 PM

To: Kirby Rootes-Murdy

Thank you for the opportunity to leave comment,

Over the course of last year as a recreational fisherman in NJ with thirty five outings between Long Beach Island up to and including the Hackensack river and Newark bay, with two side trips to Cape Cod MA.

I have seen first hand the resurgence of the striped bass population and it is extraordinary. There are plenty and there are good signs in the back bays that the fingerlings are doing well. There are certain observations I would like to make known to the commission.

The menhaden population, which both bass and bluefish as well as pelagic fish look to as a main source of food are doing very well, however the bluefish population appears to be in trouble.

We didn't see large numbers of bluefish until November of this year and they weren't the population that appears in the summer, these were "cold water" fish more likely on the way down from the northeast. We observed adult menhaden back in the bays from Barnegat up to and including the Hackensack river in December. We've never seen that before. As I speak ,they are still showing up in the upper bay of NY harbor

On one trip alone in June we caught over 200 fluke between Raritan bay into NY harbor. Keeping only 19 fish for 4 fisherman at the 18 "or above limit.(this was a tournament, Great Kills to be specific).

The summer flounder population is in great shape, however there is an inherent unfairness with the limits pointed out by the American littoral society in their studies.

Summer flounder move north with each successive year with the smaller fish southerly and the larger fish in the northerly region.

The largest summer flounder are caught off the eastern tip of long island.

Moving 1 " from 18" to 17" would allow more anglers a chance to keep a fish legally, and reduce bycatch with fish that are tossed back with a 50% or less chance of surviving. Do not change the limit or the season , it works just fine.

Black sea bass have not been plentiful, but that appears to be due to structure and habitat as well colder ocean temperatures. We caught and released more black sea bass later and after the season closed than we caught when the season was open .We have concerns about the constant plowing by the commercial draggers night after night off the coast ,they deserve to make a living but we feel that they are doing more harm than good.

These are simply anecdotal observations, I don't know if they are helpful, but the recreational fishermen I know and fish with have a deep and abiding passion for protecting and passing on the resource that we love.

thank you for allowing me to comment,keep up the good work.

Robert G Waldron.

Red Bank NJ

Draft Addendum xxvII

Robert Billerman [rbillerman@gmail.com]

Sent: Monday, January 18, 2016 8:20 PM

To: Kirby Rootes-Murdy

As a recreational fisherman, I find it disturbing and troublesome that you may be increasing the commercial quota for the Black Sea Bass. It is extremely UNFAIR that you favor commercial fishing interest while decreasing the restricting the recreational fisherman.

Please DO NOT increase the commercial quota.

Thank you,

Robert Billerman

1800 Bay Blvd

Pt Pleasant, NJ 08742

Phone 732-581-5298

tollfree 888-857-7773

rbillerman@gmail.com

"helping Medicare members find their best plan"

U65 <https://www.hioscar.com/brokers/referral/1347>

Flounder regulations

tedduffy357@yahoo.com

Sent: Monday, January 18, 2016 8:08 AM

To: Kirby Rootes-Murdy

I would like to see if the delaware bay size regulations could be extended further North. It seems that the larger fish are being caught to the northern part of the state and. I think a 16" to 18" size would be better and this would allow the larger females a chance to spawn. Thank you for your consideration. Ted Duffy

Sent from my iPad

Support of option 2b

Bruce Creighton [bacreighton@gmail.com]

Sent: Tuesday, January 19, 2016 7:44 AM

To: Kirby Rootes-Murdy

Kirby,

In reference to Draft Addendum XXVII regarding fluke I support Option 2, Adaptive Regional Approach and more specifically, Regional Option 2B. This regional option would allow New Jersey to be its own region. We would still be required to have the same size and bag limits and same season length as the region to our north (New York and Connecticut). However, we would be allowed to have special regulations for Delaware Bay. In 2015, people in southern NJ were treated unfairly in that fishermen from New Jersey and Delaware were fishing essentially the same waters in Delaware Bay but had different size limits. Delaware had a 16" size limit while fishermen from NJ had an 18" size limit. This option would allow for a 17" size limit for NJ fishermen fishing in Delaware Bay and close the gap with those fishing from Delaware. While a 16" size limit for NJ anglers fishing in Delaware Bay would seem even more equitable, that would then create a two inch gap between Delaware Bay and the rest of NJ. A one inch gap is not as severe and is something most of us can live with. We also favor the option in that it would allow NJ to continue its shore based enhanced fishing opportunity to keep two fluke, 16" or greater at Island Beach State Park and possibly expand this program to other areas as well. Lastly we prefer option 1, no extension under Section 3.1.1, Timeframe for Summer Flounder Measures.

The addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which is unacceptable. I will not support any addendum or any regulation that would further restrict our harvest of sea bass.

Sincerely,
Bruce Creighton

802 Bowline Drive
Forked River NJ 08731

Draft XXVII

Ed Clauss [eclauss@comcast.net]

Sent: Tuesday, January 19, 2016 7:19 AM

To: Kirby Rootes-Murdy

Dear Sirs; as a person that exclusively fishes the Delaware Bay, and as a New Jersey resident. I would like to see one size for Summer Flounder instituted for the Delaware Bay, instead of the two Conflicting sizes that we have for NJ residents and Delaware residents. I pay 50 dollars a year for a boat license to fish on the Delaware side of the Bay, and yet I can only keep Summer Flounder that meet The NJ regulations. Where is the justice in that. Thank you for the opportunity to voice my opinion/ request. Ed Clauss ,NJ Resident.

Kirby Rootes-Murdy

From: dnspendiff@netscape.net
Sent: Tuesday, January 19, 2016 11:18 AM
To: Kirby Rootes-Murdy
Subject: 2016 Summer Flounder Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Kirby Rootes-Murdy, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, Va. 22201

Dear Kirby,

As I understand Draft Addendum XXVII regarding fluke regional option 2, 2B, would allow New Jersey to be its own region, which I agree with. Furthermore, New Jersey anglers would still be required to have the same size and bag limits and same season length as the region to our north, NY & CT. In addition, we would be allowed to have special regulations for Delaware Bay. This option would allow for a 17" size limit for NJ anglers fishing in Delaware Bay and close the length difference gap that exists with those fishing from Delaware.

I also agree with this option since it would allow NJ to continue its shore based enhanced fishing opportunity to keep two fluke, 16" or greater at IBSP and possibly expand this program to other areas. Hopefully, the data that was to have been collected under this program continues to help fishery managers with Summer Flounder management. Lastly I prefer option 1, no extension under Section 3.1.1, Timeframe for Summer Flounder Measures.

The addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which totally seems out of touch with fishing reality.

Sincerely,

David Spendiff
President, Village Harbour Fishing Club

Kirby Rootes-Murdy

From: jsharnick1@aol.com
Sent: Tuesday, January 19, 2016 10:39 AM
To: Kirby Rootes-Murdy

Kirby Rootes-Murdy, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, Va. 22201

Dear Mr. Rootes-Murdy,

I am writing to you with reference to Draft Addendum XXVII regarding fluke I support Option 2, Adaptive Regional Approach and more specifically, Regional Option 2B. This regional option would allow New Jersey to be its own region. We would still be required to have the same size and bag limits and same season length as the region to our north (New York and Connecticut). However, we would be allowed to have special regulations for Delaware Bay. In 2015, people in southern NJ were treated unfairly in that fishermen from New Jersey and Delaware were fishing essentially the same waters in Delaware Bay but had different size limits. Delaware had a 16" size limit while fishermen from NJ had an 18" size limit. This option would allow for a 17" size limit for NJ fishermen fishing in Delaware Bay and close the gap with those fishing from Delaware. While a 16" size limit for NJ anglers fishing in Delaware Bay would seem even more equitable, that would then create a two inch gap between Delaware Bay and the rest of NJ. A one inch gap is not as severe and is something most of us can live with. We also favor the option in that it would allow NJ to continue its shore based enhanced fishing opportunity to keep two fluke, 16" or greater at Island Beach State Park and possibly expand this program to other areas as well. Lastly we prefer option 1, no extension under Section 3.1.1, Timeframe for Summer Flounder Measures.

The addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which is unacceptable. I will not support any addendum or any regulation that would further restrict our harvest of sea bass.

Sincerely,

Joel S. Harnick

jsharnick1@aol.com

Kirby Rootes-Murdy

From: Bob Shreve <rmshreve@yahoo.com>
Sent: Wednesday, January 20, 2016 11:13 AM
To: Kirby Rootes-Murdy
Subject: fluke adendum XXVII

Follow Up Flag: Follow up
Flag Status: Flagged

Sir:

I have been fishing the Delaware Bay and Cape May County for over sixty years. During this time period I have seen a lot of change in fluke fishing. Some good, some not good. I recent times it has not been good. Therefor, I would respectfully request the following.

Delaware Bay should have the same season/size and bag limit. Two states having different regulations in the same body of water serves no purpose.

The Southern most County(s) should have a seventeen inch length. A smaller bag limit would be fine. Historically, southern N J fluke are smaller than north N J fluke. Also, another benefit to a shorter length would be not as many female breeders would be taken. And lastly the dead loss would be smaller.

Thank you for your consideration and best regards.

