

**NEW JERSEY MARINE FISHERIES COUNCIL**  
**Galloway Township Library**  
**Galloway, New Jersey**  
**January 3, 2013**

In Attendance were: Acting Chairman Richard Herb  
Councilman Erling Berg  
Councilwoman Frances Puskas  
Councilman Sergio Radossi  
Councilman Robert Rush  
Councilman Joseph Zaborowski

Absent:

Councilman Scott Bailey  
Councilwoman Eleanor Bochenek  
Councilman Walter L. Johnson III  
Councilman Joseph Rizzo

Also in attendance representing the Division of Fish and Wildlife:

David Chanda, Director  
Brandon Muffley, Chief, Bureau of Marine Fisheries (BMF)  
Russ Babb, Acting Chief, Bureau of Shellfisheries  
Jeffrey Brust, Research Scientist, Marine Fisheries Administration (MFA)  
Captain Dominick Fresco, Bureau of Law Enforcement  
Russ Allen, Supervising Biologist, BMF  
Mike Celestino, Research Scientist, MFA  
Sherry Bennett, Council Secretary

Ms. Bennett read the compliance with the Sunshine Law. Notice of the meeting was filed with the Secretary of State on December 4, 2012. Meeting Minutes from the November 14, 2012 Council Meeting were approved.

Acting Chairman Herb began the meeting with the Pledge of Allegiance.

**Audience Conduct**

Acting Chairman Herb reminded the audience to take conversations outside or wait until the end of the meeting and to turn off all cell phones. Individuals wishing to make a public comment will need to sign up.

**Law Enforcement Report**

Captain Fresco presented Council with the Law Enforcement Report. A detailed report was provided in Handout #1.

### **Commercial Fisheries**

On 10/25/12 a commercial fisheries inspection was conducted of the otter trawl fishing vessel Miss Tamara at the dock of Cold Spring Fish and Supply Co. in Cape May. The COs determined the Miss Tamara landed within directed harvest limits of scup and summer flounder, but exceeded the bycatch limit of black sea bass. Summonses were issued to the owner and captain of the vessel for exceeding bycatch limit of black sea bass.

### **Community**

In late October, CO Moscatiello and Lt's Paul and Dravis participated in the Barnegat Bay Blitz. This is a large event organized by the NJDEP and numerous coastal conservation groups in the Barnegat Bay watershed. The purpose of the event to put it simply is to clean up Barnegat Bay and its surrounding areas of any garbage, recyclables and debris.

In response to the impending arrival of Hurricane Sandy, marine region conservation officers strategically located patrol vessels for emergency response following the storm. Following Hurricane Sandy, Conservation Officers from throughout the State were tasked to assist the New Jersey State Police in conducting boat patrols along coastal barrier islands from Point Pleasant Beach to Long Beach Island. These patrols are conducted daily 6:00 am to 6:00 pm, starting from November 5 and continuing through November 30. In addition, District 7 COs were vigilant in the enforcement of the emergency shellfish closure after Super storm Sandy with dozens of recreational clambers turned away from the seasonal harvest areas in the Navesink and Shrewsbury Rivers in Monmouth County. Hundreds of contaminated clams were returned to the water.

Marine region officers assisted the northern region during the 2012, 6-day firearm deer/bear season.

### **Recreational**

In December 2012, CO's conducted inspections and responded to information about undersized stripers in Middle Twp, Cape May County and the Sea Bright area of Monmouth County. A total of twenty-one fisherman were inspected which yielded numerous summonses for possession of undersized and/or over the limit striped bass of 56 plus striped bass. The penalty is \$100 per illegally possessed striped bass.

From October to December 2012, CO's conducted inspections in Manasquan Inlet Jetty, Barnegat Light State Park and Neptune Township in Monmouth County. About 22 summonses were issued for possession of undersized and over the limit of tautog, or for wanton waste, interference and seizure of all fishing gear. About 87 or more tautog were caught illegal. In one case, a fisherman pleaded guilty to all charges and was charged for the full amount for the summonses, \$1500.00 plus costs.

