

**New Jersey Marine Fisheries Council Meeting
July 8, 2021**

Council Attendees:

John Maxwell	Bob Rush
Pat Donnelly	Jeff Kaelin
Dick Herb	Kevin Wark
Barney Hollinger	Joseph Rizzo

Council Absentees:

Eleanor Bochenek

DEP and Division of Fish and Wildlife Attendees:

Ray Bukowski – Assistant Commissioner, Department of Environmental Protection (DEP)
David Golden – Director, NJ Division of Fish and Wildlife (DFW)
Jeff Brust – Chief, Bureau of Marine Fisheries (BMF)
Joe Cimino – Administrator, Marine Fisheries Administration (MFA)
Michael Auriemma – Assistant Biologist, BMF
Russ Babb – Chief, Bureau of Shellfisheries (BSF)
Colleen Brust, Research Scientist, MFA
Mike Celestino – Research Scientist, MFA
Heather Corbett – Supervising Biologist, BMF
Jamie Darrow – Assistant Biologist, BMF
Brendan Harrison – Assistant Biologist, BMF
Matt Heyl – Assistant Biologist, BMF
Jessica Daher, Program Specialist, MFA
Jeff Normant – Supervising Biologist, BSF
Jason Snellbaker – Deputy Chief, Bureau of Law Enforcement (BLE)
Brian Neilan – Senior Biologist, BMF
Jenny Tomko – Senior Biologist, BSF
Laura Versaggi – Fishery Specialist, ACCSP
Brian Scott – Captain, BLE

Public Attendees:

Brian Williams
Daniel Mancari
Khoa Nguyen
Benjie Swan
David Kielmeier
Lee Wakefield
James Parker III
Doug Zemeckis

The meeting was called to order at 5:04pm. Notice of the Marine Fisheries Council (Council) meeting was filed with the Secretary of State on July 6, 2021. Mr. Brust reminded attendees about virtual meeting etiquette, and Mr. Herb requested that all attendees signal before speaking.

Approval of Minutes

Meeting minutes from the May 13, 2021 meeting of the Council were approved. Mr. Brust mentioned the correction for Dr. Donnelly's name. Motion made by Mr. Rush and seconded by Dr. Donnelly. Motion carried with no objections or abstentions.

1. Enforcement Report – J Snellbaker

In early May, CPOs Capri and Meyer conducted a vessel patrol in Barnegat Bay at the mouth of the Gunning River specifically looking for fyke nets that had not been removed after the season had ended. The commercial fyke net season closed April 29th and all nets are required to be removed from the water prior to May 1st. CPOs Meyer and Capri located a total of eight fyke nets which appeared heavily neglected and contained multiple dead and dying fish. The fisherman was later identified and charged with multiple counts of utilizing a fyke net during the closed season, failure to properly mark fyke net stakes, and failure to mark fyke nets with identification.

Prior to the opening of the summer flounder season CPO Capri conducted a vessel patrol in Barnegat Bay in response to a complaint of unmarked miniature fykes. After investigating the miniature fykes, CPO Capri observed a small vessel in the area which appeared to be targeting summer flounder. CPO Capri conducted an inspection of the two individuals on board the vessel and located 14 closed season summer flounder, 13 of which were under the minimum size of 18". Appropriate summonses were issued to the individuals for possession of summer flounder during the closed season and possession of undersized summer flounder.

Nice weather and calm seas resulted in a high level of recreational fishing activity for the black sea bass season opening weekend. CPO's Meyer, Capri and Szalc conducted extended vessel patrols in Barnegat Light Inlet and Absecon Inlet for vessels returning from the ocean. CPOs Meyer and Capri conducted an inspection of an inbound charter fishing vessel and located 35 black sea bass over the five-man, 50 fish, limit. In total, the two patrols resulted in 13 summonses ranging from undersized/over the limit black sea bass to closed season tautog. Additionally, CPO's Meyer and Szalc inspected a charter vessel returning from a black sea bass trip which revealed the vessel did not possess the required federal party/charter black sea permit. The case was referred to NMFS for further enforcement action.

After a Cape May based commercial Atlantic sea scallop vessel packed out its catch in late April, CPO Brian Tomlin boarded the vessel and found small quantities of scallops, monkfish tails, summer flounder, and sea snails remaining on board. The remaining species were undeclared on the Fishing Vessel Trip Report required to be completed with all species on board. The case was referred to NMFS for possible Federal enforcement action.

