

NEW JERSEY MARINE FISHERIES COUNCIL
Toms River Municipal Building
Toms River, New Jersey
March 1, 2012

In Attendance were: Chairman Gilbert H. Ewing, Jr.
Councilman Scott Bailey
Councilman Erling Berg
Councilwoman Eleanor Bochenek
Councilman Patrick Donnelly
Councilman Richard Herb
Councilwoman Frances Puskas
Councilman Sergio Radossi
Councilman Joseph Rizzo

Absent: Councilman Walter L. Johnson III

Also in attendance representing the Division of Fish and Wildlife:

Thomas W. McCloy, Administrator, Marine Fisheries Adm. (MFA)
Brandon Muffley, Chief, Bureau of Marine Fisheries (BMF)
Russ Babb, Acting Chief, Bureau of Shellfisheries (BSF)
Jeffrey Brust, Research Scientist, MFA
Chief Mark Chicketano, Bureau of Law Enforcement
Captain Dominick Fresco, Bureau of Law Enforcement
Mike Celestino, Principal Biologist, BSF
Russ Allen, Principal Biologist, BMF
Greg Hinks, Biologist Trainee BMF
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 February 8, 2012. Minutes from the January 5, 2012 Council meeting were approved.

Chairman Ewing began the meeting with the Pledge of Allegiance.

Mr. Muffley introduced a new staff member to the Bureau of Marine Fisheries. Greg Hinks will now be assisting with the Ocean Trawl Survey, conducting biological sampling and multiple field projects. Mr. Hinks started with the Bureau in mid-January of 2012.

Mr. McCloy asked Council for clarification on how they would prefer the Law Enforcement Report be presented in the minutes. Mr. Herb stated, as long as the Council receives the full detailed Law Enforcement Report as a handout, a summary of the Law Enforcement Report in the meeting minutes is acceptable.

Audience Conduct

Chairman Ewing 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 need to sign up.

Law Enforcement Report

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

In February 2012, a licensed fyke net fisherman pled guilty for possession of 32 winter flounder over the daily commercial limit in Barnegat Township. The fisherman was assessed a penalty of \$300.00 plus costs. The fish were released alive at the dock.

On January 28, 2012, Conservation Officers (CO's) were conducting a patrol of clam depuration activities in the Raritan and Sandy Hook Bays. During their patrol they located one clammer who appeared to be power raking hard clams. The CO's noticed that the clammer would enter the cabin to put his motor in gear, at which time the boat would move opposite to the flow of the tide. The CO's contacted the clammer a few days later and issued the appropriate summons.

On February 12, 2012, a CO issued summonses to two fish markets. The first was in Edison Township where a live tank contained undersized Atlantic cod, several undersized black sea bass and one undersized American lobster. The second summons was issued in Monmouth County for one wild whole striped bass and two wild striped bass fillets for sale as well as one rack from a wild striped bass. It is illegal to sell wild striped bass in New Jersey.

On February 15, 2012, while conducting inspections of commercial fishing vessels in Pt. Pleasant, a small boat was spotted two miles off shore heading north. The CO followed the vessel to the Shark River Inlet, where he found several undersized lobsters and issued the appropriate summons.

CO Ryan Harp recently completed the Marine Law Enforcement Training Program at the Federal Law Enforcement Training Center (FLETC) located in Glynn County (GLYNCO) Georgia. This is a rigorous, 19 day in-resident course and CO Harp is to be commended for his efforts.

CO's patrolled Great Egg Harbor, Middle and Tuckahoe Rivers in late January. The CO's found eight commercial crab pots in Middle River. The commercial crab pot season closed on November 30th, 2011. The crab pots were hauled onto the patrol vessel and seized as evidence. A summons was issued to the owner for failure to tend crab pots at least once every 72 hours and failure to remove crab pot gear within three days of the end of the season.

On February 8, 2012 a CO observed two fishermen carrying a large cooler as they attempted to exit a party fishing vessel in Sea Isle City. The two fishermen, from New

York, attempted unsuccessfully to retreat to the back of the boat to avoid the CO. The CO found 41 undersized tautog and 35 over the limit, live tautog contained in weighted mesh bags. The appropriate summons was issued.