### **Party Boats**

On three separate occasions from November 28 to December 16, CO's inspected party fishing vessels. In Monmouth County, over 30 fish were seized and summonses issued for possession of undersized black sea bass to several patrons. This vessel was also observed and turned over to National Marine Fisheries Service agents for fishing in federal waters during the closed black sea bass season. In Sea Isle City, five summonses were issued to individuals for filleting undersized tautog at sea. In Atlantic City, an individual was issued summonses for five undersized tautog, three over the limit tautog and one undersized black sea bass, littering, and interference with the duties of a conservation officer. Five other patrons were issued additional summonses for undersized tautog.

### **Lobsters**

On 12/2/12 and 12/5/2012, CO's traveled to Bergen and Passiac Counties to perform fisheries compliance inspections on random fish markets and restaurants. Along with a follow up inspection of a dealer that had reportedly sold undersized lobsters to a local restaurant that was recently inspected. In total, several dozen undersized lobsters were seized and returned to the Maine wholesaler responsible for the initial sale of these sublegal lobsters to the New Jersey dealers. Summonses were issued to the businesses for possession of undersized lobsters. And the dealer from the follow up inspection was issued a summons for possession of 19 undersized lobsters.

Director Chanda commemorated the staff for the excellent job to assist and help the fishery in the aftermath of Super storm Sandy. They all went above and beyond in their duties.

On a positive note, Nacote Creek offices will be moving. Phase I, site selection has been completed and a new office will be built about one mile south of the current location around 2017. This facility is being funded by state money that has been constitutionally dedicated due to a bill that was passed in 2006 to support rebuilding of states infrastructure.

### **Legislative Report**

Mr. Muffley presented Council with the legislative report.

S2376 repeals State moratorium prohibition taking of horseshoe crabs from State waters, Handout #2.

A memo on PL2011, C167 becomes effective February 1, 2013 requires a number of local agencies and boards to maintain internet websites and post certain information to site, Handout #3.

Ms. Puskus asked if commercial license information will be shared on internet. Mr. Muffley said no, because commercial information is protected under statute which is deemed as confidential.

### **Atlantic States Marine Fisheries Commission (ASMFC) Report**

Mr. Muffley presented Council with an update on Atlantic Menhaden Management Board, Handout #4. The ASMFC approved Amendment 2 to the Interstate Fishery Management Plan for Atlantic Menhaden. New reference points were adopted with the goal of increasing abundance, spawning stock biomass, and menhaden availability as a forage species. The Amendment establishes a total allowable catch (TAC) beginning in 2013. The Amendment also allocates the TAC on a state-by-state basis based on landings history of the fishery from 2009-2011. NJ received a little over 11% of the TAC, how NJ allocates quota is yet to be determined. For the next two years, 2013 and 2014 NJ's annual quota will be approximately 42 million pounds. A Menhaden Council committee meeting will be held January 22, 2013 and regulations will need to be in place by May 1st.

Mr. Radossi asked how fisherman from out of state who lands fish in NJ will affect this quota? Mr. Muffley said it will go against NJ quota and this will be one of the issues to be discussed at the committee meeting. How will the quota be allocated to protect NJ fisherman who historically land fish here, without losing quota to those who come out of state and land fish in NJ.

Mr. Berg asked if this new NJ quota is low compared to NJ historically landings? Mr. Muffley said based on the last three years of landings from 2010 to 2012; the landings have increasingly gone up and therefore the quota will result in a significant cut. However with the exception of these three years, historically NJ had never harvested 42 million pounds.

### **Mid-Atlantic Fishery Management Council (MAFMC)**

Mr. Berg presented Council with the MAFMC report; Handouts #5.

A more detailed summary of the meeting can be found by visiting the website at <http://www.mafmc.org>.

