

# JCAA NEWSPAPER JUNE 2017

Official Newspaper of the *JERSEY COAST ANGLERS ASSOCIATION*

(Published on May 22nd, 2017)

**Monthly Meeting at Jersey Coast Shark Anglers, 385 Herbertsville Road, Brick  
"WORKING FOR MARINE RECREATIONAL ANGLERS"**

## **JCAA REGULAR MEETING:**

**Tuesday, May 30th, 2017**

**Starting at 7:30 PM**

**At Jersey Coast Shark Anglers**

## **NEXT JCAA BOARD MEETING**

**Thursday, June 8th, 2017**

**Starting at 7:30 PM at JCAA Office**

## **OFFICIAL NEWSPAPER OF THE JERSEY COAST ANGLERS ASSOC.**

1594 Lakewood Road (Rt. 9), Victoria Plaza Ste. 13  
Toms River, NJ 08755

Phone 732-506-6565 Fax 732-506-6975

**JCAA Newspaper Publisher Tom Fote**

**JCAA Newspaper Editor Paul Turi**

This publication is printed and mailed one week prior to each regular monthly meeting of the Jersey Coast Anglers Association. One of the prime goals of JCAA is to get accurate information into public hands as soon as possible.

Anyone wishing to reproduce any part of this newsletter has the permission of the JCAA and the authors. Wherever possible, please credit the JCAA Newsletter as your information source.

~~~~~  
**JCAA General Membership Meetings are for club representatives and invited guests only. These meetings are not open to the general public. If you would like to attend as a guest, call the President at 908-913-0551 or Tom Fote at (732) 270-9102 before the meeting date to ask permission.**

## **2016 OFFICERS**

|                            |              |              |
|----------------------------|--------------|--------------|
| <b>President</b>           | John Toth    | 732-656-0139 |
| <b>1<sup>st</sup> V.P.</b> | Ken Warchal  | 908-715-0791 |
| <b>2<sup>nd</sup> V.P.</b> | Mark Taylor  | 732-245-9445 |
| <b>Treasurer</b>           | Doug Tegeder | 732-575-2661 |
| <b>Rec. Sec.</b>           |              |              |
| <b>Cors. Sec.</b>          | Paul Turi    | 609-660-2126 |
| <b>Mem. Sec.</b>           | Kyren Dooley | 609-713-7712 |
| <b>Tournament Dir.</b>     | Paul Turi    | 609-660-2126 |

**Committee and Chairpersons listed on last page**

## **IMPORTANT DATES**

**May 30<sup>th</sup>** High Rollers Raffle Drawing @ JCAA Office

**May 30<sup>th</sup>** JCAA General Meeting at JCSA Building

**June 8<sup>th</sup>** JCAA Board Meeting

**August 5<sup>th</sup>** JCAA Fluke Tournament

**August 10<sup>th</sup>** Fluke Tournament Awards Presentations

## **JCAA High Roller Raffle 2017**

*By Don Marantz*

The Jersey Coast Anglers Association is a charitable non-profit 501(c)3 organization that was formed in 1981. The original objective of the JCAA, that continues today, was to combine a group of marine sportfishing clubs in order to form and promote a united consensus on issues relevant to saltwater anglers in New Jersey. JCAA works to protect the rights of New Jersey's recreational fishermen by seeking fair and equitable fisheries management. It fosters conservation and education while seeking to do what is best for our fisheries to ensure they will be sustainable for future generations. JCAA also strives to create increased angling opportunities and better public access. Further, it is involved with issues concerning our marine environment, such as fighting for better fisheries habitat, keeping our waters clean, and protecting our forage species while supporting an ecosystem-based management approach. JCAA works in concert with New Jersey's legislature, many major local, state and national organizations, congress and federal agencies to advance its objectives.

JCAA has evolved into one of the most powerful and unified organizations of its kind. JCAA's strength comes from its volunteer members and donations. If you or your fishing club is interested in becoming a member or making a tax deductible donation, please call (732) 506-6565 or visit [www.jcaa.org](http://www.jcaa.org).

Another way you can help support us is to buy some of our raffle tickets is by calling the number above or email our office at [jcaa@jcaa.org](mailto:jcaa@jcaa.org), provide your name and address and we will mail you a book. Tickets are just \$2.00 each, 3 for \$5.00 or 7 for \$10.00. You need to be due this and have the tickets back to us by the **May 30<sup>th</sup> drawing date**. Thank you for your anticipated support!

### List of Prizes (with retail values)

1. Jersey Nutz Six Man Charter (6 hour striped bass weekday charter) **\$850**.

*Donated by Capt. Robert Melton Jr.*

2. \$500. Gift Certificate from Fisherman's Headquarters **\$500**.

*Donated by Fisherman's Headquarters*

3. 6'6" Shimano Terez T2C-66H-EG Spinning rod /Saltist 5000H reel **\$500**.

*Donated by Grumpys Tackle*

4. Tony Maja Wire Line rod/Penn 113H2SP reel **\$370**.

*Donated by Tony Maja and JCAA*

5. 12' Tica UEHA936502S Surf rod/Tica Abyss TL5000R spinning reel **\$310**.

*Donated by Tica*

6. 7' Star Stellar Lite SG102FT70G Spinning rod/Canyon DJR3500 reel **\$240**.

*Donated by Star Fishing Tackle and Canyon Reels*

7. 7' Tica WISA70H1 Conventional rod/Tica Caiman GT200 reel **\$225**.

*Donated by Tica*

8. 6' 6" Tica WISA66H Conventional rod / Tica Caiman WC205 reel **\$200**.

*Donated by Tica*

## President's Report

*By John Toth*

The actions of NOAA and its National Marine Fisheries Service (NMFS), including the MAFMC and the ASMFC, are causing a slow and painful death spiral of our fishing industry with its continued reductions in what we can fish for. With the introduction of an **18-inch minimum size** for fluke, many anglers could not catch fluke at this size and went home with not much to show for and, in many cases, nothing at all! While we all enjoy the sea and love our fishing, there is an **expectation** that we will take home something for dinner! Given this repeated scenario, many anglers have cut back on

their fishing trips or even gave up fishing for fluke! With the reduction of anglers and fishing trips, more and more tackle shops and boats have gone out of business. An 18-inch size also means more dead fish from throwbacks and more egg-laying females removed from stocks since fish this size are almost all females. So, we end up with killing more fish than we are taking home! **Insane management of our fisheries!**

This insanity does not end with the ASMFC telling us in the options presented to us for our 2017 fluke season that we need to go to **19 inches** to have a fishing season. I do not want to cover all of those options presented to us since we covered this ground before in our previous newsletters. This 19-inch fish was just too much for us and our state DEP Commissioner, Bob Martin, stepped in to challenge the ASMFC and **appeal** the regulations fostering this 19-inch fish. Our state took the position that until better data is available to justify this 19-inch fish, NJ should have a 2017 fluke season the same as 2016 with five fish, 18 inches and 128 days (Status Quo) and **no compromises** will be made to change it. After much back & forth, we ended up having to choose between the regulation of 3 fish at 19 inches and a 128-day season that was mandated by the ASMFC or with a compromise of **3 fish at 18 inches and 104 days** that the NMFS stated they would approve. Neither is an acceptable option to many of us.