During offshore gear patrols with the Bureau's P/V Integrity the last couple of months, CPOs documented and referred numerous Federal gear violations. The violations included failure to comply with the Atlantic Large Whale Take Reduction Plan requirements, failure to mark/identify gillnet and trap gear, abandonment of lobster gear in lobster management area (LMA) 4 during the LMA 4 closed season, unlawful commercial fish traps inside a special management zone, and deployment of lobster traps without Federal lobster trap tags. The Federal cases were referred to NMFS for possible Federal enforcement action.

While patrolling state waters near the coast of Sandy Hook, CPOs Henderson and Woerner encountered a vessel anchored in Sandy Hook Channel. Upon approach, the operator of the vessel quickly pulled anchor and began to head toward New York. As the CPOs signaled and attempted to stop the vessel, the operator was observed throwing at least one fish overboard. Despite knowingly being signaled to stop, the operator continued to maintain course towards New York waters. The CPOs followed the vessel to Rockaway Inlet in NY where the operator finally stopped the vessel. Upon inspection, the operator was identified as a NY commercial hook & line fisherman despite claiming that he was not fishing commercially that day. There were no other tautog found onboard the vessel, however typical gear and bait associated with commercial tautog fishing was located. Numerous summonses, including the failure to facilitate safe boarding, interference with the duties of a conservation police officer, and failure to possess a valid NJ saltwater registry, were issued. Additionally, the operator was also charged with a Title 2C charge for obstruction.

CPO Tomlin responded to numerous complaints of Atlantic menhaden washing up dead on the beaches of Cape May Point. Identifying that the commercial menhaden fishing fleet was fishing in the Delaware Bay around the time the fish washed up, CPO Tomlin conducted interviews with the vessel operators. It was admitted by one vessel operator that they tore a large hole in their net and accidentally released approximately 40,000 pounds of dead Atlantic menhaden in the Delaware Bay roughly a day before the fish washed up on the beaches. The operator admitted he should have called the accidental release of dead fish into the Department as required but had hoped the fish were going to sink before reaching the beaches. CPO Tomlin issued summonses for failing to notify the Department of the release. The notification requirement is essential for calming the public hysteria that is often created when dead fish wash up on the beaches and additionally gives the Department a chance to prepare municipalities for any potential clean-up efforts.

On May 21, CPO Capri conducted an inspection of a recreational vessel with several electric reels returning to the area of Barnegat Light. Upon inspection, CPO Capri located six bags of filleted tilefish containing a total of 94 tilefish fillets. Tilefish consist of two species, each of which have different possession limits. Blueline tilefish specifically are limited to three fish per person. The vessel, having 7 people on board, would have been limited to 21 blueline tilefish. The vessel also failed to possess a federal tilefish permit required to target or possess any tilefish. CPO Capri collected DNA samples from the fillets and submitted the case to NMFS for further enforcement action.

CPOs Meyer and Capri have been actively conducting shellfish patrols in the Sedge Island Marine Conservation Zone. This unique area only allows for the recreational harvest of shellfish and has become a popular area for clamming. The officers must utilize a shallow draft vessel and often walk several hundred yards in the water to conduct inspections for compliance with shellfish regulations. As a result, CPOs Meyer and Capri have issued multiple summonses and warnings for failure to obtain a shellfish licenses, harvesting shellfish on Sunday, and the taking of undersized hard clams.

On June 4th, CPO Szelc conducted a fisheries inspection of an ocean quahog/surf clam vessel returning to port in Atlantic City. When CPO Szelc spoke with the vessel operator, the operator insisted that the only product on board the vessel was clams. CPO Szelc completed the inspection and located several bags of filleted fish hidden in the freezer of the vessel. The unfrozen and recently hidden fish fillets were identified as summer flounder, black sea bass, and monkfish. All summer flounder and black sea bass are required to be landed whole and may not be filleted. The vessel did not possess federal summer flounder or black sea bass permits, failed to complete a fishing vessel trip report, and the vessel's operator was found to have an expired federal operator's card. These violations were referred to NMFS for further enforcement action.

No questions from the Council.