### **Black Sea Bass Issues**

The Council took several actions at its meeting in December in response to the early closure of the recreational black sea bass fishery this year. The fishery closed on November 1, 2012 after preliminary landings estimates indicated that the quota had been exceeded. The overage was expected to be deducted from the recreational harvest limit for 2013, but the Council determined that an accountability measure for this year's overage (i.e. the 2012 harvest data is not yet final) cannot be applied until 2014 at the earliest. The Council voted to request that the Scientific and Statistical Committee (SSC) reconsider their recommendation for the 2013 allowable biological catch (ABC) limit in light of the most recent black sea bass landings and stock information. The Council will discuss any changes to the ABC at its meeting in February. The Council also requested that the NEFSC conduct an operational stock assessment for black sea bass in the coming year. This assessment would follow a data workshop conducted with state scientists to review any available information on black sea bass. The assessment results will be reviewed in October 2013 when the Council develops management recommendations for

2014. To address concerns related to accountability measures for black sea bass and other recreational fisheries, the Council voted to initiate development of an omnibus amendment that would consider alternative accountability measures for all Mid-Atlantic fisheries. The amendment is expected to be completed by June 2013 – in time to have any new regulations in place by January 2014.

### **Summer Flounder, Scup and Black Sea Bass Management Measures**

For summer flounder the Council and Board recommended the use of conservation equivalency to achieve the recreational harvest limit of 7.63 million pounds for the 2013 fishery. Conservation equivalency would allow individual states to develop recreational measures (ex: size, season & possession limits) to achieve a state-specific harvest level. The Board voted to adopt conservation equivalency in state waters for the 2013 fishery for scup. For federal waters, the Council voted to recommend a 10 inch total length (TL) minimum fish size, a 30 fish possession limit, and an open season from January 1 through December 31, 2013. The states will develop state-specific management measures for approval at the Commission's February meeting.

On black sea bass the Council recommended measures for federal waters that will be implemented if the ASMFC addendum (allow for state-specific or regional approaches for 2013) is adopted. These federal measures would be a 15 fish possession limit, a 12.5 inch TL minimum fish size and an open season from January 1 through February 28, May 19 through October 14, and November 1 through December 31, 2013.

### **Atlantic Mackerel, Squid, Butterfish**

Amendment 15 will consider adding river herring (blueback and alewife) and shad (American and hickory) as Council-managed species.

The Council took action to institute butterfish cap closure authority in trimester 2, so as to ensure a trimester 3 fisheries. The Council also voted to give National Marine Fisheries Service (NMFS) the discretion to shift butterfish cap and landings back and forth at the end of the year to optimize fishing opportunities.

Staff provided an update on the squid management workshop which is scheduled for January 15 in Riverhead, NY. The purpose of the workshop is to connect Mid-Atlantic fishery managers, scientists, and industry participants in order to consider whether real-time management is a feasible strategy for optimizing yield and/or addressing challenges in the longfin and *Illex* squid fisheries.

### **Special Management Zone Alternatives**

The Council approved a list of alternatives for public hearings relative to the request by Delaware to convene in January 2013, to have its five reef sites in the EEZ designated as Special Management Zones (SMZs) under provisions of Amendment 9 to the Summer flounder, Scup and Black Sea Bass Fishery Management Plan (FMP). A public hearing will be held January 17, 2013 in Toms River.

Acting Chairman Herb asked Mr. Muffley to address Black Sea Bass issues.

Mr. Muffley addressed the Council with regards to what is in place and how the future may look for black sea bass. In the long-term (2014-2015), a new stock assessment was requested to be conducted for 2013 in an effort to update our understanding of the coastwide black sea bass resource. Also, the Scientific and Statistical Committee (SSC) were asked to revisit all accountability measures for recreational fisheries and the current uncertainty ranking of the sea bass assessment. In the short term (2013), both Federal and State waters have regulations in place with a 15 fish possession limit and a 12.5" fish, from January 1<sup>st</sup> to February 28, 2013. After the MAFMC met, they noticed an error in the fish possession which has led to some confusion. The ASMFC & MAFMC voted on and approved a 15 fish possession limit for Federal and State waters and not the 20 fish possession presented. The ASMFC did contact all Commission Board members to inform them of this error.