After receiving a citizen complaint regarding gross violations of the possession of 6 black sea bass during the closed season aboard a party fishing vessel in Brielle, two CO's covertly boarded the vessel on February 18, 2012. The CO's reported an almost 100% violation rate involving patrons catching and retaining large quantities of black sea bass during the federal and State closed seasons. Very few of the advertised targeted species (cod, pollock, ling) were landed. Upon the vessels return, uniformed CO's inspected the vessel resulting in 37 summonses to 30 of the 55 patrons for possession black sea bass during the closed season. A total of 819 black sea bass were seized from the vessel, weighing approximately 2400 lbs. The investigation is ongoing and may yield additional charges.

Legislative Report

Mr. McCloy presented Council with the Legislative Report. Handout #2, PL 2011, Chapter 159, which establishes the penalties applicable to the NJ Angler Registry Program has been signed by the Governor. Penalties for individuals' first offense is \$25 and \$50 for subsequent violations. For party and charter boats the first offense is \$100 and \$200 for any subsequent offense.

Atlantic States Marine Fisheries Commission (ASMFC) Report

Mr. Allen presented Council with the ASMFC Report. A summary of the winter meeting was provided in Handout #3.

Atlantic Striped Bass Management Board

ASMFC Atlantic Striped Bass Management Board initiated an addendum to address illegal commercial striped bass harvest. The goal is to institute uniformity in commercial fishing monitoring and is a result of efforts to control the illegal commercial harvest within the Chesapeake Bay and Potomac River.

South Atlantic State-Federal Fisheries Management Board

The Board reviewed and approved a Public Information Document (PID) for black drum for public hearings this spring. The Council should expect a Notice of Administrative Change (NAC) at the next meeting to bring NJ into compliance with the ASMFC and Federal plans for Spanish mackerel. All Spanish mackerel must be landed whole with head and fins intact. NJ currently allows this species to be filleted at sea by vessels with a fillet permit. A commercial trip limit of 3,500 lbs per vessel per day will also need to be instituted. King mackerel regulations will also need updating to comply with the federal regulations.

Shad and River Herring Management Board

The Board approved sustainable fishery plans from the Delaware River Basin Fish and Wildlife Cooperative (Coop), the Potomac River Fisheries Commission (PRFC), and Georgia. The Coop's Plan will allow recreational and commercial shad fisheries to remain open in the Delaware system in 2013. The Board approved recovery plans from New Hampshire, Delaware, and Pennsylvania. Mr. Allen will keep Council informed as to when to expect a NAC to change the shad recreational bag limit in the Delaware River to 3 fish, and initiate a closure on fishing for shad in all other State waters by January 1, 2013.

Atlantic Sturgeon

Atlantic Sturgeon has been added to the Endangered Species List, effective April 6, 2012. This listing has the potential to significantly impact fisheries and research activities along the Atlantic coast. Commission staff will be working with staff from National Marine Fisheries Service (NMFS) Protected Resources Office to assist the states to comply with the listing. Mr. Allen will keep Council informed on the process to keep NJ fisheries open and how incidental permits can be issued to keep research programs active. In the meantime, Council requested a committee meeting on sturgeon to gather input from the commercial fishing industry.

Mr. Bailey asked if the New Jersey Ocean Trawl Survey will be impacted because of this listing. Mr. Allen responded that in order to use the contracted boat out of Stony Brook University for the April survey, NJ will need an incidental take permit from NMFS. Staff is working with Stony Brook to develop a short term solution and also working with NMFS for the long term.

Mr. Rizzo asked how this would affect the Virginia Tech Horseshoe Crab Trawl Survey. Mr. Allen responded that the listing of the Atlantic Sturgeon under the Endangered Species Act will affect all fishery and research activities. Federally funded programs will have to work with Federal agencies to get a Section 7 permit to allow for continuation of the program. Non-federally funded programs will have to get a Section 10 incidental take permit to continue their research activities. Time, money and possibly more staff is needed to insure that our research is not impacted.