2. Shellfish

Mr. Hollinger gave an update on harvest as of July 6, 2021. Total harvest was 64,229 bushels, 35,200 bushels from the high mortality beds, 28,900 bushels from the shell rock bed, catch per unit effort is approximately 126 bushels per boat per day overall, and range from 108 bushels in high mortality beds to 160 bushels on shell rock. This year the high mortality beds will close when the harvest reaches 36,375 bushels of the 48,038 bushel quota. Shell rock will close when the harvest reaches 39,805 bushels of the 40,779 bushel quota. This will encourage more harvest from the medium mortality regions closer to the half shell market peak. Once the medium mortality region quota of 27,500 bushels is harvested, the high mortality and shell rock regions will reopen until the regional quotas are completed or the season ends. The 2021 shell plant program is scheduled for July 5th 2021 for four barges in the Nantuxet sea beds.

Mr. Normant gave an update on the shell plant cooperative effort. BSF helped contribute efforts to start a larger program in the Atlantic City area and performed small scale planting in Mullica River. Planting was finished on July 8, 2021, supplementing a two-acre bed with oyster and clam shell. More restaurants seem to be interested in participating next year.

3. Legislative/Regulatory Reports

Ms. Daher provided an update on the status of various regulatory updates.

State

S3926; Authorizes certain offshore wind projects to construct power lines and obtain real property interest. It grants BPU the authority to supersede certain governmental powers upon petition for offshore wind projects. This passed the House and Senate and was sent to the Governor on the 24th of June.

A5531; S3501; Exempts certain commercial fishermen from coverage under "unemployment compensation law." Passed in the Senate 40-0, In Assembly Appropriations Committee 6/24/2021.

Federal

HR3702; To amend the Dingell-Johnson Sport fish Restoration Act with respect to Sport fish restoration and recreational boating safety, and for other purposes. In the House Natural Resources Committee 6/4/2021.

S2194; HR4092; A bill to authorize the Secretary of the Interior, through the USFWS to work with willing partners and provide support to efforts to assess, protect, restore, and enhance important coastal areas that provide fish and wildlife habitat on which Federal trust species depend, and for other purposes. In the Committee on Environment and Public Works 6/23/2021; In the House Committee on Natural Resources 6/23/2021.

HR3160 Keep America's Waterfronts Working Act: The Bill directs the National Oceanic and Atmospheric Administration (NOAA) to establish a Working Waterfront Task Force. NOAA must establish a working Waterfront Grant Program. NOAA may award grants to coastal states with approved working waterfront plans in place to preserve and expand access to coastal waters for people engaged in fishing, aquaculture, boat building, and other water-dependent businesses. In the House Committee on Natural Resources, Committee hearings held 6/22/2021.

HR660 Shovel-ready Restoration Grants for Coastlines and Fisheries Act of 2021: To require the Secretary of Commerce to establish a grant program to benefit coastal habitats, resiliency, and the economy, and for other purposes. *Priority grant projects include projects that employ fishermen who have been negatively impacted by COVID-19 pandemic or compensate fishermen for use of a fishing vessel. In the House Committee on Natural Resources, Committee hearings held 6/22/2021.

S1747 Fluke Fairness Act of 2021: To provide equitable management of summer flounder based on geographic, scientific, and economic data, and for other purposes. In the Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment 6/16/2021.

S1372; A bill to amend and enhance the High Seas Driftnet Fishing Moratorium Protection Act to improve the conservation of sharks, and for other purposes. Read twice and referred to the Committee on Commerce, Science, and Transportation 4/27/2021.

S1372; HR3360; House companion bill introduced to House Committee of Natural Resources requires certification that a nation has policies banning shark finning and sustainable fisheries before any shark products can be imported to the US. Not included in report.

Shawn M. LaTourette was sworn in as Commissioner of DEP on 6/14/2021.

Mr. Rush asked about the Fluke Fairness Act and what the intent of that bill is. Mr. Cimino responded that Senator Shumer is not satisfied with NY's commercial summer flounder allocation through ASMFC and has proposed legislation to reallocate quota among the states.

Mr. Brust explained the shark finning restrictions bills that are being passed around in the Senate. One bill appears to have more support, and it prohibits shark finning in the entire USA, with an exemption of certain species for five years.