As for as the rest of 2013, there is an Addendum out that is addressing various options as to whether to regulate the recreational fishery on a state-by-state, coast-wide, or regional approach. Most options will likely require a 40 to 50 percent reduction in harvest for NJ. The ASMFC is taking comment until February 6, 2013, and this Addendum can be viewed on the ASMFC website. Mr. Muffley will update Council as more information becomes available and committee meetings are held.

Mr. Muffley commented that the MAFMC has three at-large seats that expire in 2013 – one is currently held by NJ (Mr. Berg); applications are due March 15<sup>th</sup>, 2013. Mr. McCloy has sent out letters looking for people interested on serving on the MAFMC, ASMFC and the Marine Fisheries Council. Mr. Muffley asked everyone to spread the word and if interested to contact Mr. McCloy for more information in regards to these various positions.

Mr. Muffley also updated Council with preliminary 2012 recreational summer flounder update. Preliminary data on recreational summer flounder landings has shown NJ is 6% over target for 2012, along with the overall reduction in the coastwide quota for 2013, NJ would most likely need to reduce harvest by 15 to 20% in 2013. NJ's quota for 2012 was 3.4 million pounds and the quota for 2013 will be 2.8 million pounds. Most of this overage seemed to have occurred in Wave 5 (Sept./Oct.) where harvest was estimated much higher than in previous years.

Mr. Nowalsky commented, as an ASMFC commissioner, that the reason for this summer flounder reduction is due to a change in data that is being used because a different system is being used to analyze the data. (MRFSS vs. MRIP)

Mr. Rush commented that the January 17<sup>th</sup>, 2013 meeting for the Delaware reef SMZ issue will be held in Toms River from 7 to 9 pm.

### **Shellfish Council Reports**

Mr. Babb presented to Council the status of NJ waters after Hurricane Sandy, as it relates to water quality and shellfish harvest. Due to Hurricane Sandy, all state waters were

closed to commercial and recreational shellfish harvesting effective October 29th due to concerns about degradation of water quality. The Bureau of Marine Water Monitoring has been monitoring water quality up and down the coast since the storm. Waters were, and continue to be, monitored for bacteria and viruses before they are able to be reopened to shellfish harvest.

All State waters in Delaware Bay were re-opened to harvest and since that time many areas along the coast have reopened. At this point, a large depuration area of Sandy Hook Bay was reopened in mid-December but Raritan Bay remains closed. About a week later the waters in Barnegat Bay *north* of the Rt. 37 bridge (north of Toms River) were reopened. That leaves a very large water area closed south of the Rt. 37 bridge to and including Little Egg Harbor Bay.

Within this closed area, sampling results by the Bureau of Marine Water Monitoring indicate that the water samples in Southern Barnegat Bay continue to show excellent water quality and indicate no ongoing bacterial contamination. Unfortunately, shellfish tissue coliphage analysis taken from the area failed to meet the Natl. Shellfish Sanitation Program criteria. As a result, the Department is not going to be able to re-open the Barnegat Bay area to shellfish harvest at this time.

If interested in staying apprised of the monitoring check the Department's webpage and go to the Marine Water Monitoring link at [www.nj.gov/dep/wms/bmw/](http://www.nj.gov/dep/wms/bmw/)

## **Committee Reports**

### **Blue Crab Committee**

Mr. Berg presented Council with the Blue Crab Committee Report in Dr. Bochenek's absence, Handout #6.