**If we accepted** the compromise regulation (and we eventually did), the shortened season means that boats will sit at their docks after September 5th resulting in the loss of revenue for them and related businesses such as tackle shops. If we chose to accept the 19-inch fish, the same businesses would suffer due to the difficulty of catching a legal-sized fish. It is simply a no-win situation that no one is happy with.

**If our state dug in its heels** and we remained at status quo and continued with our appeal, we would have been found out of compliance as soon as our season opened. Eventually the new Commerce Secretary, Wilbur Ross, would have to make the ultimate decision of either backing NJ to have our 2016 regulations in place, or **shut** the entire fluke industry down (including the commercial industry) for not complying with the regulations mandated by the ASMFC. Given the likelihood that Mr. Ross's decision would go against NJ, our state backed off from its No Compliance/Status Quo stance. This is due to the fact that all the other states complied with the ASMFC mandate and did not support our position of opposing

the 19-inch fish. While our state has clout with the Trump administration, so do the other states. Had other states joined us in our appeal we would have had a much better chance of being successful. As a lone state, though, it would have been much harder for Commerce Secretary Ross to side with NJ. I think our state sensed his decision would go against us which is why they reached the compromise with NMFS who agreed to overrule the ASMFC, if necessary.

We have never seen such support for anglers from our state including Commissioner Martin and our legislators. While things have not worked out to our satisfaction, I think we have to give them credit, especially Commissioner Martin since he made a noble effort for us and showed up at fishing management meetings to testify on our behalf. Also, I am glad to see our state **stand up and take a stand** against a bureaucracy that does not even believe the data that they use to justify our quota reductions as even accurate!

What we are left with is frustration, again and again, and that is why many of our clubs voted against any compromise and wanted status quo - our 2016 regulations. I made this frustration known at the May 17th NJ Marine Fishing Council meeting. I sense, unfortunately, that we will experience more of this frustration in the future!

(Please see my column "New Fluke Regulations Set for 2017 " that provides more details on this issue and the meeting that approved the new regulations).

On a different subject, the JCAA Fluke Tournament is on **August 5th** and that is not far away. Please support the JCAA by entering it. Go to: [www.jcaa.org](http://www.jcaa.org) or call our office at (732) 506-6565.

**Thank You for your continued support!**

## **Fisheries Management & Legislative Report**

*By Tom Fote*

### **Summer Flounder**

The never-ending story continues. It has been an interesting couple of months dealing with the summer flounder issue. I have never had so many conference calls and meetings with DEP Commissioner Martin and his staff over this issue. I

have never had this number of discussions with a DEP Commissioner on any issue. When the ASMFC voted on an option in February to move us from 18 to 19 inches, there was an outcry from the anglers in New Jersey. Commissioner Martin decided that we needed to find a solution and worked for 2 months to develop a compromise that would keep us at 18 inches. He threatened to have New Jersey go out of compliance on summer flounder if an acceptable compromise was not reached. He went to Washington DC twice and met with acting Director of NMFS, Sam Rauch, in New Jersey. Sam Rauch actually took time out of his busy schedule to meet with me for two hours while he was in New Jersey. New Jersey also filed an appeal under the direction of Commissioner Martin to ASMFC. This 20-page appeal required a great deal of time and energy from Russ Allen, Tom Baum and much of the staff from the Division of Fish and Wildlife working with Deputy Commissioner Dave Glass and Assistant Commissioner Rich Boornazian.

On May 10, the Summer Flounder, Scup and Black Sea Bass Board met with the Mid-Atlantic Fisheries Management Council to hammer out the regulations for summer flounder, black sea bass and scup. The agenda was scheduled from 1:00 PM until 5:15 PM. Luckily, I packed granola bars because the meeting went until almost 9:00 PM. At 6:30 we were still dealing with black sea bass. After many hours of discussion, ASMFC approved New Jersey's proposal for 2017 pending a review by the Technical Committee. Those rules are at the end of John Toth's report on summer flounder. The NJ Marine Fisheries Council had to vote on Wednesday, May 17 to approve these regulations or to veto them. The NJ Marine Fisheries Council voted to support these regulations and Commissioner Martin signed them on Thursday. The Technical Committee review issued some concerns and said they could not, in this short period of time, approve the methodology for our education process even though they said they liked the idea.

The ASMFC Summer Flounder, Black Sea Bass and Scup Board met by conference call on Monday, May 22. They did not approve New Jersey's regulations for summer flounder for 2017. They will be sending a letter to the Secretary of Commerce asking him to find New Jersey out of compliance. Depending on the decision of the Secretary of Commerce, it may be necessary for the Policy Board to deal with New Jersey's appeal. Stay tuned.

The bottom line is, there were not good solutions. As Adam Nowalsky and I have both been

saying, we need to find a better method for developing regulations to deal with summer flounder. We cannot keep raising size limits and thereby increase recreational discards. When we are killing more fish by hook and release mortality than people are taking home to eat, the system is broken. Unlike striped bass, which most anglers catch and release, summer flounder is a catch and eat fishery. Hopefully, before the 2018 regulations are put in place, we will find a better management system. The biggest hypocrisy here is that we are reducing the catch on both the recreational and commercial side because of lack of recruitment when we know that the 2013 Benchmark Assessment proved there is no relationship between recruitment and spawning stock biomass. We had better recruitment when the spawning stock biomass was 2/3 of what we have now. Just doing something just to prove you are doing something when you know that it has no positive impact is insane.