Mr. McCloy continued the report with the remainder of ASMFC activities in Mr. Himchak's absence.

American Lobster Management Board

The Lobster Board approved Addendum XVII, as the first step in initiating Southern New England (SNE) stock rebuilding. The measures are intended to reduce fishing exploitation of the SNE stock by 10% starting in January 2013. The reduction will be accomplished by a mandatory V-notching program for all egg bearing females and a closed season. Mr. McCloy recommended Council have a Lobster Committee Meeting to discuss the specifics with advisors.

Bluefish Management Board

The Bluefish Board approved the coastwide sampling program to improve data used in stock assessments. The peer review panel recommended that ageing practices be standardized and sampling expanded to overcome deficiencies in the assessment. Age information is an important component of stock assessments.

Menhaden Management Board

The Menhaden Board approved the PID for Amendment II. The primary focus is to initiate discussion on the timing and implementation of achieving the new fishing mortality threshold ($F= 1.32$) and target ($F= 0.62$) reference points recently adopted through Addendum V. New Jersey will hold a public hearing on March 21st, 2012, at 7 p.m. in Toms River.

Summer Flounder, Scup and Black Sea Bass Management Board

The ASMFC Summer Flounder, Scup and Black Sea Bass Board established recreational black sea bass measures for 2012. Addendum XXII, establishes a regional management approach which allows the northern region states (Massachusetts to New Jersey) to collectively liberalize up to 57% of harvest.

The Board approved state proposals for the 2012 summer flounder fishing recreational fishery.

Tautog Management Board

The Tautog Board approved Addendum VI back in November of 2011 which required a 53% harvest reduction. The Council implemented measures in January 2012 to achieve the 53% reduction. Subsequent to the Council action, the Technical Committee found an error in the assessment used as a basis for reductions. The Technical Committee will be reviewing the data and presenting the Board with options for discussion. It may be possible to liberalize the 2012 measures just implemented in January.

Horseshoe Crab Management Board

The Horseshoe Crab Management Board approved Addendum VII, which implements the Adaptive Resource Management (ARM) Framework. The Addendum allocates the ARM harvest output among the four states (New Jersey, Delaware, Virginia, and Maryland) that harvest horseshoe crabs from the Delaware Bay population. Addendum VII will be implemented for the 2013 fishing season.

Spiny Dogfish and Coastal Sharks Management Board

A motion to increase the 2012/2013 spiny dogfish commercial quota from 30 million pounds to 35.6 million pounds did not receive the required 2/3 vote in favor.

Mid-Atlantic Fishery Management Council (MAFMC) Report

Mr. Berg presented Council with the MAFMC Report; Handouts 5a & b.

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

Surf Clam and Ocean Quahog

The Committee discussed the next steps in the development of Amendment 15 to the Surf Clam and Ocean Quahog Fishery Management Plan (FMP). One of the issues of this amendment focuses on the reopening of George's Bank and the protocol testing for paralytic shellfish poisoning.

Spiny Dogfish

The Council voted to expedite the development of Amendment 3 to the Spiny Dogfish FMP with a target implementation date of May 1, 2013. Part of this amendment would be to explore alternate allocation schemes for the commercial quota which could lead to consistent management with the ASMFC.

Ecosystem and Ocean Planning

A presentation was given by Dr. Steve Ross of the University of North Carolina, on the Bureau of Ocean Energy Management (BOEM) funded work on deep-sea corals. This is a four-year project to explore some Mid-Atlantic canyons south of Hudson Canyon.

Monkfish

The Monkfish Oversight Committee met and recommended that the New England Fishery Management Council (NEFMC) and the Mid-Atlantic Fishery Management Council (MAFMC) establish a control date for monkfish relative to the development of catch shares through Amendment 6 to the Monkfish FMP.

Advisory Panel

The Council is seeking applications for qualified individuals to serve on its eight advisory panels. These advisors will play an important role in the fishery management process. If interested in applying to serve as a Council Advisory Panel Member, please visit website at <http://mafmc.org/>. Applications must be received by March 30, 2012.

Shellfish Council Reports

Mr. Babb presented Council with an update on Bureau of Shellfisheries activities.