The Marine Fisheries Council Crab Committee met at the Nacote Creek Law Enforcement Office to continue discussions on license transferability and other regulatory issues begun at a meeting on July 16<sup>th</sup> 2012. In attendance were Council Committee members, commercial and recreational industry advisors, and Marine Fisheries and Law Enforcement staff.

Staff provided a synopsis of the 2007 rule proposal to open transferability through a two-tier licensing system for commercial crab pot licenses, and an overview of commonly accepted definitions for "immediate family". (The 2007 proposal had been disapproved by the Council.)

The specific purpose of this Committee meeting was to provide direction for the full Marine Fisheries Council to:

1. Pursue open license transferability for commercial crab pot licenses
2. To modify the current regulatory definition of immediate family
3. To discuss possible implementation of an apprenticeship program.

It was suggested open transferability should be awarded based on the number of current licensees applying to transfer, and on the harvesting activity of the current licensee.

- An application period of two to three months would be opened at the beginning of each year, during which a current licensee could apply to transfer his/her license to anyone outside of his/her immediate family. (Transfers within immediate family would continue without restrictions.)
- Based on the licensee's harvesting activity during any three of the previous five years, the license would be determined to be active or inactive. Three minimum annual harvesting levels were proposed for active licenses:
  - 50 bushels/500 peelers
  - 100 bushels/1000 peelers
  - 200 bushels/2000 peelers(Marine Fisheries staff will conduct analyses to determine the effects of each minimum harvest level on the number of active crab potters.)
- The proposed maximum cap for open transfers was 25 licenses per year with 20 transfers available for active licenses and 5 transfers for inactive licenses. If the number of applicants for each type of license was exceeded, a lottery system would determine which licensees could participate in an open transfer during that year. An additional requirement for active fishermen of providing proof of income from commercial fishing activity was discussed. Implementation of caps based on current harvest activity was proposed as a way to mitigate possible impacts to the fishery and the stock if a significant number of latent inactive licenses become active.

On other matters, the Committee and industry advisors suggested an expansion of the current definition of immediate family (spouse, parent, child or sibling) to include stepchildren, nieces and nephews. Insertion of a hardship clause to cover extraordinary issues related to license transferability was discussed. The Committee and industry advisors also suggested that, contingent on opening crab pot license transferability; there was little need for an official apprenticeship program at this time.

The Committee and advisors proposed a subsequent meeting early in the new year to review staff analyses on the transferability issue, to specifically define criteria under an open transferability program, and to continue discussions on crab pot/conch pot tending hours, increased penalties for illegal fishing activities, modifications to crab harvest limits, and green crab and conch fisheries.

Mr. Herb requested another committee meeting in March to finalize blue crab.

Mr. Rush asked how many licenses are active vs. non active license? Mr. Muffley commented that the current cap is 312 licenses, which 160 to 170 of those are active and the rest inactive, which is about a 60% active vs. 40% inactive.

Mr. Zaborowski asked how long can you hold onto the license? Mr. Muffley commented as long as you renew the license annually you can hold onto it as long as you wish. Mr. Muffley suspects many are holding onto the license until they can openly transfer it. Mr.



Zaborowski questioned whether it is beneficial to the blue crab population if more licenses are made available through transferability, wouldn't that place more pressure on the blue crab? Mr. Muffley commented yes, that is one of the concerns. An increase in active licenses could lead to negative impacts on the blue crab resource.

### **Atlantic Menhaden Committee Report**

Ms. Puskas presented the Council with the Atlantic Menhaden Committee Report, Handout #7.

The New Jersey Marine Fisheries Council's Atlantic Menhaden Committee met on November 20, 2012 at the Nacote Creek Law Enforcement facility to continue discussions regarding licensing and data reporting for the fishery. In attendance were Committee members, industry advisors, and Marine Fisheries and Law Enforcement staff.

The Committee reviewed and approved a set of definitions for dealers, harvesters, and purse seine vessels that will clarify licensing, harvest reporting, and other regulatory requirements for fishery participants in State waters.