### **Black Sea Bass**

As bad as the summer flounder regulations are, the black sea bass regulations are even worse. Bad decisions are made when meeting times exceed 6 hours. As you can read in the motions below by the Black Sea Bass Board, at the last minute they decided to reduce the winter season to a 5-fish bag without knowing the economic consequences for the recreational sector. We also have no idea how much these regulations would save on the black sea bass stocks. There was no technical analysis, just a shoot from the hip decision. What I do know is New Jersey took the hardest hit and we will experience serious consequences. The two states pushing the proposal would experience very little negative economic consequences. One state has no winter fishery and the other is only going from a 7-fish to a 5-fish bag limit. In New Jersey, we will go from a 15-fish bag limit to a 5-fish bag limit. We are hoping to revisit this issue at the next board meeting.

### **What Drives Fisheries Management Today**

We all know black sea bass and summer flounder are difficult regulations. What drives fisheries managers to make decisions they know will force unnecessary cutbacks? In the mid 90's, NMFS was sued several times by environmental groups who have deep pockets to fund their lawsuits. After

incurring the costs in staff time and paying the plaintiff's costs, NMFS began to avoid lawsuits by being super precautionary and, literally, giving the environmental groups what they wanted without going to court. They know the recreational community does not have the hundreds of millions of dollars required to fund these types of lawsuits. We need to get back to just managing fisheries so they are sustainable without regard to whether or not there will be a lawsuit. Black sea bass is a good example. We are not 230% of where we should be on the spawning stock biomass and we should be harvesting at a higher quota but NMFS refuses to approve higher catches. The more this happens, the more likely there is to be a movement for change in the Magnusson Stevens Act. Many of the senators and congressmen who represent us have discovered that the economic impact of unnecessary regulations on their citizens is huge. Contact your congressmen and senators and let them know you are not happy.

### **Letter from DEP Commissioner Robert Martin Regarding the NJ's Appeal on Summer Flounder**

Mr. Douglas E. Grout, Chair  
Atlantic States Marine Fisheries Commission  
1050 N. Highland St, Suite 200 A-N Arlington,  
Virginia 22201

Dear Mr. Chairman:

I am writing in response to your April 14, 2017 decision to reject, without the opportunity for a hearing, two of the three grounds raised in New Jersey's appeal of the ASMFC's approval of Addendum XXVIII.

We are deeply disappointed that you have refused a hearing on issues so critical to the State of New Jersey and the entire summer flounder fishery. For the reasons stated below, we formally request that you reconsider this decision and afford New Jersey a full and fair opportunity to have its entire appeal heard and decided by the ASFMC Policy Board.

The decision to deny a hearing on New Jersey's arguments based on Criteria 3 and 5 is both regrettable and wrong. New Jersey's arguments on these criteria clearly meet the appeal criteria, raise significant issues regarding the Interstate Fisheries Management Program (ISFMP) Charter and Addendum XXVIII,

and should be heard and considered on May 11 during the ASFMC meeting.

Failure to even allow for a full hearing of the substantive flaws of Addendum XXVIII is arbitrary and unreasonable. Many of the issues New Jersey raises relate to requirements of the ISFMP Charter that were not followed in drafting and approving Addendum XXVIII. An appeals system that does not provide aggrieved member states with a real opportunity to be heard on substantive violations of the ISFMP Charter provisions is both unfair and improper.

The April 14, 2017 decision to deny a hearing on Criteria 5 attempts to dispose of the issues raised by concluding that all the issues raised by New Jersey were purportedly "foreseen" by the ASMFC. To the extent that the ASMFC foresaw, but disregarded, the issues raised in New Jersey's appeal, it is evident that these issues were either not fully considered or were not understood by the ASMFC. The issues presented by New Jersey are of great importance and deserve nothing less than full deliberation and discussion.

As discussed in New Jersey's appeal, the ISFMP Charter Section 6(a)4 requires that "management measures shall be designed to minimize waste of fishery resources." But the data shows that for *the first time in New Jersey's history*, the State is being directed towards a policy in which more summer flounder will die as discards than as harvested fish kept by anglers. That result is contrary to the goals of ASFMC - That the ASFMC gave passing consideration to one potential solution a slot limit - does not absolve it of the responsibility to minimize fishery waste. The notion that New Jersey anglers will cause greater mortality through discards than harvest is not only counterproductive to the fundamental goal of managing fisheries, it also defies simple common sense. New Jersey is strongly committed to and is already taking steps to reduce the mortality rate through education, hook choice, and other methods. We will be promoting NOAA's own FishSmart program across the entire fishing community and will be supplementing this excellent program with specifically targeted messages through every outlet available to us. But this is not enough; the ASFMC must craft sensible management measures to prevent such an obvious

and unconscionable waste of the summer flounder fishery.

Likewise, contrary to Section 6(a)(1) of the ISFMP Charter which requires that "management measures shall be designed to, maintain over time, abundant, self-sustaining stocks of coastal fishery resources", Option 5 to Addendum XXVIII is also nonsensical because it promotes the removal of larger breeding females. It ignores the fact that 90 percent of the summer flounder found in the waters off New Jersey's coast that are at least 19 inches in length are breeding females. Removing from the fishery those fish that are most capable to replenish the fishery does not meet our shared goal of a sustainable fishery.

The April 14, 2017 decision also sidesteps New Jersey's arguments on numerous other issues. It characterizes the unfairness/equity issue under Section 6(a)(7) of the ISFMP Charter as relating to the percent reduction in harvest among the different states. What the ASFMC failed to acknowledge is that the unfairness to New Jersey arose from the impact of forced regionalization, i.e., requiring New Jersey to have the same management measures as New York and Connecticut off the Atlantic Coast.

The regionalization continues unfairly, though Marine Recreational Information Program (MRIP) and National Marine Fisheries Service (NMFS) Trawl Survey data show that summer flounder off the coast of New Jersey are smaller than summer flounder in New York and Connecticut waters. Simply put, maintaining the same size limit will have a greater adverse impact on New Jersey than on either New York or Connecticut, because fishery resources are not being fairly allocated, the negative impact will be greater upon New Jersey than on other states despite a similar target percentage reduction in harvest. This devastating impact was not fully considered or disposed of during the Addendum XXVIII process or in the April 14, 2017 decision. New Jersey's appeal should be heard.