Mr. Brust gave an update on the Menhaden Multispecies Rule Package. It includes switching the menhaden rules into regulation. It would reduce the number of limited entry commercial crab licenses and facilitate transferability. It grants the commissioner greater flexibility to amend regulations through NOAC. It also includes the required use of circle hooks when fishing for striped bass with bait.

4. Atlantic States Marine Fisheries Commission (ASMFC) Report – H Corbett

No ASMFC meetings to cover.

5. Mid-Atlantic Fishery Management Council (MAFMC) Report – J Cimino

Mr. Cimino gave a presentation to summarize meetings held during the MAFMC's June meeting (June 7-10, 2021).

Bluefish

The MAMFC selected preferred alternatives and approved the Bluefish Allocation Rebuilding Amendment for submission to NOAA. Rebuilding will occur over a 7 year period using a constant fishing mortality strategy. Commercial reallocation will occur using an updated reference period. With the new allocations, NJ will lose approximately 1% from our current quota, but that will be phased in over 7 years. In addition, the commercial-recreational allocation was updated, giving an extra 3% to the recreational sector.

Mr. Rush asked if overfishing is occurring, where is the overfishing occurring from?

Mr. Cimino responded that the overfishing is not being blamed on current fishing pressure. It is the historical fishing pressures that were calculated from the new MRIP analysis. Spawning stock biomass is below threshold. Environmental conditions are also contributing factors.

Mr. Wark asked what the plan is for the future of bluefish and the commercial fishery.

Mr. Cimino responded with the possibility of limiting harvest with regulations. He mentioned that it is dependent on the MRIP analysis.

Black Sea Bass

The MAFMC agreed to rescind submission of the Black Sea Bass Commercial State Allocation Amendment to allow for reconsideration of the BSB state allocation coordination with the ASMFC Board. New York felt they did not receive enough of the quota. This will be discussed at the next Council meeting.

Mr. Rush asked if there is a chance we will have to re-do all the regs we set for the fall.

Mr. Cimino responded that it may result in a reduction in states allocations, but not until a future year.

Dr. Donnelly asked for black sea bass, that the grounds for reallocation come from the perceived abundance and lack of quota, and has never heard for that to be a reason to reassess quotas in the past so has something changed.

Mr. Cimino responded that the northern states are seeing more sea bass than before and when they voted on reallocation they voted to allocate 75% of the quota using the old formula and the remaining 25% based on stock distribution north and south of the Hudson canyon. On top of that, the Board decided to give CT more percentage points based on their historic low quota and current high abundance in Long Island Sound, which triggered NY to appeal the decision because they also fish in the Sound.

Surf Clam and Ocean Quahog

The MAMFC decided on no changes to the 2022 specifications and to suspend the minimum shell length for surf clams in 2022.

Longfin Squid, Butterfish, Illlex Squid

The MAMFC decided on no changes to 2022 specifications for butterfish and longfin squid and to increase ABC for *Illlex* for 2021 and 2022.

Other

The MAMFC reviewed the unmanaged landings species, looking for trends in commercial landings of potentially developing commercial fisheries. No species raised any concern. They discussed an exempted fishing permit for thread herring from Lund's and will draft a letter during the future comment period.

Mr. Kaelin added that the Council decided the Ecosystem and Planning Committee will consider the EFP. The Unmanaged Forage Amendment provided for the potential for a fishery that may be emerging with the warm water species arriving.

The Recreational Reform Initiative was discussed. The flounder, scup, and sea bass management system is being reviewed for modifications. Currently regulations are set based on performance of the fishery relative to the annual quota. This results in highly variable regulations. A harvest

control rule is being considered where recreational measures would be based on the health of the stock. This allows for setting regulations for more years at a time and to increase flexibility and stability.

Electronic vessel trip reporting was discussed. Topics included the development of a one-stop reporting function in the NOAA eVTR application and implications for dual permit holders.

The research committee is looking into the possibility of restarting the research set aside program. A stakeholder workshop was held in July, and three more are planned for August, October, and November.

The MAMFC is not looking at new areas for aquaculture in the Greater Atlantic Region.

The MAMFC gave a presentation on the MRIP 2020 catch estimates and the methodology used to bridge the data gaps caused by COVID-19.

Mr. Wark made remarks about working with NOAA on the eTrips electronic reporting system. He thinks it will be straightened out by November and that he is willing to assist anyone who needs help learning the system.