Robert Shreve

Avalon Manor/Haddonfield N J

Kirby Rootes-Murdy

From: Eugene Doebley <gdoebley@icloud.com>
Sent: Wednesday, January 20, 2016 8:04 PM
To: Kirby Rootes-Murdy
Subject: NJ Flounder Regs

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir,

I am a Southern New Jersey fluke fisherman. I respectfully request that a fair and equitable adjustment be made to the current legal size of fluke in the southern portion of the state to enable myself and others to be able to take fluke for harvest. Southern NJ is geologically very different than the northern part of the state with large shallow bays that act as flounder nurseries. We do not get the larger fish that are available in the north or in the ocean. As a result we tend to churn through too many small fish looking for 18" keepers causing too many dead discards. Add to this the fact based on my own observation that almost all fluke over 18" are breeder females, and it is obvious that we need to adjust our regulations.

There is talk of a 17" size for Delaware Bay. I ask that you consider setting this line up the NJ coast to GE or LE inlet. This method of defining limits works for bluefin tuna so it can be done for other species too.

Respectfully Yours,

Gene Doebley

Kirby Rootes-Murdy

From: Captain Cindy/ Atlantic City Fishing & Fun Charters <accharter@aol.com>
Sent: Wednesday, January 20, 2016 11:38 PM
To: Kirby Rootes-Murdy
Subject: In reference to Draft Addendum XXVII

Follow Up Flag: Follow up
Flag Status: Flagged

Kirby Rootes-Murdy, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, Va. 22201

Kirby,

In reference to Draft Addendum XXVII regarding fluke I support Option 2, Adaptive Regional Approach and more specifically, Regional Option 2B. This regional option would allow New Jersey to be its own region. We would still be required to have the same size and bag limits and same season length as the region to our north (New York and Connecticut). However, we would be allowed to have special regulations for Delaware Bay. In 2015, people in southern NJ were treated unfairly in that fishermen from New Jersey and Delaware were fishing essentially the same waters in Delaware Bay but had different size limits. Delaware had a 16" size limit while fishermen from NJ had an 18" size limit. This option would allow for a 17" size limit for NJ fishermen fishing in South Jersey (Atlantic City - Cape May) and close the gap with those fishing from Delaware. While a 16" size limit for NJ anglers fishing in South Jersey would seem even more equitable, that would then create a two inch gap between Delaware Bay and the rest of NJ. A one inch gap is not as severe and is something most of us can live with. Lastly we prefer option 1, no extension under Section 3.1.1, Timeframe for Summer Flounder Measures.

The addendum is also proposing a 23% reduction in our harvest of sea bass for 2016 which is unacceptable. I will not support any addendum or any regulation that would further restrict our harvest of sea bass.

It is not right that a commercial fisherman can catch the same fish and sell it to me for profit but if I catch it or my children catch it we cannot keep it. After all; I pay taxes on my equipment, my bait, my vehicle, my fuel and my hotel. In our travels we pay tolls. I support the economy 10 times more than he ever would seeing as the commercial fishermen do not pay tax on anything related to them other than the income that they report.. They continue to fish reef sites that were built with no help from them. It is a disgrace that it is allowed to happen at all. They contribute nothing but get all the benefits that the recreational should have. There should be no regulation on the recreational fisherman if there is a commercial quota at all. Florida figured it out that the real money is in the tourists not the commercial industry; when will you?

Sincerely,

Captain Cindy/ Atlantic City FUN Charters for Fishing, Scuba & Sightseeing Party Cruises
Call or Text 609-926-5353 Email: accharter@aol.com 

Kirby Rootes-Murdy

From: Jason Smith <j.h.smith3ree@gmail.com>
Sent: Wednesday, January 20, 2016 11:32 AM
To: Kirby Rootes-Murdy
Subject: Fluke Regs

Follow Up Flag: Follow up
Flag Status: Flagged

As a Southern New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able to take fluke for harvest. As you know we would like 17" size limit in the area of Cape May county as well as Delaware Bay.

Respectfully Yours,

Jason Smith

Kirby Rootes-Murdy

From: Richard DiVerniero <rcdmd1@gmail.com>
Sent: Wednesday, January 20, 2016 1:17 PM
To: Kirby Rootes-Murdy
Subject: Fluke Regulations

Follow Up Flag: Follow up
Flag Status: Flagged

REF: Fluke Adendum XXVII

As a Southern New Jersey fisherman, I respectfully request that a fair and equitable adjustment be made to the current legal size of Southern Flounder to enable myself and others to be able to take fluke for harvest. As you know we would like 17" size limit in the area of Cape May county as well as Delaware Bay.

Respectfully Yours,
Richard C. DiVerniero MD

Kirby Rootes-Murdy

From: Gene Geld <bridesburg47@gmail.com>
Sent: Wednesday, January 20, 2016 8:20 PM
To: Kirby Rootes-Murdy
Subject: Draft Addendum XXVII

Follow Up Flag: Follow up
Flag Status: Flagged

Hello, Kirby.

In reference to Draft Addendum XXVII regarding fluke I support Option2 and more specifically Regional Option2B I believe this to a judicious approach and urge your support.

Sincerely,
Gene I Geld

1075 Tooker Avenue
West Babylon, NY 11704
January 21, 2016

Kirby Rootes-Murdy, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland Street, Suites 200A-N
Arlington, VA 22201

Dear Mr. Rootes-Murdy:

Thank you for the opportunity to comment on *Draft Addendum XXVII to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan for Public Comment* (the “Draft Addendum”). I am an active participant in both the black sea bass and summer flounder fisheries, prosecuting them primarily in the inshore and offshore waters adjacent to Fire Island Inlet, New York, where I have fished for the past 31 years, and to a lesser extent in Long Island Sound off western Fairfield County, Connecticut.

The following are my thoughts with respect to the issues raised in the Draft Addendum.

I
SUMMER FLOUNDER

A

The Summer Flounder, Scup and Black Sea Bass Management Board (the “Management Board”) should adopt Summer Flounder Option 2, Adaptive regional management, incorporating Regional Option 2A, Regional Management Status Quo.

Prior to 2014, recreational summer flounder management could best be described as chaotic. Regulations changed on an annual basis, and often differed substantially, even between neighboring states. Overfishing by one or more states occurred every season.

However, in February 2014, the Atlantic States Marine Fisheries Commission (“ASMFC”) adopted *Addendum XXV to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan*. That addendum established a temporary regional management system that, at long last, stabilized the recreational fishery, ending overfishing in the various states and allowing for year-to-year consistency in regulations.

Summer Flounder Option 2 would continue such regional management plan, resulting in 2016 regulations that are consistent with those in the previous two seasons and providing the fishery with much-needed stability. For that reason, it should be adopted by the Management Board.

Much of the success of regional management can be attributed to its combining New Jersey, New York and Connecticut, which together account for more than half of all recreational summer

flounder landings,¹ into a single region that is bound together by a common size limit, bag limit and season length. Such region allows for more accurate estimates of recreational summer flounder landings, as the survey used to provide such estimates gains precision when employed over a broader area, rather than on a state-by-state basis. Thus, the likelihood of annual regulation change is substantially reduced.

However, the Draft Addendum contains a proposal, designated Regional Option 2B, New Jersey Delaware Bay Proposed Region, which would separate New Jersey from such tri-state region, and allow it to become a stand-alone, single-state region, in order to permit New Jersey anglers fishing in Delaware Bay to retain smaller summer flounder (17 inches vs. 18 inches elsewhere in the state) than the rest of New Jersey and the other states in the current tri-state region.

Adopting such Regional Option 2B, would be a mistake, and would threaten the success of the regional management effort.

To begin, the creation of a Delaware Bay sub-region is not justified. New Jersey claims that the 2-inch disparity in size limits between it and Delaware (which has a 16-inch minimum size) has resulted in anglers abandoning southern New Jersey fishing ports and for-hire vessels, but there is no data to support that claim. In fact, the data suggests just the opposite,

In 2013, prior to the adoption of regional management, anglers made an estimated 1,532,936 trips targeting summer flounder in New Jersey, and 140,682 trips in Delaware; of those, 142,738 were made on New Jersey party boats, and 5,405 on party boats in Delaware.²

In 2014, the first year of regional management, the number of Delaware trips did go up to 182,728, an increase of roughly 40,000 trips. However, the number of summer flounder trips in New Jersey increased to 1,794,480, an increase of more than 250,000 trips, making it difficult to demonstrate that southern New Jersey is losing business to Delaware as a result of Delaware's smaller minimum size. The fact that Delaware party boat trips targeting summer flounder dropped roughly 20% in 2014, to 4,123, reinforces the notion that New Jersey is *not* losing summer flounder anglers to its southern neighbor.

2015 data further reinforces such trends, with overall Delaware summer flounder trips dropping by nearly 50%, to 99,739, while New Jersey trips declined to just slightly below 2013 levels, at 1,407,973. But it is Delaware party boat trips specifically targeting summer flounder that tell the real story; they fell to a mere 911 trips in 2015, something that just could not occur if Delaware was luring summer flounder anglers away from New Jersey.³

On the other hand, there is a real risk that anglers in New York, Connecticut *and* New Jersey will be harmed if New Jersey is allowed to constitute its own region. In the event that 2016 recreational landings exceed the 2016 recreational harvest limit, which is not at all improbable given the recent

¹ Atlantic States Marine Fisheries Commission, *Draft Addendum XXVII to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan for Public Comment*, December 2015, p. 9

² Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division, January 20, 2016.