Furthermore, according to Section 6(a) of the ISFMP Charter, fishery management programs and management measures must take social and economic considerations into account. Section 6(b)(1)(v)D requires that fishery management plans review the social and economic characteristics of the fishery. Neither of these sections are enforced here.

The April 14, 2017 decision notes that, as a matter of practice, the ASFMC does not draft full socioeconomic analyses for Fishery Management Plans and does not have the resources to do so. The letter claims that public commenters and the Advisory Panel input noted such concerns and that the concerns were considered. This, however, misses the point; the process leading to the proposal and adoption of Option 5 in Addendum XXVIII included, at best, cursory consideration of the social and economic impact on New Jersey.

The ASFMC's lack of resources does not justify adoption of measures with a devastating impact on a member state's fishing community without a full review of such impacts as required by the ISFMP Charter. At a minimum, New Jersey should be permitted to present its appeal on this issue.

The ASFMC also refused to hear New Jersey's appeal under Criteria 3 regarding application of technical data that the ASFMC itself recognized has serious flaws. The ASFMC's letter of April 5, 2017, pp. 1-2, to the Regional Administrator of the Greater Atlantic Regional Fisheries Office states that the Technical Committee "has expressed concern over the volatility of [MRIP] harvest estimates and the predictability of crafting measures to achieve a specified harvest target at the state or regional level using conventional tools" and must "work almost exclusively with preliminary harvest data when performance is ultimately weighed against the final estimates."

Furthermore, the ASFMC's letter, p. 2, also states that "recreational management utilizes only preliminary MRIP harvest point estimates, without measures of uncertainty, to attempt to predict/constrain future harvest point estimates." Nonetheless, the ASFMC unreasonably continues to maintain that it is appropriate to use MRIP data to establish year-to-year management measures. It is not appropriate to do so, and New Jersey should be heard on this issue.

Finally, New Jersey raised concerns about the increased likelihood that the regulated community will not comply with these new more stringent regulations, especially considering unfairness to New Jersey discussed above. MRIP data collection depends, in part, upon the recreational anglers' trust in the governing bodies. The fact that the ASFMC is

unwilling to hear New Jersey's appeal on major issues of concern will further erode the fishing community's trust in the ASFMC.

New Jersey requests the opportunity to be heard on all issues raised in the March 24, 2017 letter. As such, New Jersey respectfully requests that the ISF Policy Board reconsider its response to New Jersey's appeal request letter and accept all the issues for full consideration on May 11, 2017.

Sincerely,  
Bob Martin  
Commissioner New Jersey DEP  
cc: NJ Attorney General Christopher Porrino  
Samuel D. Rauch III, NOAA, Acting Assistant Administrator for Fisheries  
NJ Congressional Delegation

---

**ASMFC Summaries**  
([Link to document](#) at [ASMFC.org](#))

## **Tautog Management Board**

ASMFC Press Release, May 9, 2017

### *ASMFC Tautog Board Approves Draft Amendment 1 for Public Comment*

Alexandria, VA – The Commission's Tautog Management Board approved Draft Amendment 1 to the Interstate Fishery Management Plan (FMP) for Tautog for public comment. The Draft Amendment proposes a fundamental change in tautog management, moving away from management on a coastwide basis towards regional management. In addition, Draft Amendment 1 proposes the establishment of a commercial harvest tagging program, as well as new goals and objectives, biological reference points and fishing mortality targets, and a stock rebuilding schedule.

Draft Amendment 1 proposes delineating the stock into four regions due to differences in biology and fishery characteristics, as well as limited coastwide movement.

#### **Table 1. Four-Region Management Approach**

- 1) Massachusetts – Rhode Island
- 2) Long Island Sound (CT and NY LIS)
- 3) New Jersey – New York Bight
- 4) Delaware – Maryland – Virginia

## Atlantic Striped Bass Management Board

ASMFC Press Release, May 9, 2017

### *ASMFC Atlantic Striped Bass Board Withdraws Draft Addendum V & Maintains Current Measures until Completion of 2018 Benchmark Stock Assessment*

Alexandria, VA – The Commission’s Atlantic Striped Bass Management Board chose to not advance Draft Addendum V to Amendment 6 to the Fishery Management Plan (FMP) for Atlantic Striped Bass forward for public comment. Instead, it decided to wait until the release of the results of the 2018 benchmark stock assessment before it considered making changes to the management program.

The Draft Addendum was initiated to consider liberalization of commercial and recreational regulations to bring fishing mortality to the target based on the findings of the 2016 assessment update. The Draft Addendum proposed alternative measures aimed to increase total removals (commercial and recreational) by approximately 10% relative to 2015 to achieve the fishing mortality target in 2017. However, 2016 harvest estimates increased without changing regulations. Additionally, fish from the 2011 year class, which was the largest recruitment event since 2004, will become increasingly available to ocean fisheries in the coming years, possibly resulting in further increases to harvest along the coast. The Board also expressed concern that changing the management program could result in fishing mortality exceeding the target.

In preparation for the 2018 stock assessment, the Board approved the Terms of Reference for the assessment, which will explore new biological reference points for management use.

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at [mappelman@asmfc.org](mailto:mappelman@asmfc.org) or 703-842-0740.

## Coastal Sharks Management Board

ASMFC Press Release, May 10, 2017

### *Meeting Summary*

The Coastal Sharks Management Board met to review the final rule to implement Amendment 5b to the 2006 Consolidated Atlantic Highly Migratory Species

Management options by region have been developed in response to the 2016 stock assessment update. Long Island Sound and New Jersey-New York Bight would be required to take harvest reductions due to the regional overfishing stock status, while Massachusetts-Rhode Island and Delaware-Maryland-Virginia would not have to take harvest reductions, but are proposing regional measures.

A commercial harvest tagging program is being proposed to address an illegal, unreported and undocumented fishery that has persisted for more than a decade. Reports of illegally harvested fish have been documented in cases against fishermen, fish houses, and at retail markets and restaurants. The tagging program, which would accommodate both the live and dead commercial markets, was recommended by the Commission’s Law Enforcement Committee to increase accountability in the fishery and curb illegal harvest. A tautog tag trial was conducted to investigate the impact of the tags on the resource and found no mortality or degradation to fish health.

