



# Atlantic States Marine Fisheries Commission

## Meeting Summary

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*Vision: Sustainably Managing Atlantic Coastal Fisheries*

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Summer Flounder, Scup and Black Sea Bass Board  
Conference Call  
May 22, 2017

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### Meeting Summary and Motions

#### TABLE OF CONTENTS:

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (MAY 22, 2017).....	2
<i>Meeting Summary</i> .....	2
<i>Motions</i> .....	3

## **SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (May 22, 2017)**

### ***Meeting Summary***

The Summer Flounder, Scup, and Black Sea Bass Board (Board) met on May 22, 2017 via conference call to consider a conservation equivalency proposal from New Jersey. At the Commission's Spring Meeting the Board tasked the Technical Committee (TC) to review New Jersey's proposal to implement the following alternative set of regulations for the 2017 summer flounder recreational fishery:

- Shore mode for Island Beach State Park only: 16-inch minimum size limit; 2-fish possession limit and 104-day open season (May 25-Sept 5)
- Delaware Bay only (west of the COLREGS line): 17-inch minimum size limit; 3-fish possession limit and 104-day open season (May 25-Sept 5)
- All other marine waters: 18-inch minimum size limit; 3-fish possession limit and 104-day open season (May 25-Sept 5)

The TC chair reviewed the TC's report with the Board (see the full TC report for details). The TC found when comparing the harvest reduction derived from the standard methodology using final 2016 MRIP harvest in numbers of fish, the reductions were not equivalent; there was a greater reduction in harvest under the Addendum XXVIII measures than the New Jersey proposed measures. The TC also reviewed whether the NJ proposal would reduce total fish removals (harvest + dead discards). After the TC made two changes due to uncertainty in the methods in the original proposal, the TC found using final Marine Recreational Information Program (MRIP) estimates, a 10% discard mortality rate, and prior to evaluating discards during the closed season, the New Jersey option no longer achieved the substantial reductions in total fish removals that the proposal stated. The proposal's approach was unique and different from the standard methodology for developing measures as well as the Fishery management Plan requirement of constraining harvest to the annual coastwide recreational harvest limit (RHL). The TC noted the new approach would effectively set different standards for evaluating New Jersey measures relative to the other states resulting in a logical discrepancy between the various approaches creating issues of inequity. Lastly, in considering the proposed objective of reducing total recreational fishing removals, the TC was in agreement this concept was a potential improvement to the current approach of constraining coastwide harvest to the RHL, but believes the New Jersey method warrants further refinement before it can be incorporated into recreational management. After reviewing the TC report, the Board did not find the measures contained in New Jersey's proposal were equivalent to Addendum XXVIII. Following the previous decision by the Commission to find New Jersey out of compliance if the state did not implement Addendum XXVIII or equivalent measures by May 21, the Board reaffirmed the compliance recommendation to the Policy Board to find New Jersey out of compliance.

For more information, please contact Toni Kerns, ISFMP Director, at [tkerns@asmfc.org](mailto:tkerns@asmfc.org) or 703.842.0740.

### ***Motions***

**Move the Summer Flounder, Scup, and Black Sea Bass Board recommend to the ISFMP Policy Board that the state of New Jersey be found out of compliance for not fully and effectively implementing and enforcing Addendum XXVIII to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan if the State does not implement the following measures by May 25, 2017:**

- **Shore mode for Island Beach State Park only: 17-inch minimum size limit; 2-fish possession limit and 128-day open season.**
- **Delaware Bay only (west of the colregs line): 18-inch minimum size limit; 3-fish possession limit and 128-day open season.**
- **All other marine waters (east of the colregs line): 19-inch minimum size limit; 3-fish possession limit and 128-day open season**

**The implementation of these regulations is necessary to achieve the conservation goals and objectives of the FMP to end overfishing of the summer flounder stock. In order to come back into compliance, the state of New Jersey must implement all of the measures listed above as contained in Addendum XXVIII to the Summer Flounder FMP.**

Motion made by Mr. Ballou and seconded by Dr. Pierce. Motion carries (Roll call Vote: In Favor – MA; RI; CT; NY; DE; MD; PRFC; VA; NC; Opposed – NJ; Abstentions – USFWS, NMFS).