³ While all of the effort figures provided are estimates, and not a precise accounting of angler trips targeting summer flounder, the general trends showing a sharp decline in effort, particularly with respect to party boat trips targeting summer flounder, are evident, and do not support the contention that southern New Jersey businesses are losing summer flounder anglers to Delaware. It should also be noted that the PSE for Delaware party boat data falls in the low- to mid-20s in all three years, rendering it relatively reliable and suitable for management use.

harvest reductions and New Jersey's atypically low 2015 harvest, and reductions are required for the 2017 season, an overage in New Jersey will no longer be set off by an underage in New York/Connecticut (as was the case in 2014), nor will an overage in New York/Connecticut be set off by an underage in New Jersey (as was the case last year). In such case, it would be difficult to maintain consistent regulations between the New Jersey and New York/Connecticut regions; summer flounder management could easily revert to its pre-2014 condition, when disparate state regulations created substantial tensions in the fishery.

Regional Option 2B should thus be seen as the first step toward the eventual dismantling of the regional management process, at least in the upper Mid-Atlantic. While such event would probably be widely celebrated in New Jersey, which would undoubtedly like to return to its dominance of the fishery and some of the most liberal regulations anywhere on the coast, on a broader scale it would cause disruptions in what has recently become the very rational regulation of the recreational summer flounder fishery.

Adopting Regional Option 2A would minimize the likelihood of that occurring.

B

With respect to the timeframe for the extension of the regional management program, the Management Board should adopt Option 4, no sunset

As mentioned at the beginning of these comments, regional management has had a significant, positive impact on recreational summer flounder management. Since it has proven a successful management tool, it should not be subject to a sunset provision, and instead should become the standard approach to summer flounder management. There is no reason for ASMFC to continue to visit the issue on a regular basis, expending human and financial resources for no significant tangible benefit.

II BLACK SEA BASS

A

Option 2, ad hoc regional measures, should be adopted for black sea bass; however, regulations within regions should be made uniform

Regional management measures work far better than those imposed on a state-by-state basis, if for no other reason than that they avoid the annual regulatory swings caused by inherent imprecision in the recreational harvest survey when applied to small (i.e., single state) samples. This has been demonstrated over the past decade with respect to the recreational scup fishery, and is being demonstrated again with respect to the new summer flounder regional management program.

However, one of the keys to a successful regional management program is consistency of management measures within the region; in the case of both scup and summer flounder, states within a region must maintain the same bag and size limits, along with the same season length. Such consistency has been notably absent from the black sea bass regional management program, at least at the northern end of the species' range, where most of the harvest takes place.

Thus, while the regional approach has merit, it must be strengthened through the imposition of consistent management measures, rather than the current hodgepodge that sees states adopting size limits as small as 12 ½ inches and as large as 14, bag limits that range between 1 and 15 fish (and change multiple times throughout the year), and seasons of varying lengths.

B

With respect to the timeframe for the extension of the regional management program, the Management Board should adopt Option 4, no sunset

Regional management has proven successful for both scup and summer flounder. There is no reason to believe that it would prove less successful for black sea bass, if properly implemented. Thus, rather than forcing the Management Board to review the issue each year, regional management should be adopted as the permanent, preferred approach.

III SUMMARY

In summary, I request that the Management Board adopt the following measures

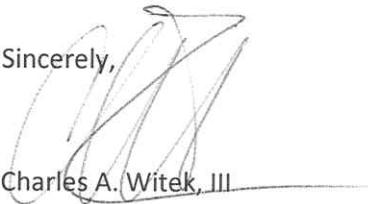
For summer flounder,

1. **Option 2**, Adaptive regional management,
2. **Regional Option 2A**, regional management status quo, and
3. With respect to the timeframe, **Option 4**, no sunset.

For black sea bass,

1. **Option 2**, ad hoc regional measures, and
2. With respect to the timeframe, **Option 4**, no sunset.

Thank you for considering my views on this matter.

Sincerely,

Charles A. Witek, III

Kirby Rootes-Murdy

From: ageejd@aol.com
Sent: Thursday, January 21, 2016 12:21 PM
To: Kirby Rootes-Murdy
Subject: Draft Addendum 27

Follow Up Flag: Follow up
Flag Status: Flagged

I am a recreational fisherman from the state of Virginia and I would like to submit comments to Addendum 27 Summer Flounder

SummerFlounder Options
Option 1Conservation Equivalency and I would support state by state equivalency
Option 2. I would only support this option if Option 1 was not selected and I would support option 2a regional management staus quo

Time frame I would support option 2

SeaBass Options
Option 2 I support
Time frame I support option 2

Kirby Rootes-Murdy

From: Raymond Bogan <rbogan@lawyernjshore.com>
Sent: Thursday, January 21, 2016 4:56 PM
To: Kirby Rootes-Murdy
Subject: summer flounder/ black sea bass Amendment 27

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Kirby,

Please consider the following comments regarding the above amendment proposals, and more generally about the epic failure of fluke and black sea bass management. Please note that I recognize that the failure referred to herein is shared by, and sometimes forced by, broken federal fishery legislation that managers have to contend with.

The politics behind the present fishery management plans, and the proposed amendment, only make the social disaster suffered by fishing communities as a result of the sustainable fisheries act all the more devastating. Being left no reasonable choice, and being forced into trying to figure out which action will destroy fewer livelihoods and families, I support the fluke option that would allow for separate regulations on New Jersey's side of the Delaware Bay. Option 2B should be considered. I also support the continuation of the program that would allow for the differential size limit for shore based fishermen in Island Beach State Park, but hope that that program will expand somewhat in 2016.

As to Black Sea Bass, the failure of fishery management is highlighted by this fishery which is rebuilt but, because of a failure to improve data and science, fishermen continue to be punished for their sacrifices and compliance. There is no reason in REALITY for any reductions. Neither the MAFMC nor the ASMFC has taken a stand to support the reality of a steadily shrinking recreational fishing community, for example. Data has been purposely ignored or discarded (e.g. the substantial drop in boat registrations in a number of key states, the continued decline of the for-hire industry, and loss of the shore based fishery). These facts should impact management, but they ignored while MRIP and its poor performance are embraced. Having said that, we are forced to recommend that driving fishermen to surrender certain permits so as to be able to survive and feed their families is not productive, and this past year caused the catch landings to explode, particularly, as I understand it, in New York. In the present system, however, other states could be forced to accept punishment for that management failure, which is inequitable and unethical. I strongly oppose that management method. New Jersey should not, again, be punished.

Until the Congress acts to correct the federal fishery law, fairness calls for fishery managers to take a bold and courageous position that rejects the destructive practices which have signified fluke and black sea bass management. I pray that the ASMFC and MAFMC will say no to further destruction and take a stand to support equitable and sound management.

Thank You, Ray Bogan

Sinn, Fitzsimmons, Cantoli, Bogan, West & Steuerman
501 Trenton Avenue
Point Pleasant Beach, NJ 08742
732-892-1000 Ext. 211
Fax 732-892-1075

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comment on 2016 NJ/Delaware Bay fluke regulations

Tony Novak [tonynovakcpa@gmail.com]

Sent: Saturday, December 26, 2015 8:03 AM

To: Kirby Rootes-Murdy

Mr. Rootes-Murdy:

Commenting on behalf of the Money Island Marina community on the NJ side of the Delaware Bay:

- 1) We support a single fishery management plan for the Delaware Bay for this season's fluke and for any species management where the same issue may arise in the future. As far as we know, the fish can't tell the difference between NJ and DE law but our former marina visitors certainly can.
- 2) We support reduction in total fish caught as a smarter management strategy than larger fish size limits. We heard so many stories about boats that stayed out for extra hours throwing back dozens of 16" and 17" fluke looking for an 18" fish, we know this means that many 16-18" fish were killed that day anyway. As you know, these flounder are often gut-hooked and do not survive a release anyway. So it appears to me that the current higher fish size limit of 18" is actually costing us greater number of fish killed, not less. If they had been allowed to "limit out" at a few 16" fish and then go home, everyone would have been happier!

Thank you for your service to the Atlantic States Marine Fisheries Commission

**Tony Novak
Money Island Marina
192 Bayview Road
Newport NJ 08345**



Norfolk Anglers Club
P.O. Box 8422, Norfolk, VA 23503-0422
A Non-Profit IRS 501-C7 Organization
www.NorfolkAnglersClub.com

Will Bransom
President

Ned Smith
Treasurer

Dr. James Eisenhower
Secretary

Board of Directors

Will Bransom

Ned Smith

Dr. James Eisenhower

Jason Nicolo

Matt Butler

Tom Hubert

Neal Taylor

Ben Capps

January 12, 2016

Atlantic States Marine Fisheries Commission
Mr. Kirby Rootes-Murdy
FMP Coordinator
1050 North Highland Street, Suite 200A-N
Arlington, VA 22201

Re: ASFMC DRAFT Addendum XXVII to 2016 Summer Flounder and Black Sea Bass Fisheries Management Plan

Dear Mr. Roote-Murdy,

The Norfolk Anglers Club endorses the continued use of regional management approaches for both the Flounder and Black Sea Bass fisheries.