Delaware Bay Oyster Stock Assessment

Bureau staff attended the 14th Stock Assessment Workshop (SAW14) for the Delaware Bay oyster resource and industry. Many issues related to the status, health, and management of the stock were addressed. As in most years, the status of the stock is considered mixed, with trends in abundance, recruitment, biomass, disease prevalence, and other metrics variously up or down in different regions of the Bay. However, this years SAW had to deal with the impacts brought on by Hurricane Irene and Tropical Storm Lee. These two rainfall events lead to a record mortality event in the very low and low mortality beds, which resulted in a closure recommendation for the very low mortality bed region.

For the 2012 season commencing in April, pending Delaware Bay Council recommendations to the Commissioner of DEP, and pending the results of a spring

resurvey of the low mortality bed region, the total allowable landings will be approximately 75,000 bushels (a 14% reduction from 2011). If the transplant does not occur, the total allowable landings will be 66,000 bushels.

Coastal Zone Management Rule Update

Bureau staff has spent a great deal of time providing comments and edits to the DEP's Land Use Regulation Program. The Bureau has been updating and modifying the current Shellfish Habitat rules as it applies to coastal development in New Jersey as well as attempting to streamline aquaculture permitting in the State. The proposed modified rules would allow marina expansion and development under certain circumstances within shellfish habitat and would create a tiered permitting system for shellfish aquaculture activities, which will be more consistent and predictable.

Delaware Bay Shellfish Council Report

Mr. Bailey presented Council with the Delaware Bay Report.

2012 Direct Market Season

The Delaware Bay Shellfisheries Council will be having a meeting on March 6th to discuss the findings and recommendations of the 2012 Oyster Stock Assessment Report. The Council will make harvest recommendations to the DEP. We anticipate opening the 2012 harvest season in early to mid April and running through mid November.

Atlantic Coast Shellfish Council Report

No report at this time.

Committee Reports

Black Sea Bass Committee Report

Dr. Donnelly presented Council with the Black Sea Bass Committee Report, Handout #6. In February 2012, the ASMFC's Black Sea Bass Management Board (the Board) met to discuss recreational black sea bass measures for the 2012 season. The Board approved Addendum XXII to the Fishery Management Plan (FMP). Preliminary estimated coastwide harvest in 2011 was well below the 2012 coastwide harvest target. The approved addendum establishes a regional management approach which allows the states from Massachusetts to New Jersey to collectively liberalize up to 57%. These states will strive to implement similar recreational measures.

The Black Sea Bass Committee agreed to move forward with 2 options for consideration with a preferred option of 12.5 inch size limit, 25 fish possession limit and open season from May 19 through October 14 and from November 1 through December 31. In addition the Committee recommends opening January 1 to February 28, 2013 with a 15-fish bag limit in keeping with a proposed regulation for federal waters. Keep in mind that the Council may need to revisit this issue depending on what measures the Technical Committee develops and the Board approves.

Options	Size Limit	Bag Limit	Open Season	# Days Open
2011 regulations	12.5"	25 - fish	May 28 – September 11 and November 1 – December 31	168
A	12.5"	25 - fish	May 22 – October 11 and November 1 – December 31	204
B	12.5"	25 - fish	May 19 – October 14 and November 1 – December 31	210
Open January 1 through February 28, 2013 with a 15-fish bag limit in order to be consistent with proposed federal water regulations.				

Option A represents the **CURRENT** regulations in place for federal waters.

Option B represents the **PROPOSED** regulations for federal waters.

Summer Flounder Committee Report

Dr. Donnelly presented the Summer Flounder Committee Report. At its December 2011 meeting, ASMFC's Summer Flounder Management Board approved state by state conservation equivalency for managing summer flounder in 2012. The projected estimated coastwide recreational harvest for 2011 is approximately 65% of the 2012 target. The 2012 target for summer flounder; decreased by 18% relative to the 2011 target. New Jersey is allowed to liberalize its current regulations by 38%. At its February 2012 meeting, the Board approved New Jersey's fishery proposal that included numerous options and two methods to develop those options. One method used the MRFSS data to determine season, size and bag limit adjustments, while the second method utilized the NJ Volunteer Angler Survey data.