The Committee supported establishing a new purse seine licensing system. Purse seine vessels who wish to harvest menhaden in New Jersey State waters will be licensed by vessel type (catch vessel, carry vessel). New Jersey licensed purse seine vessels are openly transferable, but must continue to operate only in the category in which they are licensed.

The Committee established a set of purse seine vessel upgrade criteria which include length (length overall, LOA) and horsepower for catch vessels. Carry vessels will be characterized by horsepower and cubic feet of hold capacity. This will require all carry vessels to provide the Division with a certified baseline value of hold capacity against which to compare upgrades. Maximum upgrades may not exceed 120% of baseline horsepower and 110% of baseline hold capacity and length. Length upgrades will also be constrained to a maximum vessel length of 90 feet.

The Committee determined that the ability to land menhaden for sale in the State of New Jersey should be made limited entry for all vessels, gear types, and fishing areas (*i.e.* not just purse seine vessels in State waters). It was determined that currently licensed New Jersey purse seine vessels would automatically qualify for the limited entry, but all other vessels would need to meet a set of control rules which have not yet been developed. Marine Fisheries staff expressed concern that differing requirements by gear type might be legally challenged, and suggested including at least some form of control for purse seine vessels. A menhaden landing license will be required to implement this limited entry program. The Committee indicated the desire to establish a fee structure for the landing license based on vessel size, home state, and/or gear type. This fee structure must be developed and implemented through legislation.

The proposed regulatory changes would also include mandatory 100% reporting of all menhaden landed in New Jersey for all gear types. Reports would be submitted electronically for both harvesters and dealers (dual reporting). If a quota is established under ASMFC Amendment 2, reporting frequency would increase as harvest levels approach the quota level to minimize risk of overharvest.

Staff will continue to develop the regulatory structure consistent with the decisions made at this meeting and ensure consistency with ASMFC Amendment 2 to the Atlantic Menhaden Management Plan.

Acting Chairman Herb commented this committee met prior to the passing of Amendment 2, another meeting will be held to incorporate the new changes.

### **Regulatory Actions**

Mr. Muffley updated Council with actions they made at the November meeting. Those included modifications of the commercial bluefish season for gill net and trawl fisheries, implemented shad regulations to close recreational and commercial fisheries along the coast, but allow the Delaware Estuary to remain open and modified trip limits for a few seasons in the commercial summer flounder and black sea bass fisheries. All of these actions are now in effect and will be listed in the February 4, 2013 register.

Ms. Puskus asked if licensing and registration on menhaden has been introduced into legislation? Mr. Muffley commented nothing has been introduced into legislation at this point in time on Menhaden; however, there has been a draft proposal submitted to Senator Van Drew for consideration.

### **Old Business**

Mr. Muffley brought Council's attention to Handouts #8a and #8b where the Acting Secretary of Commerce has determined that under the Interjurisdictional Fisheries Act (IFA), a fishery resource disaster has occurred, and under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) a catastrophic regional fishery disaster has occurred due to a natural disaster for NJ and NY. Marine Fisheries staff has been working hard on gathering and compiling data and survey information from those fishing industries affected by Hurricane Sandy.

Ms. Puskus asked Mr. Muffley if the Bureau has any idea on how badly the State was hit from this storm. Mr. Muffley commented that it depends on what sector. Commercially there seems to be less loss, with many boats and ports currently fishing and packing out fish. The information gathered is starting to show that the for-hire and bait tackle sustained a significant loss in revenue and product. Marine Trades Association of NJ is collecting data on the marinas throughout the state. If funding is approved, how the money will be dispersed, what losses are eligible, or where it comes from is still being developed.

Mr. Rush understands that the for-hire industry would not qualify for compensated for the declaration of a fisheries disaster program. Mr. Muffley commented that is not true according to Handout #8b, in that the for-hire sector would be covered under the Magnuson-Stevens Act.