Flounder: We support Option 2: Adaptive Regional Management including the establishment of a New Jersey Delaware Bay Region (Option 2B) approach. This course of action should be executed for a two year period to assess its progress in maintaining the recreational harvest limits.

Black Sea Bass: Our organization supports Option 2: Ad Hoc Regional Measures in the DRAFT Addendum XXVII to establish two regions for Black Sea Bass management. We support a two year extension for this action in order to assess and further amend its structure.

Sincerely,

W.A.Bansom

Will Bransom

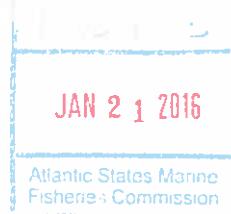
cc: Virginia Marine Resources Commission



Manasquan River Marlin & Tuna Club

Established in 1936

January 16, 2016



Kirby Rootes-Murdy, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland Street, Suite 200 A-N
Arlington, VA 22201

Re: Addendum XXVII to the summer flounder, scup, and black sea bass FMP

Dear Kirby,

Manasquan River Marlin & Tuna Club (www.mrmtc.com), Brielle, NJ is a non-profit sport fishing and conservation club fishing out of Manasquan Inlet. Founded in 1936, our 230 members raise thousands of dollars each year to support MRMTC philanthropic endeavors including the George Burlew Scholarship Fund, NJ Artificial Reef Program, the Catch-A-Dream Foundation, Rutgers University Marine Field Station and organizations that work to benefit the recreational fishing community.

In regards to summer flounder ***we support the Regional Option 2B***. We feel that NJ should be in its own region given the size of the fluke biomass contained within our waters and the large numbers of NJ anglers. We also feel the reduced size limit in Delaware Bay will help lessen the size limit inequity and resultant economic disparity between NJ and Delaware. ***We also support Option 1: No extension.***

In regards to black sea bass, ***we cannot support any of the options. A harvest reduction of 23% is unacceptable.*** We feel that this controversial proposed reduction is unmerited as it is based on faulty science and poor data.

Respectfully yours,

Kenneth F. Warchal, Chair
Fisheries Management Committee

Draft Addendum XXVII

AnglerPMH@aol.com

Sent: Saturday, January 16, 2016 2:57 PM

To: Kirby Rootes-Murdy

Attachments:JCAA Letter to ASMFC Fluk~1.doc (117 KB)

Kirby,

Please see the attached comments from JCAA regarding the fluke and sea bass addendum.

Thank you,

Paul Haertel

JCAA board member, Past President



RHODE ISLAND
SALTWATER
ANGLERS
Association

P.O. Box 1465, Coventry, Rhode Island 02816

401-826-2121

FAX: 401-826-3546



www.RISAA.org

January 17, 2016

Kirby Rootes-Murdy, FMP Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St, Suite 200A-N
Arlington, VA 22201

RE: Draft Addendum XXVII

Dear Sir:

The Rhode Island Saltwater Anglers Association, representing 7,500 recreational anglers and 29 affiliate clubs, requests to go on record in support of the following options on Addendum XXVII to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan:

3.1 Summer Flounder Options

We support **REGIONAL OPTION 2**, Adaptive Regional Management and to use for 2016 and 2017.

3.1.1. Timeframe for Summer Flounder Measures

We support **OPTION 3, two year extension**.

3.2 Black Sea Bass Management Options

We support **OPTION 2**, Ad Hoc Regional Measures

3.2.1 Timeframe for Black Sea Bass Measures

We support **OPTION 3, two year extension**.

Thank you for your consideration.

Respectfully,

Stephen J. Medeiros
Executive Director

Cc: Rhode Island Commissioners



P.O. Box 77
Strathmere, NJ 08248
www.strathmerefishing.org

January 18, 2016

krootes-murdy@asmfc.org

RE: Summer Flounder Regs.

Dear Sir:

On behalf of the Strathmere Fishing and Environmental Club, the largest fishing and recreational club in South Jersey with a membership of approximately 180 members, I am writing to you to set forth our position with regard to the upcoming size limit for summer flounder.

We believe that a size limit of 17 inches extending from Delaware Bay up through the Great Egg Inlet ("GEI") is fair given that this particular area is severely depressed in terms of the paucity of prime female spawning of fish and also based upon the following data.

Historical data over the past 20 years indicates that the average size of summer flounder caught in Cape May County is over 14 inches. April has always produced the largest fish at over 19 inches and by May there is a drop to just under 18 inches which then drops to just over 17 inches in June and then down to just over 13 inches in July through September.

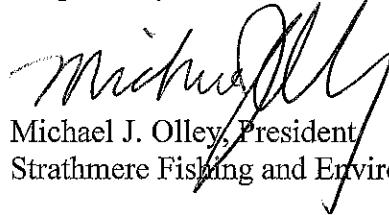
The summer flounder population has seen improvement over the past several years when the size limit went from 13 inches to 17.5 inches. However, since the implementation of the 18 inch regulation in New Jersey, the stock has been deteriorating since approximately 98% of all summer flounder caught over 18 inches are females.

Furthermore, tagging data clearly indicates that 80% of fluke which return after spawning are returning further north than they were originally caught and not to their original tagged area which means that the largest flounder will be in the northern areas of South Jersey.

Accordingly, we are requesting that the Council seriously consider extending the Delaware Bay Line further north up the South Jersey Coast. Alternatively, there should be consideration permitting a recreational fisherman to keep two fluke between 16 inches and 18 inches in their bag limit. We urge you to consider these options given the fact that the economic impact on the industry in South Jersey is significant that a number of marinas and tackle shops have been forced to close recently.

As always, we thank you for your consideration and the work which you do and we urge you to consider our position.

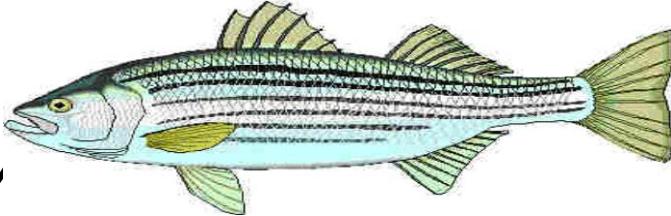
Respectfully submitted,



Michael J. Olley, President
Strathmere Fishing and Environmental Club

MJO/snt

cc: Sallie Callahan (via email)



GATEWAY STRIPER CLUB, Inc.

Gateway Striper Club Inc.

C/O Lawrence R. Carlucci, Corresponding Secretary
30 Armour Street
Long Beach, NY, 11561-2502

Date: January 19, 2016

RE: Comment: Atlantic States Marine Fisheries Commission's "Draft Addendum XXVII to the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan for Public Comment, Summer Flounder and Black Sea Bass Recreational Management in 2016, ASMFC Vision: Sustainably Managing Atlantic Coastal Fisheries, December 2015."

Dear Mr. Kirby:

Thank you for the opportunity to comment on the subject draft addendum. I am the Corresponding Secretary for the Gateway Striper Club, Inc., Long Island, New York, and we have the following comments on the subject draft addendum:

Comment 1 - Referencing page 12 under Table 4, Option 2B: We recommend Option 2B.

Comment 2 - Referencing page 13 under 3.1.1 Timeframe for Summer Flounder Measures: We recommend Option 4: No sunset.

Comment 3 - referencing page 21 under Table 11, 2015. Should the issue arise, we do recommend a split in the season for Summer Flounder.

Again, thank you for your consideration. If you have any questions, please let us know.

Sincerely,

/S/ Lawrence R. Carlucci

Lawrence R. Carlucci,

Corresponding Secretary,
Gateway Striper Club, Inc.

Kirby Rootes-Murdy

From: tiderun1@aol.com
Sent: Wednesday, January 20, 2016 5:09 PM
To: Kirby Rootes-Murdy
Subject: Comment on Fluke and Seabass Draft Addendums

Follow Up Flag: Follow up
Flag Status: Flagged

At the meeting in Manahawkin NJ. Ray Szulczewski represented the Cape May County Party and Charter Boat Association spoke in favor of the option that would give NJ the option for a special size limit for fluke in Delaware Bay and we were in favor of one year.

At the time he did not speak on the Sea Bass option as we want to poll our members and make sure of what our official stand would be.

CMCPCBA Official Statement on Sea Bass

With the severe restrictions (mostly closed time) on many of our local species, many of our members have gone out of business as there are barely enough fishing days available to run a profitable business. As far as sea bass most of our captains are upset that what they see on the water is an over abundance of sea bass and the old 2011 stock assessment says stocks are hurting and we need further cut backs.

Our association feel there should at least be no change from last year and that the new assessment will prove there are more sea bass than current decisions are being based on.

With that being said, right now our only choice is to go with option 1 No extension with the reduction for 2016 and hope that the new information will provide for some relief in 2017, before we lose even more boats.