The next MAFMC meeting will be August 9-12, 2021.

6. Marine Fisheries Bureau Report – J Brust

The Striped Bass Bonus Program opened on May 15. Over 8,600 private anglers and 121 for-hire vessels have already applied. The new online application process has improved the efficiency of the program. A total of 3,363 pounds have been harvested, which includes 162 fish from individuals and 312 fish from for-hire vessels.

Mr. Brust provided an update on NJ's blue crab harvest reporting compliance which is completed quarterly. For the first quarter of 2021, there were 11 first offenses (warning), 3 second offenses (120-day suspension), and 0 third offenses (revocation). The review for the second quarter is still preliminary, but as of July 1, there are 50 licenses that are missing reports.

Mr. Rush asked about latent efforts in the blue crab fishery. Mr. Brust stated that there is still a lot of latent effort, but the new regulations will help to whittle that down to avoid overharvesting.

Mr. Brust gave a presentation on the MFA initiative to develop state only fishery management plans. Not all "major" fisheries are covered by FMPs by ASMFC or MAFMC, and it would be beneficial to compile relevant data, management goals and objectives, and management strategies into formal documents for each species. *[At this point, Mr. Brust's internet connection was interrupted, and the presentation ended.]*

Mr. Rush asked what the end goal is with developing the FMP for a species that is not managed.

Mr. Cimino brought up blue crab as an example and how it is important commercially and recreationally, yet we do not have a formulated management plan. The goal would be to have a written plan to keep track of our goals.

7. Committee Reports

Summer Flounder Committee

Dr. Donnelly read the Summer Flounder Committee report. At the May 13, 2021 New Jersey Marine Fisheries Council meeting, Council requested the Marine Fisheries Administration staff continue investigating several alternative recreational summer flounder fisheries management options for 2022 and forward. The intent of this series of meetings is not to decide or recommend summer flounder management for 2022, but rather develop a list of tools to be used for consideration. None of the options represented and presented during these meetings are final in numbers used for calculations and all but the status quo options would need ASMFC Technical Committee approval before being used for NJ fisheries management. All the options are for discussion and planning purposes only. The suite of options approved by Council to move forward for our second of three meetings included 1). A continuous minimum size, season, and bag; 2). A slot size limit of two fish with one trophy fish and a continuous season; and 3). An early season small size limit coupled with a larger minimum size limit later in the year, both with a 3 fish bag limit. Staff presented 8 options representing these three general categories above and as seen in the below table. All options described have a three fish possession limit. These specific option examples presented by staff were:

1. Continuous Minimum Size-Status quo, 18 inch minimum size, season from May 22 to September 19, 121 open days;
2. Continuous Minimum Size-17.5 inch minimum size, season from June 21 to September 26, 98 open days;
3. Continuous Minimum Size-17.5 inch minimum size, season from June 6 to September 5, 92 open days;
4. Slot and Trophy A- 2 fish 17-17.99 inches and 1 fish 18 inches or greater, season from May 16 to October 7, 145 open days;
5. Slot and Trophy B-1 fish 17-17.99 inches and 2 fish 18 inches or greater, season from June 6-September 19, 106 open days;
6. Slot and Trophy C-1 fish 17.5 -17.99 inches and 2 fish 18 inches or greater, season from May 22 to September 25, 127 open days;
7. Variable Size A-17 inches from May 27-June 30, 18 inches from July 1 to September 9, 106 open days;
8. Variable Size B- 17.5 inches from May 22 to June 30, 18 inches from July 1 to September 12, 114 open days.

The Committee ranked the option concepts in order of preference as 1. Slot and Trophy, 2. Continuous Minimum Size, 3. Variable Size. As such, staff will now carry these option methodologies to the ASMFC Technical Committee for consideration, concept and methodology

review, and further vetting for use as management tools as is the process for all annual state summer flounder management proposals. This process will begin in July in front of the scheduled ASMFC Summer Flounder Technical Committee meeting on July 27, 2021. Once the Technical Committee has reviewed the methodology of the three concepts, a third meeting will be held with NJ Advisors in October/November to further refine the NJ summer flounder management path for 2022.