It is anticipated the majority of states from Massachusetts through Virginia will be conducting public hearings on the Draft Amendment. The details of those hearings will be released in a subsequent press release. The Draft Amendment will be available on the Commission website, [www.asmfc.org](http://www.asmfc.org) (under Public Input) by May 15th. Fishermen and other interested groups are encouraged to provide input on the Draft Amendment either by attending state public hearings or providing written comment. Public comment will be accepted until **5:00 PM (EST) on July 14, 2017** and should be forwarded to Ashton Harp, FMP Coordinator, 1050 N. Highland St, Suite A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at [aharp@asmfc.org](mailto:aharp@asmfc.org) (Subject line: Draft Amendment 1).

Final action on the Amendment is scheduled to occur in August. For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at [aharp@asmfc.org](mailto:aharp@asmfc.org) or 703.842.0740.

(HMS) Fishery Management Plan (FMP). Amendment 5b implements a range of federal management measures to prevent overfishing and rebuild overfished dusky sharks. These measures are based on the 2016 dusky shark stock assessment update that determined dusky sharks are overfished and experiencing overfishing. Currently the Amendment 5b measures only apply to federally permitted fishermen. HMS requests the Board (and state agencies) consider complementary management as follows:

- Assist with shark related outreach and education; provide links to NOAA Fisheries communication materials on state websites (*Alternative A2 and B6*)
- Collaborate on development of best practices for the handling and release of sharks when shore and pier fishing because HMS outreach is specific to vessel based fishing (*Alternative A2*)
- Consider requiring circle hooks in various state hook and line fisheries (e.g., recreational, short lines, commercial handgear) (*Alternative A6d and B9*)
- Consider requiring fishermen to maximize gear removal before releasing sharks (*Alternative B3*)
- Consider cooperative research with NOAA Fisheries to improve estimates of dusky (and other) sharks caught in state water fisheries (e.g., via the shark research fishery)

After reviewing the Advisory Panel comments on the recreational measures, the Board requested the Law Enforcement Committee (LEC) and Technical Committee (TC) review the proposed measures. Staff will coordinate the LEC and TC meetings, as well as poll the states to see if there are state-specific measures in place that address best practices for shore and pier fishing and/or require circle hooks when fishing for sharks. At the August meeting the Board will review the information requested above and consider modifications to the interstate FMP.

For more information, please contact Ashton Harp, Fishery Management Plan Coordinator, at [aharp@asmfc.org](mailto:aharp@asmfc.org) or 703.842.0740.

## ASMFC Presents Annual Awards of Excellence

ASMFC Press Release, May 9, 2017

Alexandria, VA - The Atlantic States Marine Fisheries Commission presented Mr. Robert Glenn, Dr. Amy Schueller and Lieutenant Conservation Officer Zane Batten with its Annual Awards of Excellence for their outstanding contributions to science and law enforcement along the Atlantic coast. "Every year a great many people contribute to the success of fisheries management along the Atlantic coast. The Commission's Annual Awards of Excellence recognize outstanding efforts by professionals who have made a difference in the way AAE Recipients from left: Lt. C.O. Zane Batten, Dr. Amy Schueller and Robert Glenn we manage and conserve our fisheries," said ASMFC Chair Douglas Grout of the New Hampshire Fish and Game Department. "This evening, we honor several exceptional individuals for their contributions to the management and conservation of Atlantic coast fisheries."

### Law Enforcement Contributions

#### *Lieutenant Conservation Officer Zane Batten with the New Jersey Division of Fish and Wildlife, Bureau of Law Enforcement*

Lieutenant Conservation Officer Zane Batten has been with the New Jersey Division of Fish and Wildlife, Bureau of Law Enforcement for nearly 25 years. First as a volunteer Deputy Conservation Officer, next as a Lt. C.O. for the Special Investigations Unit, where he served for five years and lastly as District supervisor. Lt. Batten is being recognized for his efforts on behalf of the Special Investigation Unit, where he worked on several cases of magnitude that resulted in both domestic and international charges. Two cases in particular exemplify Lt. Batten's perseverance, self-sacrifice and dedication to resource conservation.

In the first case, Lt. Batten was instrumental in identifying fishermen involved in the illegal commercialization of elvers. As he worked to document the activities of the fishermen, Lt. Batten was also able to gain the trust of a number of large buyers who were knowingly purchasing illegally harvested eels for export overseas. Spanning three years, the investigation uncovered a multi-million dollar black market in elvers and exposed the identities of numerous fishermen and buyers, from Florida to

Maine, that were involved in the black market. The charging and prosecution of those involved is still pending.

During another case, Lt. Batten coordinated a joint investigation with the Pennsylvania Game Commission involving the illegal commercialization of striped bass from Delaware Bay. The investigation, which spanned two years, identified an organized ring of 8 commercial fishermen illegally selling striped bass to a seafood store. Both criminal and civil charges were filed, with the maximum fine for all charges filed in excess of \$3.4 million.

Named New Jersey's Conservation Officer of the Year in 2014, Lt. Batten is widely respected by his fellow officers and colleagues. His commitment to ensuring our fisheries management regulations are being upheld is notable and worth recognition.

**ASMFC Summer Flounder Management Board to Consider NJ Conservation Equivalency Proposal for 2017 Summer Flounder Recreational Fishery**

Alexandria, VA – The Commission’s Summer Flounder, Scup and Black Sea Bass Management Board has accepted a request by the State of New Jersey to consider a proposal for conservationally-equivalent management measures for the 2017 recreational summer flounder fishery. The action responds to New Jersey’s concern about the lack of availability of large fish (19” or greater) in state waters. In February 2017, the Board approved Addendum XXVIII to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan, maintaining regional management for the 2017 recreational summer flounder fishery and requiring all states (with the exception of North Carolina) to implement a one-inch increase in size limit and a reduced possession limit. These measures are required in order to stay within the 2017 recreational harvest limit. New Jersey has contended a one-inch increase in size will have significant economic impacts to its recreational and for-hire industries, since 19” fish have reduced availability in its waters. The next step in the process is for the Technical Committee to review New Jersey’s proposal, which is anticipated to occur next week. The Board will then meet via conference call to receive the