Thank You for your consideration, Ray Szulczewski and the Board of Directors of the CMCPCBA

Kirby Rootes-Murdy

From: John depersenaire <jdepersenaire@joinrfa.org>
Sent: Thursday, January 21, 2016 4:59 PM
To: Kirby Rootes-Murdy
Subject: Addendum XXVII

Follow Up Flag: Follow up
Flag Status: Flagged

Please accept the following comments from the Recreational Fishing Alliance in regards to Addendum XXVII. RFA supports the inclusion of Option 2b in addendum. RFA supports Option 2 in regards to the time frame for summer flounder measures at a minimum. The addendum process is too time consuming and expensive to initiate every year to set summer flounder measures. A simple Board vote is sufficient to continue with this management approach. In addition, MRIP is always more accurate in showing multi-year trends as opposed to a single year. Having this measure expired automatically in one year would prevent managers from seeing the true effectiveness of this management option.

In regards to black sea bass, neither option under section 3.2 addresses or prevents what occurred in 2015. It is clear that landings in NY in 2015 are driving the 2016 reductions. This is a consequence of increased availability of black sea bass in northern states and some vessels relinquishing federal permits to fish in state waters after the federal waters had been closed. RFA acknowledges that the stock assessment likely does not reflect the true abundance of the black sea bass stock nor does the federal law allow for the flexibility to deal with situations like this when setting harvest targets but these issues can not be addressed through this addendum.

--
John DePersenaire
Recreational Fishing Alliance
PO Box 3080
New Gretna, NJ 08224
888 JOIN-RFA



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

MEMORANDUM

January 15, 2016

To: Summer Flounder, Scup and Black Sea Bass Management Board
From: Law Enforcement Committee
RE: Comments on Draft Addendum XXVII regional management options

The Law Enforcement Committee (LEC) of the Atlantic States Marine Fisheries Commission (ASMFC) met via conference call on January 7, 2016 to review and provide comments on regional management options for summer flounder and black sea bass included in Draft Addendum XXVII. The following members were in attendance:

LEC: Capt. Steve Anthony (NC); Deputy Chief Kurt Blanchard (RI); Deputy Chief Jon Cornish (ME); Deputy Director Chisolm Frampton (SC); Asst. Director Larry Furlong (PA); Special Agent-in-Charge Honora Gordon (USFWS); Capt. Jamie Green (VA); Asst. Chief Wayne Hettenbach (USDOJ); Capt. Rob Kersey (MD); Capt. Bob Lynn (GA); Capt. Doug Messeck (DE); Maj. Pat Moran (MA); Director Kyle Overturf (CT); Lt. Colby Schlaht (USCG); Lt. Jason Snellbaker (NJ); Capt. Rama Shuster (FL)

LEC ALTERNATES: Jeff Ray (NOAA OLE); Tom Gadomski (NY)

OTHER ATTENDEES: Col. Jim Kelley (NC); Maj. Dean Nelson (NC); Chief Dean Hoxsie (RI); Todd Mathes (NCDEQ); Jason Rock (NCDEQ)

STAFF: Mark Robson; Mike Waine; Megan Ware

Summer flounder, scup and black sea bass Addendum XXVII is being considered for the 2016 fishing year. The addendum would implement recreational fishing regulations that focus on regional management scenarios. The LEC reviewed proposed changes to regulations affecting summer flounder and black sea bass.

For both species the LEC recommends that timeframes for measures be extended as long as possible. Maintaining regulations for longer timeframes than has occurred in the past is preferred and would lend stability to enforcement efforts. The LEC refers to the general enforcement precepts for "Stability" outlined in the *ASMFC Guidelines for Resource Managers on the Enforceability of Fishery Management Measures (2015)* in support of this recommendation.

Summer Flounder

A new option is proposed that would create two sets of regulations in the State of New Jersey. This proposal is intended to provide more consistent recreational size, bag and season limits in Delaware Bay and surrounding states. However it would continue to result in two sets of regulations in New Jersey from south to north, and would create significant enforcement confusion in the Cape May region. The proposal would implement a different size limit in Delaware Bay from that of the rest of the state (Table 4, Draft Addendum XXVII). LEC members discussed the trade-offs in consistency that would result, and although there was not a consensus viewpoint on the specific proposal, the LEC continues to stress that broader consistency in regulations is fundamental for effective enforcement. These points were made

previously in our memorandum to the management board, dated February 2, 2015. We refer back to that memorandum, and also to the general enforcement precepts outlined in the ASMFC *Guidelines for Resource Managers on the Enforceability of Fishery Management Measures* (2015).

Black Sea Bass

The LEC supports continuation of the ad hoc regional measures for black sea bass adopted in previous years, with the strong recommendation to continue efforts to maximize regional consistency in regulations, especially among contiguous states and jurisdictional waters.

The LEC appreciates the opportunity to review and provide enforcement advice regarding this draft addendum.



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

MEMORANDUM

January 27, 2015

To: Summer Flounder, Scup, and Black Sea Bass Management Board
From: Summer Flounder, Scup, and Black Sea Bass Technical Committee
RE: 2016 Black Sea Bass Recreational Fishery Proposals

List of Participants

| | | |
|----------------------|------------------------|--------------------|
| Jason McNamee (RI) | Steve Doctor (MD) | Moira Kelly (NOAA) |
| Mike, Bednarski (MA) | Katie May Laumann (VA) | Kirby Rootes-Murdy |
| Greg Wojcik (CT) | Holly White (NC) | (ASMFC) |
| John Maniscalco (NY) | Mark Terceiro (NMFS) | Rich Wong (DE) |
| Peter Clarke (NJ) | Kiley Dancy (MAFMC) | |

Members of the Public

Jeff Taylor

The following memo contains the Summer Flounder, Scup, and Black Sea Bass Technical Committee Review of the Black Sea Bass and Scup State Proposals for the 2016 recreational fishery.

Black Sea Bass Recreational Proposals

The Board and Council met in December of 2015 to establish the 2016 recreational management program for Black Sea Bass. At this meeting, the Board and Council voted to set federal management measures so long as the northern states set ad-hoc regional measures to achieve the required reduction. The Board also approved Draft Addendum XXVII for public comment which proposes to continue the ad hoc regional approach (ad hoc regions: a northern region (Massachusetts – New Jersey) and southern region (Delaware – North Carolina)) used from 2013-2015 for the 2016 black sea bass recreational fishery.

Total estimated harvest for 2015 is projected to be 3.64 million pounds, resulting in a projected overage of approximately 1.31 million pounds of the 2015 recreational harvest limit (2.33 million pounds). Because the coastwide harvest and overage was driven by the northern region states, all reductions for 2016 are to be applied to these states (Massachusetts- New Jersey). As the 2016 black sea bass recreational harvest limit is approximately 2.82 million pounds, an estimated reduction of 23.2% will be required to achieve but not exceed the RHL.

The states of Delaware through North Carolina (North of Cape Hatteras) agreed to set their measures consistent with the proposed Federal regulations (MAFMC recommended 12.5 inch TL minimum fish size, 15 fish possession limit, and open seasons from May 15 to September 21 and October 22 to December 31 to NOAA Fisheries).

The TC met via conference call on January 25th and review the following black sea bass recreational proposals for 2016. In reviewing the proposals, the TC noted the following concerns regarding recreational management in 2016:

- 1.) To achieve harvest reductions in 2015, most northern states put forward proposals to increase minimum size limits. The TC is in agreement that there is not a uniform approach to analyzing how these proposed changes impact the harvest amount in pounds given the regulatory change could increase the harvest in weight while reducing harvest in numbers of fish. The TC is committed to addressing this issue through harvest specification setting later in 2016.
- 2.) In recent years harvest reductions have focused on regional performance for the northern region states, regardless of state performance. While the states do not have specific allocations for recreational black sea bass, the northern states annually evaluate their previous year's harvest and set reductions from that harvest, creating de facto allocations. Intended reductions are met with varying success among states within the region. Nonetheless, the entire region is subjected to the same uniform reduction in the following year regardless of performance. The TC seeks guidance from the Board on how to address reductions and allocations in future years for black sea bass.
- 3.) The Board should consider the effect that increasingly complex regulations have on the TC's ability to calculate and evaluate regulatory proposals, such as possession limit split by time of year and fishing mode.
- 4.) Lastly, the TC members noted that more stability in management measures through regional management would be helpful, but continual year-to-year reductions have eliminated that stability. Once the 2016 Benchmark stock assessment is completed, the TC recommends reconsidering the ad-hoc regional approach. A reconsideration of the ad-hoc regional approach may provide new regional alignments that mirror the distribution and abundance of black sea bass. For example, New Jersey requested in their proposal the need to reconsider the state's grouping with the other northern states. The TC noted that this should be considered with the results of the 2016 Benchmark stock assessment in early 2017.

Methods:

The northern region attempted to construct regulations that are as similar as possible, while still to allowing some flexibility in setting management measures. This flexibility is an attempt to recognize that the states, particularly in the northern region, can have unique fisheries and a consistent set of regulations may have disparate effects across the region. When combining percentages together from multiple metrics, the use of an interaction calculation was employed. When using incrementally estimated harvest rates through simulation, the interaction term was not used. The equation for the interaction calculation is:

$$\text{Total Reduction} = (X+Y) - (X*Y);$$

X = The percentage decrease associated with seasonal closure(s).