Chairmen Herb questioned the reliability of some of the options, since some of them look very favorable. Mr. Brust advised that the options reviewed by the Committee are conceptual and further review is needed. He advised the Council to move forward with hesitancy because the options may be too good to be true.

Dr. Donnelly applauded Mr. Clark and Mr. Brust on the development of this working document to communicate the options to the Committee.

Executive Committee

Mr. Herb read the report from the Executive Committee. The Executive Committee met via webinar to review several recent applications to Council advisory panels. Staff noted that all applications had been sent to the full Council for review, with a few comments received from Council members. Applications had also been forwarded to Law Enforcement to check for recent violations that might affect a decision. None of the applicants had received any violations in recent years. Individual applications were reviewed and discussed with the following determinations.

Name	New or renewal	Approved	Decline	Reason
John Achille	New	Striped Bass		
Allen Bonstead	New	Blue Crab/Conch, Bluefish, Striped Bass, Summer Flounder REC, Winter Flounder		
Gregory Cudnik	New	Artificial Reef, Bluefish, Striped Bass, Tautog	Summer Flounder REC	
Vincent DelGozzo	New	Artificial Reef, Black Sea Bass/Scup REC, Summer Flounder REC, Striped Bass, Weakfish		

Jerry DiPerri Jr.	New	Bluefish, Enforcement, Summer Flounder REC, Striped Bass, Weakfish		
Frank Florio	New	Shad/River Herring, Shark/Spiny Dogfish, Sturgeon		
Edward Goldman	New	Bluefish, Striped Bass, Weakfish	Summer Flounder REC	
John Lewis	New	Artificial Reef		
Mike Murphy	New	Artificial Reef		
Nabir Nash	New	Black Sea Bass/Scup REC, Enforcement	Executive, Regulatory	Exec/Reg Membership open to MFC only
Karen Noe	New	Artificial Reef, Enforcement	Executive, Regulatory	Exec/Reg Membership open to MFC only
Adam Nowalsky	Renewal, New	Artificial Reef, Offshore Wind,		
Keith Taboada	New	Artificial Reef, Enforcement, Menhaden	Summer Flounder REC, Executive, Regulatory	Exec/Reg Membership open to MFC only
Brett Taylor	New	Artificial Reef, Bluefish, Enforcement, Striped Bass, Tautog	Summer Flounder REC	
Douglas Taylor			Artificial Reef, Bluefish, Menhaden, Striped Bass	Current term not yet expired
Wayne Thomas	New	Artificial Reef, Striped Bass, Winter Flounder	Summer Flounder REC	
Louis Tocci	New	Blue Crab/Conch, Summer Flounder	Summer Flounder REC	

		COMM, Weakfish, Winter Flounder		
Harvey Yenkinson	New	Artificial Reef, Black Drum	Summer Flounder REC	

The number of applicants for Summer Flounder REC advisors exceeded the maximum number permitted on a panel. Final decisions between applicants were based on factors such as affiliated organizations, counties, and sectors in order to evenly distribute representation. The Executive and Regulatory advisors are only open to members of the Marine Fisheries Council. The Committee urges advisors with expired memberships to submit renewal applications.

Final discussion was regarding consideration of increasing fines for striped bass violations. The Committee requested that staff do some research on fees from other states, etc. That information will be provided to the Executive Committee, who will develop a set of alternatives to be distributed for public comment through the new public comment email account. Alternatives and results of the public comment will be provided to the Striped Bass Committee, followed by the Executive Committee, and finally to the full Council for review.

Committee recommendation: Approve appointments to the advisory panels as noted above. Council unanimously approved the committee recommendation.

8. Regulatory Actions – J Brust

There were no regulatory actions to report.

9. Old Business – J Brust

Offshore Wind Committee

Ms. Brust gave an update on the second solicitation for the NJ offshore wind plans. NJ recently awarded over 2600 MW total to two developers - Atlantic Shores was awarded 1510 megawatts, which will result in 120-150 turbines, and Ocean Wind was awarded 1,148 MW as a second phase of their project. Atlantic Shores will be hosting open houses July 20-22, 2021.

BOEM issued a notice of intent for Empire Wind. A Public comment and scoping meeting will be July 13th at 1:00pm. They are accepting public comment through July 26 and have planned 3 public hearings.