The Technical Committee noted that states with the highest overall harvest along the coast (like New Jersey) need to be particularly careful when setting conservation equivalency measures because even a small overage can lead to more severe ramifications coastwide. Due to the strong incoming year classes and the uncertainty of the data, the Technical Committee also recommended that states use additional caution when developing state specific measures.

During the Committee meeting, most advisors preferred options with the longest season; while some advisors supported options with a smaller size limit of dual size limit. Overall, the measures for summer flounder that the Marine Fisheries Council has implemented in the past have kept New Jersey from severely exceeding the annual target. When comparing the total recreational target and the total recreational harvest for NJ over the last eleven years, the total recreational landings are under the cumulative target by 2%.

Based on the discussions with advisors, the Committee narrowed down the number of options to six. The Council Committee initially agreed to advance two preferred options – one of them being a dual size and dual bag limit option. However, due to concerns from Marine Law Enforcement, the dual size and dual bag limit option was not included.

Therefore, the Committee preferred option is #2: 18-inch minimum size limit, 8-fish possession limit, and open season from May 5 through October 21.

- 2011 Target = 1,335,000 fish
- Preliminary 2011 Harvest Estimate = 787,234 fish
- 2011 Regulations: 18” size limit; 8-fish bag limit; open season from May 7 to Sept. 25 (142 days)
- 2012 Target = 1,090,407 fish

Option	Size Limit (inches)	Bag Limit	Open Season	# Days Open
2011 regs	18	8	May 7 – September 25	142
1	18	8	April 28 – October 14	170
2*	18	8	May 5 – October 21	170
3	18	8	April 21 – October 8	171
4	18	8	May 26 – October 28	156
5	17.5	5	May 5 – September 28	147
6	17	3	May 29 – September 1	96

****Committee preferred option #2***

Mr. Herb asked for clarification why the dual size and dual bag limit option (1- fish at 17.5” and 7 more fish at 18 inches) was not included by the Committee?

Dr. Donnelly indicated that after further thought, Law Enforcement was concerned about the enforceability of the dual size/bag limit. The Committee members had communicated via email and the decision was to exclude the dual size/bag limit. (Unfortunately, Mr. Herb’s email was down so he was not involved in the discussion).

Mr. Herb compared NJ’s fishery regulations with Florida’s and asserted that FL regulations were extremely complex compared to NJ but FL is able to keep fisheries open and provide fishing opportunities. (It should be noted that FL has significantly more revenue and personnel resources than NJ).

Acting Chief Chicketano addressed the Council regarding the hurdles facing Law Enforcement. The more complex the regulations the more difficult the public understanding and consequently, the greater number of violations, regardless if they are intentional or accidental.

Mr. Rizzo inquired as to the specific problem with the dual size/bag limit option.

Acting Chief Chicketano indicated that it was virtually unenforceable on vessels that possessed fillet permits. Council members and Law Enforcement concluded that all parties are willing to work together to try to simplify regulations, not just for public's understanding but also for enforceability while at the same time keeping our fisheries' open and providing fishermen opportunities.

Regulatory Actions

2012 Summer Flounder Recreational Measures

Mr. Brust presented Council with an overview of the summer flounder recreational measure options presented in the Summer Flounder Committee Report .

New Jersey is allowed to liberalize recreational summer flounder harvest limit by 38% over the 2011 limit. Ways to increase harvest limit is to accomplish this is by increasing the bag limit, lowering the size limit, increasing the number of days or some combination of all three. In 2011, summer flounder harvest was 60% below of 2011 target, and the 2012 target coastwide decreased by 18%.

Chairman Ewing invited public comment on the six options recommended by the Summer Flounder Committee.

Public Comment

Chairman Ewing read a letter submitted to Council from Mr. John Amodio, NJ Assemblyman, stating his support for the Marine Fisheries Council's fifth option because it offers significant socioeconomic and better conservation benefits for the summer flounder fishery.