Y= The percentage decrease associated with size/possession limit.

The Technical Committee (TC) members noted that while this approach is utilized by the northern states in crafting their proposals, there remains a need to standardize how non-compliant harvested fish are measured when crafting changes in management strategies within states.

Proposed Management Strategies for 2015

The following are the proposals from the states of the northern region.

Massachusetts

The 2015 Massachusetts' black sea bass regulations were: Open season May 23 – August 27, 8 fish bag limit, 14" minimum size.

These regulations resulted in the estimated recreational harvest of 351,000 fish, with a PSE of 16.9. A 23% reduction would result in a 2016 harvest target for Massachusetts of approximately 270,000 fish.

Several options are available that are likely to constrain harvest to 270,000 fish. These options focus on increasing regulatory compliance, reducing bag limit, and/or reducing season length.

Options:

Five regulatory options likely to meet the 23.2% reduction are presented in Table 1. The first two options only include changes to season length and thus maintain consistent size and bag limits relative to 2015. The next three options include combinations of season and bag limit to meet the 23.2% reduction. These options prioritize either Memorial or Labor Day weekend and focus on extending the season as long as possible. These three options also maintain a consistent size limit relative to 2015.

Table 1: Regulatory options available to reduce the harvest of the 2016 Massachusetts recreational black sea bass fishery 23.2% relative to 2015.

| Seasonal Reduction Only | | | | |
|--|-------------------|------------------|---------------------|-------------------------------|
| Open Date | Close Date | Bag Limit | Minimum Size | Expected Reduction (%) |
| 21-May | 4-Jul | 8 | 14" | 23.5 |
| 28-May | 30-Jul | 8 | 14" | 23.3 |
| Bag Limit Reduction and Seasonal Adjustment | | | | |
| Open Date | Close Date | Bag Limit | Minimum Size | Expected Reduction (%) |
| 28-May | 20-Aug | 5 | 14" | 23.2 |
| 30-May | 5-Sep | 4 | 14" | 23.5 |
| 28-May | 12-Sep | 3 | 14" | 23.9 |

Table 2. Bag Limit Reductions

| Bag Limit | % Reduction |
|------------------|--------------------|
| 8 | 0 |
| 7 | 2.99 |
| 6 | 7.02 |
| 5 | 12.07 |
| 4 | 21.11 |
| 3 | 31.87 |
| 2 | 45.81 |
| 1 | 65.03 |

Methods:

Reductions are based on the 2015 Marine Recreational Information Program (MRIP) estimates. The MRIP survey relies on angler interviews and an effort survey to estimate and characterize harvest of recreationally important fish species. The performance of the recreational black sea bass fishery was evaluated using harvest estimates from the 2015 MRIP surveys. In all cases it was assumed that 2016 effort will be identical to 2015 effort.

Catch totals from the MRIP survey are based on the cumulative sum of the catch per intercept. Catch per intercept is calculated as the weighting factor (wp_int) multiplied by harvest (harvest.a.b1). Each intercept contains data on the number of contributors (cntrbtrs). The harvest per angler is calculated as harvest divided by the number of contributors.

Harvest per angler was modified to explore what would have happened in 2015 at a different bag limits. Catch per intercept was recalculated by multiplying the weighting factor by the modified harvest per angler, and then multiplying by the number of contributors to the intercept. To account for non-compliance with the bag limit, any bags exceeding 8 fish, the 2015 limit, were not modified. It was assumed that an angler that did not comply with a bag limit of 8 would not comply with a reduced bag limit.

In exploring the effect of reductions to bag limit, achieving a 23% reduction was unlikely until reducing the bag limit to 3 fish. A 3 fish bag limit in 2015 (Option 1) would've reduced harvest by 31%. If assuming that the 2016 fishery will behave similarly to the 2015 fishery, this option will allow Massachusetts to achieve the target catch without reducing season length.

To explore the effect of seasonal reduction on catch total, with status quo bag limits, the total number of fish that were caught per day within a specific wave were calculated. This resulted in a per day reduction of 6,458 fish per day in wave 3 and 1,769 fish per day in wave 4. For two options, season length was extended. When season length was extended, reductions were applied to the beginning of the season by implementing a later start date. To estimate the effects of adding days to the season in wave 5, the percent increase in harvest was based on the percent of harvest that occurred per day in wave 5 of 2014. When this percent (1.57%) is applied to the 2015 catch total, this results in a projected 5,538 fish per day for wave 5. This was done because the season was not open in wave 5 of 2015, and therefore, data from 2015 was not available. Note that the bag and size limit did not change in MA from 2014 to 2015.

When reductions in bag occurred while reductions in season were in place, the cumulative reduction was penalized by the product of the percent decrease associated with the seasonal closure and the percent decrease associated with a change to the size/possession limit.

TC Recommendation: Approve

Rhode Island

The following is how RI as a member of the Northern region calculated its reductions. As noted in the background section, the regions will attempt to construct regulations that are as similar as possible. While this is a goal of the following analyses, the Board adopted the Ad Hoc regional approach to allow some flexibility in setting management measures. This flexibility was an attempt to recognize that the states, particularly in the northern region, can have unique fisheries and a consistent set of regulations can have disparate effects across the region. The following is a set of regulations analyzing just RI data, but this

can be altered if a three state (NY, CT, and RI) set of regulations is preferred upon technical review.

Rhode Island Methodology

Rhode Island explored three methods of estimating 2016 recreational black sea bass options. Those considered included; 1.) seasonal reductions calculated from daily harvest rates based on RI's harvest from 2015 waves 1 – 5 and 2014 for wave 6; 2.) Bag limit reduction calculations based on RI's harvest from 2015 wave 5; and 3.) A combination bag and harvest reduction calculation based on RI's harvest from 2015 waves 1 – 5 and 2014 for wave 6 according to MRIP data.

Bag Limit Adjustments

Changes in harvest due to possession limit adjustments were analyzed using MRIP intercept data. In general, the analysis takes the intercept data for 2015 (only wave 5 were used for these analyses because RI had a 7 fish bag limit during wave 5 and 6, but only had a 1 fish bag limit during other times of the year), weights and expands it, and simulates the harvest effects of different bag limits had they been in effect in 2015. To be clear, RI presents options where the bag limit is increased in the early season and the increase in harvest is calculated by applying the harvest at bag changes from its late season data where the bag limit was at 7 fish. The underlying assumption for this analysis is that fishermen will harvest at consistent proportions by bag throughout the season.

Calculations were run under the assumption of continued non-compliance, as discussed by the technical committee. The bag limit analysis was performed using a portion of the code as developed by M. Bednarski of MADMF and modified for the RI dataset as was done in 2015 for the RI specifications. The results of the analysis are indicated below (Table 3).

Table 3. The projected effects of various bag limits on the 2016 Black Sea Bass recreational landings in the RI, calculated as percent decrease from current management configuration.

| Bag | 1 | 2 | 3 | 4 | 5 | 6 | 7 |
|--------------------------------|------------|------------|--------------|------------|------------|------------|------------|
| 2016 increase season 1 | 0% | 20% | 36% | 50% | 62% | 67% | 70% |
| 2016 reduction season 2 | 70% | 50% | 34% % | 20% | 8% | 3% | 0% |

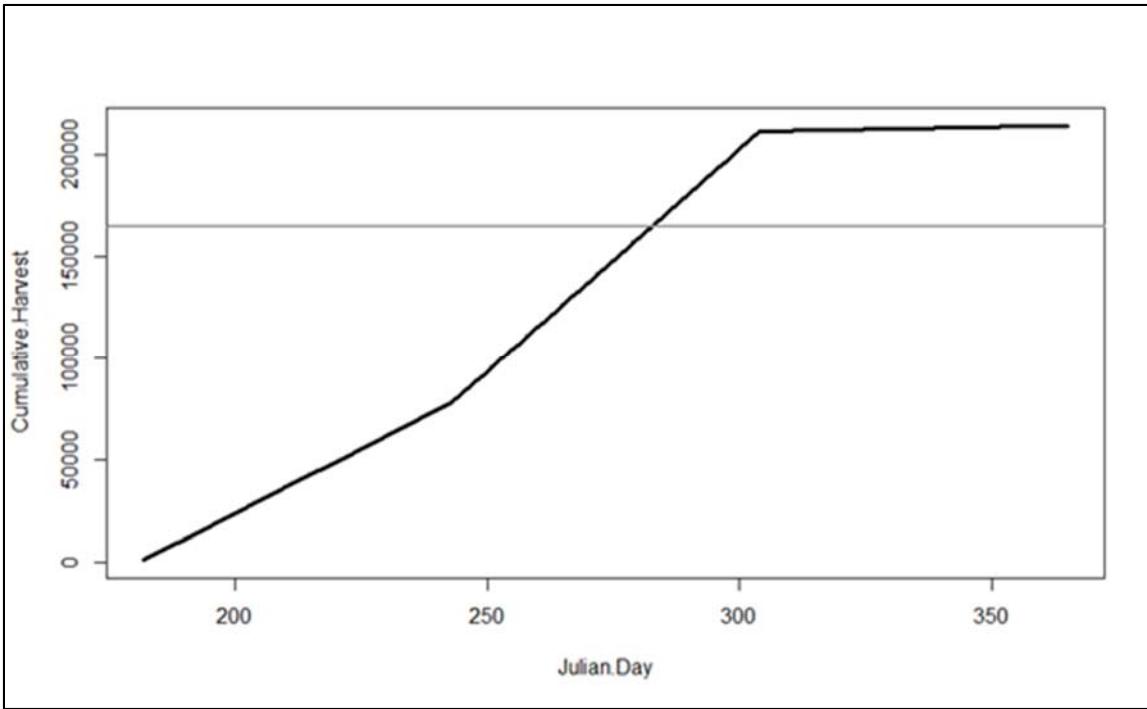


Figure 1. Results of the season analysis for RI. The results of the analysis are shown relative to the assumed target (horizontal grey line), which is calculated as a 23.2% reduction from 2015 harvest estimate.