BOEM published a proposed sale notice for upcoming leasing opportunities in the NY/NJ Bight. Public comment runs through August 14th. They will disclose various details about each step of the process. The proposed transit lanes will be 2.44 nautical miles wide. A number of public scoping meetings have been planned targeting various fisheries.

The Commissioner’s office received the letter from Council regarding concerns with offshore wind and horseshoe crabs. Based on the existing research on horseshoe crabs, there are no

major concerns for HSC with wind energy. Further research will need to be done and monitoring efforts will be funded.

Mr. Rush asked if there will be no effect from offshore wind development on the Horseshoe Crab sanctuary. Ms. Brust explained that there are no major concerns for HSC from offshore wind, but each project's draft environmental impact statement will describe expected impacts to species and habitat. The first draft EIS is expected later this year for Ocean Wind, but that project is not located within the sanctuary. All EIS will be reviewed for impacts to all species, and the Department is considering monitoring and further research projects.

Mr. Hollinger asked about the view of the Endangered Species Program. Ms. Brust reported that ENSP has received the letter but has not provided comments yet.

Mr. Rush asked about when the impact statement will be done. Ms. Brust responded that the EIS will be finalized before the construction, and construction can only proceed if there is a finding of no significant impact.

Mr. Wark has asked if there will be monitoring of the crabs and the possibility of using acoustic telemetry. Ms. Brust mentioned it is a strong possibility, but further knowledge is not publicly available. She will take this idea to the appropriate resource.

Offshore Wind Committee Meeting:

Mr. Kaelin mentioned most deadlines will come before the next meeting. He expressed his concerns about the difficulties he has encountered in the process of communicating concerns. He mentioned industry's concerns with understanding the process and how decisions are made. He also suggested casting a broader net for input on what research and monitoring studies should be funded.

Mr. Cimino has expressed the goal of making sure the committee has as much time as possible to provide comment during comments periods. He also commented that much of the uncertainty in the research programs is because it still in the early phase of development, but there will be an open public process.

Mr. Wark mentioned his participation in fisheries research for offshore wind on a national level. His role has been to help standardize gear efforts and survey methods for the monitoring of these areas.

Mr. Rush asked what level of impact Council and the fishing industry will have with offshore wind being developed in nine states regionally.

Committee meetings

Mr. Brust reminded Council about a previous request for a Black Sea Bass Committee meeting to discuss ideas to get rid of the closure between fluke and BSB seasons. It is a priority to schedule the meeting before the September Council meeting.

A previous Bluefish Committee meeting in May suggested a follow up later in the year. Mr. Brust asked the committee members if it was a priority to hold it before the September meeting. Mr. Wark expressed wanting to have a meeting soon because of uncertainty regarding the quota and reallocation which may increase the chance of the fishery closing before the end of the year.

Council had also previously requested a meeting of the Executive Committee to discuss changes to striped bass fines. Given that meetings are being scheduled for offshore wind, black sea bass and bluefish, and that the striped bass fine issue is not time sensitive, Mr. Brust suggested holding off on that meeting until after the September Council meeting. Mr. Herb agreed to push the executive meeting back.

Mr. Brust expressed his hopes for an in-person meeting for November.

10. New Business – J Brust

Press releases regarding two senior level NMFS officials were provided as handouts. Janet Coit was recently named Assistant Administrator NOAA Fisheries. In addition, Mike Pentony who is the GARFO Regional Administrator, was featured in an article that recounted his days growing up fishing in New Jersey.

11. Public Comment

Brian Williams, Badfish Charters Owner, expressed concerns about sheepshead stock depletion. He has done a personal tagging study where he has noticed once fish are here they do not seem to move around much, making it easy to deplete an area. He also does not agree with the Striped Bass Bonus Program and would like to see it removed.

Daniel Mancari, recreational fisherman, agreed with Brian Williams about the sheepshead fishery and the notice that the stock is depleted. He would like to see regulations put in place to protect them.

Khoa Nguyen, is in alignment with the previous speakers about the sheepshead fishery. He has noticed the decline in the population and mentioned that more fishermen are targeting them. He would like to see regulations put in place for the fishery. He has personally noticed juvenile fish caught in minnow traps and believes they are reproducing here.

The next NJ Marine Fisheries Council Meeting will be held on September 9th at 5:00pm. Location TBD. The meeting was adjourned at 7:36pm.