Technical Committee’s review and consider action on the proposal. If the proposal is accepted by the Board, New Jersey will have until May 21<sup>st</sup> to implement the approved measures. If conservationally-equivalent measures are not approved, New Jersey will need to implement the following measures by May 21<sup>st</sup> or the Commission will move forward with a non-compliance finding regarding New Jersey’s failure to implement Addendum XXVIII’s required management measures.

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

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740.

**Meeting Summary**

The Summer Flounder, Scup, and Black Sea Bass Management Board and Mid-Atlantic Fishery Management Council (Council) received an update on the Summer Flounder Comprehensive Amendment and consider the priority issues to be addressed under commercial management strategies; review updated recreational harvest estimates for black sea bass; consider management action for the recreational black sea bass fishery in 2018; and begin discussions on alternatives for recreational summer flounder management moving forward.

Regarding the Comprehensive Amendment, staff presented initial analysis and management alternatives for the following issues: 1) permits and latent effort; 2) commercial allocation 3) landings flexibility; 4) safe harbor; 5) commercial data collection and monitoring; and 6) discards. Staff worked through the Fishery Management Action Team (FMAT) and working groups to draft alternatives for each issue, drawing from comments received during the amendment scoping process. In developing draft management alternatives, staff highlighted challenges in further refining draft alternative language and continuing

## **New Fluke Regulations for 2017**

*By John Toth*

analysis on issues 4-6 without specific guidance from the Board and Council. After considering the information provided, the Board and Council moved to drop issue areas 4-6 from the Draft Amendment. Staff will convene the FMAT and working groups in summer 2017 to continue development draft alternatives ahead of the Board and Council's joint meeting in August. The Board continues to struggle with using recreational harvest estimates generated by Marine Recreational Information Program (MRIP) to set annual harvest specifications. The Board tasked the Technical Committee with exploring methods to better evaluate volatility in harvest estimates generated from MRIP.

The Board also initiated two draft addenda specific to black sea bass recreational management in 2018. The first will explore options for recreational management that include regional allocations, uniform regional regulations, and alternatives to the current north/south regional delineation. A draft addendum will be presented to the Board later this year. The second addendum, to be pursued with the Council, will consider allowing an experimental wave 1 (January/February) recreational fishery starting in 2018. This addendum was initiated in response to a tabled motion from the joint Board/Council meeting in February 2017 regarding an experimental black sea bass fishery that would be administered under an exempted fishing permit (EFP) program through NOAA Fisheries. The Board and Council moved to change the option of an experimental fishery through an EFP to one operating under a Letter of Authorization (LOA) program that NOAA Fisheries' Greater Atlantic Regional Office (GARFO) would administer. The Draft Addendum will be presented to the Board for its consideration and approval for public comment in August.

Last, the Board began discussions on how to improve management of the summer flounder recreational fishery in future years. A recreational working group will convene this summer to consider alternatives to the current management framework and report recommendations to the Board later this year.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740.

The culmination of our struggle to have fluke regulations that we wanted for 2017 (5 fish - 18-inches- and a 125-day season - the same as 2016 - Status Quo) was decided at a NJ Marine Fisheries Council meeting at the Community Center in Avalon, NJ on May 17th. This meeting started at 4:00 p.m. and finished at 5:30 p.m. It was chaired by Councilman Dick Herb and it was attended by about 70 anglers and members of the press.

After much negotiation with NJ DEP (Bob Martin) and NOAA staff, we were presented with a new regulation to comment on that includes: 3 fish - 18 inches and a 104-day season (May 25th to September 5th). Most of the comments made by anglers to the Council centered around two major issues and they were: (1) This season is very short and the party/charter boats will sit at their docks while they could be out fishing until the end of September like last year. There are bills to be paid like insurance, dock fees, boat maintenance, etc., and how can these bills be paid while the boats are not operating and bringing in revenue? (2) After September 5th, what can we fish for since the black sea bass season does not open up until October 22nd. Only bluefish will be around and that is not what most customers want. Stripers come in late September/early October. After these and other comments were submitted, this new regulation was unanimously passed by the Council with no abstentions.

What necessitated and drove quick Council approval is that the fluke season needs to be opened before Memorial Day (May 29th) and it is already May 17th! There is no time to dicker and go back to NOAA to challenge this new and onerous regulation or otherwise there would be no fluke season in place before Memorial Day or even some time after that! Not an acceptable option!.

At a JCAA May 11th Board meeting, the JCAA Board (after reviewing the new regulation) voted for No Compromise/Status Quo and that we should have the 2016 regulations in place for our 2017 season. However, the JCAA Board does not have the authority to set policy and the board has to bring this type of issue and others like it to the General Membership meetings for JCAA members to vote on and approve. Upon receiving this approval, the issue at

hand becomes the official JCAA position of the JCAA. Since our General Membership meeting is on May 30th, we could not get JCAA's membership approval for the No Compromise/Status Quo position in time for this May 17th meeting in Avalon.