Seasonal Adjustments

Seasonal adjustments were also calculated by using the MRIP intercept data. In general, the analysis takes the intercept data for 2015 (only waves 1 – 5 were available at the time of the analysis, therefore 2014 data used for wave 6), weights and expands it, and calculates a daily harvest level for the 2015 data. This harvest is then accumulated through time and compared against a 23.2% reduction from the 2015 total harvest amount. The point where the cumulative harvest line intersects the target line is the required 23.2% reduction in harvest. As noted above, calculations were run under an assumption of continued non-compliance (Figure 1).

Combination Seasonal and Bag Limit Adjustments

Combination seasonal and bag limit adjustments were also calculated by using the MRIP intercept data. In general, the analysis takes the intercept data for 2015 (only waves 1 – 5 were available at the time of the analysis, therefore 2014 data used for wave 6), weights and expands it, and calculates a daily harvest level for the 2015 data under simulated bag limits. This harvest is then accumulated through time and compared against a 23.2% reduction from the 2015 total harvest amount, and simulates this harvest for various bag limit scenarios. The results below (Table 4) present the assumption of continued non-compliance.

Party and Charter Program

As an additional option, RI would like to entertain the possibility of adopting a program akin to the party and charter program in place in the state of CT. RI will develop a logbook for tracking landings (we may look to use existing electronic technologies), we will require party and charter vessels to obtain a permit to participate in the program. We will implement a requirement for vessels to comply with reporting

requirements, and if vessels fail to submit their reports, they will be dropped from the program. A list of qualifying vessels will be shared with RIDEM Law Enforcement officials. In 2016 the program will allow both party and charter vessels a 7 fish bag limit during waves 5 and 6, they will be closed during other periods of time. This is the same bag limit as was in place during wave 5 and 6 in 2015, and calculations were made per the exact same methodology as described above to account for this altered party and charter harvest. An additional reduction was applied to this program to allow for uncertainty in the knowledge of how many vessels will participate (non-participating vessels will abide by the standard 3 fish bag limit)(Table 3). One final note, the party and charter mode in RI only represented 13% of the harvest, so the danger of dramatically impacting total state recreational harvest is minimized.

Rhode Island Proposed Management Measures for 2016

The following are the proposals from RI (table 4). The options meet the required 23.2% reduction and follow the calculations as set forth above.

Table 4 – Rhode Island Black Sea Bass options for 2016 based on 2015 harvest (waves 1-5) and 2014 harvest (wave 6)

| Bag Limit | | Minimum Size | Wave 3 (open days) | Wave 4 (open days) | Wave 5 (open days) | Wave 6 (open days) | Reduction |
|------------------|---|---------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|------------------|
| Split Bag | 3 | 14 | - | 62 | | - | 0.235 |
| | 7 | | - | - | 39 | - | |
| Split Bag | 3 | 14 | - | 38 | - | - | 0.236 |
| | 4 | | - | - | 53 | - | |
| Single Bag | 3 | 14 | - | 62 | 40 | 0 | 0.236 |
| Single Bag | 3 | 14 | - | 43 | 61 | 61 | 0.236 |

Table 5-Additional RI option for 2016 with Party and Charter program

| Mode | Bag Limit | Minimum Size | Wave 3 (open days) | Wave 4 (open days) | Wave 5 (open days) | Wave 6 (open days) | Reduction |
|-------------------------------|------------------|---------------------|-------------------------------|-------------------------------|-------------------------------|-------------------------------|------------------|
| Shore and Private/Rental Boat | 3 | 14 | - | 43 | 61 | 61 | 0.272 |
| Party and Charter | 7 | 14 | - | - | 61 | 61 | |

TC Recommendation: Approve

Connecticut

In 2015 through wave 5 Connecticut harvested a total of 261,591 black sea bass. A 23.3% reduction would reduce harvest by 59,787 fish, estimating a 2016 harvest of 201,659 fish. All options provided in Table 6 indicate a reduction over the requirement.

Season

Harvest per day rates for waves 3 through 5 came directly from the 2015 landings provided by MRIP, specifically 749 fish per day for wave 3, 1,357 fish per day for wave 4 and 2,124 fish per day for wave 5. These catch rates were applied to both seasonal reduction options and options having an increase in season length. For the first time in eight years, 2014 had estimates of harvest for wave 6. Since 2015 estimates for wave 6 are not yet available, the 2014 data was used to calculate a daily rate of 23 fish per day.

Size / Possession

The MRIP sample size of black sea bass lengths in 2015 was 635 fish, of which, 378 were imputed and 257 measured. This sample size allowed an accurate length frequency table to be created for making liberalization estimates for the 2016 fishing year. The length frequency table was weighted by the MRIP effort estimates in all calculations. Two minimum lengths were evaluated. An increase to 14.5" resulting in a 16.9% reduction and 15" resulting in a 37.7% reduction.

The possession limit was analyzed using the MRIP catch table. The data was queried to include only trips having one angler (contribtrs = 1) in order to remove bias from trips having multiple anglers' harvest pooled. There was a total of 172 trips used in the analysis to adjust the creel limit in waves 3 and 4 combined and 95 trips used for wave 5 (Table 7). The proportion of 'saved' fish was then converted to number of fish and applied to the total season's harvest.

Party and Charter Vessel Program

In 2015 Connecticut continued the Party and Charter Black Sea Bass Logbook Program. The program started in 2013 when Connecticut opted to start the program in lieu of a 7% liberalization. In order for vessels to participate in the program, they were required to register with the state. They were also required to submit mandatory monthly catch reports. If vessels failed to submit their reports, they were immediately dropped from the program. A list of active qualifying vessels was maintained and shared with Conservation Law Enforcement. In 2015 the program allowed both party and charter vessels an 8 fish creel limit from June 21 to December 31.

Connecticut would like to continue the party and charter black sea bass program into 2016. All options including those with split mode regulations meet the required 23.3% reduction

Table 6. 2016 Connecticut Black Sea Bass Options.

| | 2015 MEASURE S | OPTION 1 | OPTION 2 | OPTION 3 | OPTION 4 |
|---------------------------------|-------------------------------|-------------------------|-------------------------|-----------------------|--|
| PRIVATE MODE SEASON | June 1 – Dec 31 | June 27 – Dec 31 | July 24 – Dec 31 | May 1 – Dec 31 | June 16 – Oct 9 Nov 1 – Dec 31 |
| PARTY/CHARTER SEASON | June 21 – Dec 31 | June 27 – Dec 31 | July 24 – Dec 31 | May 1 – Dec 31 | June 16 – Oct 9 Nov 1 – Dec 31 |
| MINIMUM LENGTH | 14" | 14.5" | 14" | 15" | 14" |
| PRIVATE MODE CREELWAVE 3 AND 4 | 3 | 3 | 3 | 5 | 3 |
| PRIVATE MODE CREEL WAVE 5 AND 6 | 5 | 5 | 5 | 5 | 5 |
| PARTY CHARTER CREEL | 8 | 6 | 6 | 8 | 6 |

Table 7. 2016 Creel Reduction Table

| Creel Reduction Table (Creel tab) | | | |
|--|----------------------|-----------------|------|
| PR | WV3 and 4 | | |
| | Wv5 and 6 | Combined | |
| 3->2 | 0.15 | | |
| 3->1 | 0.45 | | |
| 5->4 | | 0.02 | |
| 5->3 | | 0.05 | |
| 5->2 | | 0.12 | |
| 5->1 | | 0.26 | |
| P/C | | | |
| 8->7 | 0.01 | 0 | 0.01 |
| 8->6 | 0.02 | 0.02 | 0.02 |
| 8->5 | 0.03 | 0.07 | 0.04 |
| 8->4 | 0.07 | 0.14 | 0.09 |
| 8->3 | 0.16 | 0.25 | 0.19 |
| 8->2 | 0.35 | 0.39 | 0.36 |
| 8->1 | 0.64 | 0.59 | 0.63 |

TC Recommendation: Approve

New York

In 2015, NY recreational anglers have harvested 710,696 black sea bass for a total 1,225,351 pounds through Wave 5 (preliminary data). Fishing also occurred in Wave 6 (November and December) which over the last 15 years accounts for an average of 5.7% (0.2 – 20.7%) of New York's annual recreational black sea bass harvest. Preliminary data for Wave 6 will be available mid-February and will be taken into account at that time. For the following reduction calculations, the MAFMC derived projection of New York's Wave 6 harvest (3,322 fish) will be used (Table 7).