Thirty-two members of the public signed the list to present their comment to the Council on the recreational summer flounder options.

Eleven supported Option #2: Mr. Puntasecca, Mr. Haertel, Mr. Mathews, Mr. Letizia, Mr. Aurnhammor, Mr. Arbeitman, Mr. Koeneke, Mr. Thompson, Mr. Gutman, Mr. H. Bogan, and Mr. Daffin.

Thirteen supported Option #5: Mr. Toth, Mr. Doran, Mr. Teise, Mr. Rothman, Mr. Boccelli, Mr. Sicliano, Mr. Nowalsky, Mr. Albertson, Mr. Schwarzwaldler, Mr. R. Bogan, Mr. Fumo, Mr. Verdi and Mr. Hartley.

Two supported Option #3: Mr. Chickadel, and Mr. Meimbress

Five deferred: Mr. McDermit, Mr. Shillingford, Mr. Rusnack, Mr. Zaborowski and Mr. Benson.

Mr. Wells spoke as a representative for the NJ Fishing.COM whose poll showed 32% in favor for Option #5 and 37% for Option #2.

Chairman Ewing commented that the Summer Flounder Committee Report serves as a motion from the Committee which recommends Options #2, 18 inch minimal size, 8-fish bag limit and open season from May 5 to October 21.

Mr. Berg made a substitute motion on summer flounder for support of Option #5, 17.5 inch minimum size, 5-fish bag limit and open season from May 5 to September 28. Dr. Bochenek seconded. The substitute motion for Option #5 passed five in favor and three against.

The substitute motion became the main motion (for Option #5) which was approved.

Black Sea Bass

Mr. Brust presented Council with an overview of the black sea bass recreational measures options, specified in the Black Sea Bass Committee Report. The region from New Jersey through Massachusetts is allowed to liberalize recreational black sea bass harvest limit by 57% over the 2011 limit.

Option B represents the proposed regulations for Federal waters for 2012 with a 12.5 inch size limit, 25-fish possession limit and open season from May 19 to October 14 and November 1 to December 31. In addition, the Committee recommended opening January 1 to February 28, 2013 with a 15-fish bag limit in keeping with a proposed regulation for Federal waters.

Mr. McCloy reminded Council that these options have not yet been approved by the ASMFC and recommends Council to delay voting on the Committee's additional recommendation for a January 1 to February 28, 2013 opening with a 15-fish bag limit as this has not been approved by the ASMFC as part of the 2012 regulations.

Chairman Ewing opened the meeting for public comment on black sea bass recreational options.

Public Comments

Mr. Puntasecca, supports Option B, however strongly urges Council to support the full liberalization of 57%.

Mr. Haertel, supports the full 57% liberalization.

Mr. Nowalsky supports Option B. These options are not even approved by ASMFC. The 57% liberalization was approved by ASMFC from Massachusetts to New Jersey not for individually use state by state.

Mr. Egetter supports Option B.

Mr. H. Bogan supports Option B, with the additional 2013 seasons/bag limit.

Mr. Gutman supports Option B, including 2013 season/bag limit.

Mr. Verdi supports Option B.

Mr. Hartley supports Option B, and supports the 2013 option to be approved now.

Mr. McCloy commented that if the 2013 option was approved now and the option is not approved by the ASMFC Technical Committee and ASMFC Board, then NJ will be found out of compliance. Then the fishery would have to close and the process would have to start all over again thus risking opening the fishery on time (May 19).

Mr. McCloy commented that the 2013 option is premature at this time and confirmed that the 2013 option can be added later through a NAC. Mr. McCloy recommended to Council to separate both options.

Chairman Ewing read the motion as presented in the Committee Report: Option B represents the proposed regulations for Federal waters for 2012 with a 12.5 inch size limit and 25-fish possession limit and open season from May 19 to October 14 and November 1 to December 31. In addition, the Committee recommends opening January 1 to February 28, 2013 with a 15-fish bag limit in keeping with the proposed regulation for Federal waters.

Dr. Donnelly made a motion to separate the 2012 and 2013 provisions into two separate motions to avoid being found out of compliance in the future if the options are not approved by the ASMFC. Motion was seconded and approved unanimously.