So that the JCAA could provide comments from our membership to the Council at this meeting, I sent out a survey on May 15th (prepared by Paul Haertel) to ask our member clubs to weigh in on their club's preference on this issue. Basically, the survey asked clubs if they wanted our state to go out of compliance/status quo, or if they wanted to approve the regulations presented by NMFS. Approximately 15 clubs replied in such a short time frame, and all of them replied "Go Out of Compliance and stay at Status Quo." Supplied with this information, I testified to the Council that not one of our member clubs voted in favor of the new regulations! In many ways, I knew my testimony was moot since the Council obviously had their minds already made up on how they would vote on this issue. But I think they needed to know what many anglers/clubs were thinking. I believe that they were very surprised to learn of the overwhelming negative reaction by many anglers to the new fluke regulations that the Council was just about to vote on. I gave the list of JCAA clubs that voted this way to the Council for their reference.

What are the positives that we gained from this? (1) Our state for the very first time came to our defense when a 19-inch fish was proposed by NOAA. Hopefully, it won't be the last time since we have a battle to fight over sea bass reductions from 15 to 5 fish in the late 2017 fall season. (2) we have an 18-inch fish instead of a 19-inch fish to catch resulting in less fish mortality. (3) As part of the NJ DEP agreement with NOAA, New Jersey will have "Conservation Equivalency" in place which means that we will not be lumped in together with NY and Conn. that overfished and resulted in our quota reduction and our facing a 19-inch fish. While our State DEP and our legislators who supported us in this effort did not produce the results that we wanted, we have to THANK them for going to bat for us.

What are the negatives? (1) After the 9/5/17 fluke closure, our party/charter/private boats will sit at their docks and cannot go for fluke. A number of boats/tackle shops will go out of business. (2) Anglers who normally obey the regulations will become "pirates" and take illegal fish. (3) Less boats

will be sold and will hurt the boating industry. (4) More anglers will become disgusted and give up fishing (I heard a number of them tell me this at fishing trade shows I attended in the winter months). There are a lot more negatives than positives to this story.

Every year, there always seem to be some drama on fluke, but I think this year's drama tops them all! The main driver of this misery is the bad data used by NOAA's staff to come up with these bad quotas that is slowly killing our fishing and this has to change! Let's see what happens in 2018 and certainly hope that it has a better outcome than we just experienced! As always, The JCAA will always be fighting these crazy and destructive quotas for all of us! Here are New Jersey's 2017 regulations that are in place right now:

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

## **Win Big in the Fisherman Magazine's 2017 Dream Boat Challenge**

*By Jim Hutchinson, Jr.*

By subscribing to The Fisherman Magazine, you are automatically eligible to enter our annual Dream Boat Challenge; there is no additional entry fee to shell out, no extra hoops to jump through, nothing. Aside from catching some fish but odds are that you were going to be doing that anyway!

The Dream Boat Challenge has become quite the tradition for rabid fresh and saltwater anglers from Maine to the Mid-Atlantic each year. It draws upon a pool of everyday, non-professional anglers just like you from the Northeast coast with one individual ultimately crowned the champion.

The premise is simple: accumulate the most total points by catching the heaviest fish across a field of eight eligible species (weakfish, porgy, fluke, yellowfin tuna, mahi, bluefish, black sea bass and tautog) and win yourself the incredible Steiger Craft

21 DV Boat powered by a Yamaha 200HP outboard motor, and many other great prizes. Contestants may submit as many entries in excess of the minimum weight as they wish.

However, only the heaviest one entry per species category will be entered and tallied for points this season. This means that you can enter a heavier fish in a given species and move up the leader board, but you cannot hold multiple spots within any single species.

Points are awarded to each of the top 10 entries with the heaviest fish in each species: 10 points goes to the heaviest fish in each of eight categories, nine for second, all the way to a single point for the 10th heaviest fish in that division. The key to winning the Grand Prize in 2017 is not only to land the heaviest fish, but to do so across as many of the eligible species as possible. It is going to take a well-rounded and talented angler to take home the Grand Prize in 2017!

Whether you accumulate the most points, catch the largest of species or win the fish of the month, we have a slew of outstanding prizes to be won in 2017. This year's Grand Prize for the angler who accumulates the most points is a new Steiger Craft 21 DV Miami boat with Yamaha 200 HP Outboard Motor; a Furuno GPS Plotter/Sounder Model GP1670F, an Engel EN80 Cooler; and a fish mount from Global Fish Mounts of one the fish entered.

The angler with the second-most total points wins a three-night stay for the winner and one guest at the Zancudo Lodge in beautiful Costa Rica. The prize consists of one standard double-occupancy accommodation, standard meals and fishing. Air transportation, fishing license, fees, taxes, phone calls, and any other incidental expenses are not included and are the winner's responsibility.

The third prize winner will receive one Okuma M-400 Metaloid machined aluminum reel and a matching St. Croix Mojo MIC70MHF casting rod. Rounding out the top spots, the fourth prize winner will receive one pair of Costa Del Mar sunglasses.

Once again we are also awarding prizes for the heaviest fish entered in each of the eight eligible species. This year's "Largest of Species" winners will each receive an Okuma M-400 Metaloid machined aluminum reel paired up with a St. Croix Mojo MIC70MHF casting rod; a fish mount from Global Fish Mounts of the fish entered; and a 1-year

membership to Fishtrack.com and Bouyweather.com.

Each of the 80 finalists on the leader board at the conclusion of the challenge in November will also be rewarded a special prize package provided by our sponsors including Rapala, Owner, Williamson and Storm. Finalists receive two items depending on which species category they're in.

And last but most certainly not least, we also have the king salmon prize. At the conclusion of this year's contest, the subscriber who enters the heaviest king salmon will win a Sea Eagle® 385fta Angler Deluxe Solo Package. Remember that king salmon entries yield no points toward the Dream Boat. The minimum weight requirement for entry is 20 pounds, fish must be caught on Lake Ontario and weighed at an official weigh station (weigh station locations around Lake Ontario are limited.)

First and foremost, you must be a subscriber to The Fisherman Magazine to be eligible for the Dream Boat Challenge. From there, after you catch an eligible fish, there are several simple steps that must be adhered to or else your entry will be disqualified. You must follow all of the requirements and include all applicable information for your submission to be rendered valid.

Enter the fish at an official weigh station (a complete list is available at [www.TheFisherman.com](http://www.TheFisherman.com)) and do so as soon as possible. Entries must be received within 10 days of weigh-in the catch and the submission is 100% complete and accurate.