New York's 2015 recreational black sea bass regulations included:

14.0" minimum size limit,

8 fish possession limit from July 15 – October 31 and

10 fish possession limit from November 1 – December 31

NY will use a combination of changes to season length and possession limit to reduce recreational harvest of BSB. Possession limits may vary by wave. The minimum size limit was increased by 1.0" inches for the 2015 season and this resulted in high rates of non-compliance in some modes and potential spatial differences in access to legal sized fish. To allow for angler adaptation to the recent increase in size limit, New York is not considering changes to the size limit for 2016.

The number of harvested fish in each wave is divided by the number of days open per wave to generate a wave specific daily rate which is used as a percentage of the annual harvest to determine the reduction value of each day in each wave (Table 8).

Weighted intercept data generated by MRIP was used to determine the reduction value of changes to the possession limit. This was done for the entire season and on a wave specific basis. Reductions were calculated taking into account the interaction between season length and possession limit changes (Table 8).

Table 8. New York's projected harvest for 2015 and possession limit analysis

| WAVE DAILY RATE | 3 | 4 | 5 | MAFMC PROJ 6 | PROJ. 2015 TOTAL |
|------------------|-------|---------|---------|--------------|------------------|
| NEW YORK HARVEST | 1,189 | 472,415 | 237,090 | 3,322 | |
| DAYS OPEN | 0 | 48 | 61 | 61 | |
| DAILY RATE | | 9,842 | 3,887 | 54 | |
| 2015 PROJ TOTAL | | | | | 714,016 |
| PERC/DAY | | 1.38% | 0.54% | 0.01% | |

| POSSESSION LIMIT | ALL | WAVE 4 | WAVE 5 |
|------------------|-------|--------|--------|
| 2 | 35.4% | 40.3% | 25.8% |
| 3 | 22.5% | 26.6% | 14.4% |
| 4 | 14.4% | 18.7% | 5.9% |
| 5 | 8.3% | 12.3% | 0.4% |
| 6 | 4.8% | 7.1% | 0.2% |
| 7 | 1.8% | 2.7% | 0.0% |

The options below (Table 9) are examples of the kinds of regulatory changes New York is considering to achieve the required reduction. These include the removal (or addition) of days from either end of the

season and/or in season closures as well as a decrease in the possession limit. Possession limits may differ between waves but not within a wave. Final options will be generated using the same methodology after consideration of TC/Board approval, preliminary Wave 6 data, and input from New York's public. All options below include a 14.0" minimum size limit

Table 9. New York's Proposed Management Measures for 2016

| OPTION | POSSESSION LIMIT | OPEN SEASON |
|---------------|-------------------------|--|
| 2015 | 8/10 | July 15-Oct. 31/Nov. 1-Dec. 31 |
| 1 | 3 | July 16-Dec. 31 |
| 2 | 4 | July 22-Dec. 31 |
| 3 | 4 | July 21-Oct. 31 |
| 4 | 4 | July 15-Oct. 13 |
| 5 | 4 | July 15-Sept. 21 and Oct. 10-Dec. 31 |
| 6 | 5 | July 15-Sept. 21 and Oct. 21-Dec. 31 |
| 7 | 5 | July 27-Dec. 31 |
| 8 | 5 | July 15-Oct. 2 |
| 9 | 2/8/10 | July 11-Aug. 31/Sept. 1-Oct. 31/Nov. 1-Dec. 31 |

TC Recommendation: Approve

New Jersey

New Jersey landed a MRIP estimated 452,634 fish in 2015 with a required reduction of 23% in 2016, the recreational New Jersey target is 348,528 fish. New Jersey explored several methods to estimate 2016 recreational black sea bass options. Those considered included estimates of harvest by wave based on the National Marine Fisheries Service (NMFS), Marine Recreational Information Program (MRIP). Since MRIP 2015 wave 6 data is not currently available, New Jersey used 2014 wave 6 estimates for the purpose of this exercise.

Seasonal Reduction: To calculate the reduction achieved through season changes, the total number of fish harvested per wave was divided by the total number of days open in the wave to create a daily harvest rate by wave (Table 10).

Bag Reduction: A bag reduction table was created by summing the total harvest by bag limit for all waves combined and using a stepwise approach to calculate each reduction in bag limit.

Size Reduction: Size reductions were calculated by summing all fish harvested by wave for the 2015 fishing. The percent reduction achieved was calculated the ratio of fish at each size including the non-compliant sizes with those harvested the previous year (Table 11).

Table 10. NJ 2015 Daily harvest rate by wave.

2015 Daily Harvest Rate

| Total Length (Inches) | Wave 3 Daily Harvest (35) | Wave 4 Total Harvest (31) | Wave 5 Total Harvest (10) | Wave 6 Total Harvest (61) |
|-----------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Bag | 15 | 2 | 15 | 15 |
| 12.5 | 8,314 | 1,036 | 6,090 | 1,125 |
| 13 | 7,297 | 780 | 3,989 | 793 |
| 13.5 | 6,773 | 619 | 3,305 | 673 |

Table 11. NJ 2016 Size reduction Table.

| REDUCTION AT SIZE | | | | |
|-----------------------|----------------------|----------------------|----------------------|----------------------|
| Total Length (Inches) | Wave 3 Total Harvest | Wave 4 Total Harvest | Wave 5 Total Harvest | Wave 6 Total Harvest |
| 12.5" | 0.0% | 0.0% | 0.0% | 0.0% |
| 13.0" | -12.2% | -24.7% | -34.5% | -29.5% |
| 13.5" | -18.5% | -40.2% | -45.7% | -40.1% |

New Jersey's Proposed Management Strategies for 2016

Options that are being considered for New Jersey's 2016 black sea bass recreational fishery are listed in Table 12. All options were developed using the New Jersey MRIP harvest data from 2015 for waves 1-5 and 2014 wave 6 data. New Jersey is considering a split bag approach, as was applied in 2015, which would implement for example, a size limit of 12.5 inches and a possession limit of 15 fish during waves 3, 5, and 6 and a reduced possession limit during wave 4.

Please keep in mind that the options listed in Table 12 reflect potential options. New Jersey's Marine Fisheries Council's Black Sea Bass Committee and its advisors will convene to recommend their preferred options to the New Jersey Marine Fisheries Council for 2016. The Council will then meet to select an option. The option they select may or may not be one of the examples provided, but it will have been developed using the same methodology as the options listed in Table 12.

Recently, the Black Sea Bass Stock Assessment Working Group have evaluated new regional stock assemblages/components for the coastwide black sea bass population based on genetics work, tagging data, fisheries independent and dependent indices, catch-at-age information and recruitment patterns. These data suggest black sea bass stock differences north and south of the Hudson Canyon and associated Hudson River Drainage. Given this information, New Jersey requests that strong consideration be given to placing New Jersey in the Southern Region with Delaware through North Carolina, once the 2016 benchmark stock assessment has been completed.

Table 12. Management options for NJ's 2016 black sea bass recreational fishery based on average daily harvest rates from MRIP data achieving a 23 percent reduction in harvest.

| NJ 2016 Black Sea Bass Example Options | | | | | | | |
|--|------|--------|----------------|----------------|---------------|--------------|--------------------|
| example option 1 | | | Wave 3 | Wave 4 | Wave 5 | Wave 6 | Perc Redx 23.8 |
| | 2016 | bag3 | 15 | 2 | 15 | 15 | |
| | | size1 | 12.5 | 12.5 | 12.5 | 12.5 | |
| | | days2 | 22 | 31 | 10 | 61 | |
| | | Season | June 9-June 30 | July 1-July 31 | Oct 22-Oct 31 | Nov 1-dec 31 | |
| example option 2 | | | Wave 3 | Wave 4 | Wave 5 | Wave 6 | Perc Redx 23.01 |
| | 2016 | bag3 | 14 | 2 | 14 | 14 | |
| | | size1 | 13 | 13 | 13 | 13 | |
| | | days2 | 33 | 31 | 10 | 61 | |
| | | Season | May 29-June 30 | July 1-July 31 | Oct 22-Oct 31 | Nov 1-dec 31 | |
| example option 3 | | | Wave 3 | Wave 4 | Wave 5 | Wave 6 | Perc Redx 24.28 |
| | 2016 | bag3 | 10 | 2 | 10 | 10 | |
| | | size1 | 12.5 | 12.5 | 12.5 | 12.5 | |
| | | days2 | 26 | 31 | 10 | 61 | |
| | | Season | June 5-June 30 | July 1-July 31 | Oct 22-Oct 31 | Nov 1-dec 31 | |
| example option 4 | | | Wave 3 | Wave 4 | Wave 5 | Wave 6 | Perc Redx 23.07 |
| | 2016 | bag3 | 7 | 2 | 7 | 7 | |
| | | size1 | 12.5 | 12.5 | 12.5 | 12.5 | |
| | | days2 | 33 | 31 | 10 | 61 | |
| | | Season | May 29-June 30 | July 1-July 31 | Oct 22-Oct 31 | Nov 1-dec 31 | |

TC Recommendation: Approve