Acting Chairman Herb asked what the Bureau has done to contact the for-hire sector? Mr. Muffley said that the Bureau has been contacting everyone via e-mail through the Saltwater Registry Program and asking them to fill out a survey. The Bureau also created a website specifically for the Fishery Disaster. The website provides access to all of the various surveys and information about the Fishery Disaster Declaration.

Mr. Muffley brought Council's attention to Handout #9a and #9b. Mr. Clarke who does NJ's commercial quota monitoring found an error in the 2012 coastwide summer flounder allocations calculated by NMFS. This mis-calculation appears to apply to both the coastwide commercial quota and recreational harvest limit. The NMFS concurred with the finding and are working to rectify the problem.

Mr. Muffley presented Council with update of the 2012 Commercial Quota/Harvest: Summer Flounder went over the quota by 72,000 pounds, about 3% over. One of the positives was the price late in the year was very good for summer flounder.

Bluefish only harvested 45% of 2012 quota, while in 2011 it harvested 51% and in 2010 it was 90%. Over the last couple years the states north of NJ have been landing more bluefish, so it's not clear if NJ's low harvest has to do with a shift in bluefish distribution more north and not around NJ.

Black Sea Bass did see an increase in landings this year than last few years, however only 91% of the quota was harvested in 2012, leaving 31,000 pounds un-harvested. The quota will go up a little in 2013.

### **New Business**

Mr. Muffley updated Council that the Endangered & Nongame Species Committee Meeting scheduled for mid-January, in part, to discuss the current status of horseshoe crabs and red knots has now been postponed until March. Mr. Muffley will keep the Council informed once a meeting date is scheduled.

Mr. Muffley presented and updates a list of scheduled committee meetings:

- Menhaden – January 22
- Summer Flounder and Black Sea Bass – should meet prior to March Council's meeting, but should wait until the ASMFC meets mid-February, leaving the last week in February and a few days in March to hold a meeting.
- Blue Crab – meet before May Council Meeting.

Acting Chairman Herb asked if it would be possible, if needed, to hold an emergency meeting in April. Mr. Muffley said the Council has done this in the past but advised

Council to move forward with addressing summer flounder and sea bass at their March meeting.

Acting Chairman Herb reminded Council members to be in attendance for the March Council meeting, as this meeting is historically an important meeting.

Mr. Muffley reminded Council of two other meetings:

SMZ – meeting in Toms River, January 17<sup>th</sup>, 2013 at 7pm.

Council has been invited to attend a pre-application meeting to run fiber optics from NJ to Brazil, which is being held January 23, 2013 at 10 am in Trenton.

Acting Chairman Herb opened up the meeting for general public comment on Council's meeting.

### **Public Comment**

Mr. Hartley asked if scup regulations in NJ mimic the federal regulations, which are open year round? Mr. Muffley commented that scup is tricky in that it is divided into two regions and NJ is considered separately from these regions. The MAFMC and ASMFC continue to approve state measures for NJ which allows NJ to retain a smaller minimum size and larger possession limit; however NJ's season is shorter than the federal season.

Mr. Hartley said that since he holds a federal permit he cannot keep smaller scup in NJ state waters. Mr. Hartley would have to abide by federal permit regulations. He would like party boats to have their own quota, which some states such as MD are trying to implement.

Mr. Akers thanked the State for posting the new black sea bass rules online. Mr. Akers asked if the tautog regulations in 2013 will be the same as 2012? Mr. Muffley commented the current regulations are the same as they were in 2012, and regulations can be found on the website. Mr. Akers also commented that he wrote a letter asking for more funding for the Bureau of Marine Fisheries, and to reevaluate the value of the fisheries and given the storm that we just experienced. This would be a good tool to use to demonstrate the value the fisheries plays in the State. He also commented that he would like to see NJ to be more of a leader in conservation than a follower.

Meeting adjourned.

Next Meeting March 7, 2013 Galloway Township Library.