Dr. Donnelly read first the motion to implement: the 2012 recreational black sea bass measures of 12.5 inch minimum size limit, 25-fish possession limit and open season from May 19 to October 14 and November 1 to December 31. The motion passed unanimously.

Dr. Donnelly made a second motion for Council to revisit the 2013 black sea bass season opening of January 1 to February 28, 2013 with a 15-fish bag limit at a later meeting. Mr. Berg seconded and motion passed unanimously.

Mr. Muffley presented Council with a Notice of Administrative Change (NAC), Handout #7, for their approval regarding the 2012 summer flounder and black sea bass recreational measures. The NAC reflects these changes made by the Council this evening to read as:

- For the 2012 black sea bass recreational measures to be 12.5 inch minimum size fish, 25-fish bag limit and an open season May 19 to October 14 and November 1 to December 31, 2012.
- The 2012 summer flounder recreational measures to be 17.5 inch minimum size, 5-fish bag limit and open season of May 5 to September 28th, 2012

Mr. Berg made a motion to approve the NAC. Motion was seconded and passed.

Old Business

Mr. Brust presented an update to Council on the Marine Recreational Information Program (MRIP), Handouts 8a & 8b. The MRIP is a new way NOAA Fisheries is collecting, analyzing and reporting recreational fishing data. This methodology has been used to recalculate previous recreational harvest estimates dating back to 2004, and will be the basis for all new estimates moving forward. Later this year, MRIP plans to recalculate pre-2004 estimates, as far back as 1998.

There are no across the board trends either in size or direction of change in the MRIP estimates versus the old MRFSS estimates. On a species by species basis some estimates go up, some go down and some remain about the same. Visit www.CountMyFish.noaa.gov for estimation and comparison tools. Mr. Brust will be attending a workshop in the upcoming weeks on how MRIP will affect stock assessment and how MRIP will be incorporated in future stock assessments. Mr. Brust will keep Council informed.

New Business

Dr. Donnelly requested the Division to set up a Tautog Committee Meeting, to meet before the May Council meeting.

Ms. Puskas expressed her concern about the effect the Atlantic sturgeon listing will have on fisheries. After some discussion, it was concluded that there isn't much that can be done unless someone/group wants to pursue legal action to have the Federal government delay the implementation of the endangered species listing. All that can be done now is to move forward to find ways to get permits to keep fisheries open and research activities going.

Mr. Radossi expressed his concerned and asked for a discussion on the differences with how recreational fishing data is collected analyzed and reported. Chairman Ewing commented that this has been a challenge in the past. He hopes that with this new method and the registry program can shed new light in improving catch estimates for the recreational fishing sector.

Mr. McCloy brought Council's attention to Handout #9 on Council Committees assignments. Chairman Ewing asked Council to review this Handout and any changes or updates that need to be added to please contact Mr. McCloy or himself.

Chairman Ewing asked the Division to set up these next committee meetings for the following: tautog, lobster, sturgeon and menhaden.

Chairman Ewing opened up the meeting for general public comment.

Public Comment

Mr. Acres commented on the need to address conservation measures better. The sturgeon, river herring and American eel are all examples of failures of conservation since some have been added or potentially to be added to the Endangered Species List.

Mr. Buzas asked if the ASMFC menhaden hearing in March can be changed, due to potential low attendance from fishermen. The date conflicts with a fishermen rally in Washington, D.C.. Mr. McCloy commented he would see what could be done but mentioned that the ASMFC meetings are scheduled to allow ASMFC staff enough time to visit each state.

Mr. Nowalsky thanked Council for all their efforts on the issues presented tonight.

Mr. Haertel asked Council to continue to find ways to increase the black sea bass season so NJ has something to fish for.

Mr. Bailey made a comment on Mr. Acres assertion about the American eel being a failure of conservation. He suggested the eel fishery is over managed and the basic problem is the lack of bait since the horseshoe crab moratorium was imposed in N.J..

Meeting adjourned.

Next Meeting: May 10, 2012 (2nd Thursday), Galloway Township Library.