Take a photo of your catch—preferably as soon as it is landed and fresh out of the water—and be sure to include the photo with your submission. A photo of the catch at the dock or tackle shop is also sufficient, but keep in mind that we may use your photo in print either in the reports section or on the cover of the magazine, as well as in our weekly fishing forecast videos, so submitting a high resolution quality photo is strongly encouraged.

All images are also posted at [www.TheFisherman.com](http://www.TheFisherman.com) as part of the current standings. Entries may be submitted via email at [dreamboat@thefisherman.com](mailto:dreamboat@thefisherman.com) or mail to: Dream Boat Fishing Challenge, 14 Ramsey Rd, Shirley, NY 11967.

For a look at the complete rules, prizes, eligibility requirements and more for the 2017 Dream Boat Challenge, visit [www.thefisherman.com](http://www.thefisherman.com) or pick up the May edition in your favorite tackle shop or newsstand!

Catch 'em up New Jersey!

# Youth Education Report

By Greg Kucharewski

## KEEP KIDS FISHING

This month we featured two photos of member clubs (HRFA and NJBBA) in JCAA that promote youth fishing.



*Hudson River Fishermen's Association promoted fishing with the Boy Scouts at Hooked on the Hudson.*



**Toms River South Fighting Indians fishing team at the Hudson River Tournament held on 11/12/16**

*Every week, Paul Harris and John Walters of NJBBA work w/ the Toms River South H.S. fishing team in the classroom.*

## 2017 NJ HOFNOD YOUTH FISHING CHALLENGE

The Hooked on Fishing-Not on Drugs Program's Youth Fishing Challenge is a statewide event to promote fishing among youths and their

families. The Youth Fishing Challenge will be held on the first of the state's two Free Fishing Days, Saturday, June 10, when no license is required to fish regardless of age.

Registered youth participants will be eligible to receive prizes for the fish they catch during the event. Youths must be present at the conclusion of the event to be awarded prizes. Those who are lucky enough to catch a trout tagged as part of the "Hook-A-Winner" Program will receive a special prize following the event.

If you are working with a NJ HOFNOD youth fishing group get ready for Saturday, June 10th NJ Youth Fishing Challenge. The object is to get youngsters fishing so please consider how you might like to get kids hooked on fishing. If you would like to volunteer time with a NJ HOFNOD group to support the NJ Youth Fishing Challenge Day, contact Liz Jackson for details, NJ DEP Division of Fish & Wildlife, Hooked on Fishing-Not on Drugs, 605 Pequest Road, Oxford, NJ 07683, 908-637-4125 x122, or [website](#).

## NATIONAL FISHING & BOATING WEEK JUNE 3 – 11, 2017

NF&BW Free Fishing Days in New Jersey are June and October, 2017. The first FREE day in NJ is on June 10, 2017. This day is part of the National Fishing and Boating Week which highlights the importance of recreational boating and fishing to enhance peoples' quality of life and to preserve our country's natural beauty. The second Free Fishing Day will occur after fall trout stocking, October 21, 2017 and it brings attention to this great fishing opportunity.

During the two Free fishing days, residents and non-residents may fish New Jersey's public fresh waters without a license or trout stamp. All other regulations, including size and daily catch limits, remain in effect.

Residents and non-residents may fish the public waters of New Jersey without a license or trout Stamp. All other regulations apply. For those anglers just starting out, the Division of Fish and Wildlife offers many programs and classes to advance from beginner to expert. The Pequest State Trout Hatchery in Oxford, Warren County offers free fishing programs. Pequest offers a Natural Resource Education Center with a variety of exhibits and displays on wildlife, a butterfly garden, picnic areas

and hiking trails. There is also a handicapped-accessible fishing site along the Pequest River. Last year the JCAA Youth Education Committee coordinated fishing and aquatic education programs for the week-long celebration of National Fishing Week. Please contact the JCAA Youth Education Committee and let us know how many National Fishing Week participants supported your program and we will add it to our JCAA report.

### **BEACH ACCESS FOR VETERANS**

During January 2017, Governor Chris Christie signed a bill into law allowing free beach access for active-duty military and veterans.

Please be aware that all seashore communities do not offer free beach access for active-duty military and veterans. The law that Governor Christie signed allows military personnel, veterans, their spouses and dependent children over the age of 12 to use their military identification, form DD-214 or similar document, or a state driver's license or identification card indicating that the holder is a veteran of the U.S. Armed Forces for beach access instead of having to pay for a beach badge.

Each seashore municipality has their own rule of how to allow access. The law allows towns discretion in whether or not to offer free access to veterans, to active duty military, or not at all. The law is at the discretion of individual municipalities, and applies to active members of the New Jersey National Guard who have completed initial active duty training as well as anyone 65 years of age or older or anyone who is disabled.

We suggest you research and contact towns where you would like to enjoy free time on the beach with your family before paying fees for parking. A few phone calls can save you time and money.

Veterans interested in learning about fishing and relaxing in the outdoors can attend free monthly Play HOOK-e from PTSD fishing workshops. For more information about the schedule, please contact Greg Kucharewski at 732-785-9278 or email [gkucharews@jcaa.org](mailto:gkucharews@jcaa.org).

### **FREE FAMILY FISHING DERBY**

Father Time Spring family fishing derby and beach event will be held Saturday, June 3, 2017 on the beach at the end of Main St., Keansburg, NJ. Registration starts at 9:30 am, fishing begins at 10:00 am until 12:30 pm. All student aged anglers are welcome to attend. Anglers over 16 are encouraged to register before fishing at [saltwaterregistry.nj.gov](http://saltwaterregistry.nj.gov).

This free derby has it all crafts, prizes trophies, sand castles, food, and family fun. Moms are also encouraged to attend. For more information please phone Jeff Johnson – 732-787-2007 X-6339 or Bob Stone at 732-546-7573.

### **HOFNOD OLYMPICS**

Mike and Debbie Bennett are environmental and boating safety educators for Boating Education and Rescue (BEAR.) Mike and Debbie are NJ State Certified Instructors, Certified Master Naturalist and NJ HOFNOD Certified Instructors and are a 501 (c) 3 organization. They will hold the HOFNOD Olympics at Ocean County Park on June 24 and 25<sup>th</sup>. For more information click the following [link](#).

## **JCAA 23<sup>RD</sup> ANNUAL FLUKE TOURNAMENT AUGUST 5<sup>TH</sup>, 2017**

## **AWARDS PRESENTATIONS AUGUST 10<sup>TH</sup>, 2017**