

February 6, 2024
Council Meeting

After introductions by the Councilors present, Mr. Frisk went over the agenda. Martin Gary the new Division Director was also present and reiterated his past roles as well as his open door policy for those constituents wishing to engage with him.

PUBLIC COMMENT

Robert Danielson

John Davi

Melissa Dearborn

Vincent Finalborgo

Thomas Jordan

Henry Lackner

Joseph Paradiso

Christopher Squeri

Charles Witek

Steven Witthuhn

Mark DeJung asked about opening up what is essentially a by catch fishery for winter flounder, he believes New York is the only state on the coast that has a closed season. Can this be put as an agenda item for a future meeting so we can discuss this? Councilor Paradiso agreed and would also like this as a future agenda item.

John Schoenig wanted to speak about the acoustics in the building, particularly the conference room where the public meetings take place. He is unable to attend every meeting in person and will then phone in. He said, it really is ridiculous because the sound system doesn't pick up all the voices in the room. He misses half of the meeting because you cannot hear what people are saying. How can the State build a completely new "state-of-the-art" building and not have a proper sound system for the conference room? Twenty-five years ago he had a better sound system where he worked, speakers were mounted on the walls, in each of the corners. You could hear a pin drop and that was without any feedback; how could a brand-new building lack something as important as a proper sound system for public meetings? This needs to be addressed and corrected ASAP. That's not even mentioning the way the table speakers today are wired – there are wires running all over the place and each time you want to speak, you need to push the button. Something needs to be done.

Alan Robke, recreational fisherman – believes there should be one fishing license for NY state, what difference does it make whether it's for freshwater or saltwater? If you have one father, upstate, taking his kids to catch Sunnies and you have another father taking his kids to catch snappers off the dock – how do you justify the difference they pay for a license? You pay more because there's salt in the water? One price for everyone, that's what he thinks it should be.

Michael Frisk
Chairman

Kim Knoll
Staff Assistant

James Schneider wanted to compliment Rachel Sysak on the excellent job she did at the last meeting. She said something that is rarely heard in fisheries management – she told the truth when faced with the question of why Connecticut and Long Island will be lumped

together for this fluke and porgy sector – she said it was political. It was refreshing to hear the truth. He feels the DEC does not care about the information the fishers bring or the years of experience they bring, it all comes down to politics and NOT the health of any particular fishery, it is getting more and more frustrating.

Luke Deanna, a Stony Brook University student who is a marine science major with a focus on conservation agrees with Mr. Schneider. Management of all the fisheries is much too political.

Stu Patterson was part of the coalition regarding what Mr. Robke called the saltwater license. He believes there needs to be the distinction – it's a *marine registry*. For fresh water, you buy a license and the state is involved in the revenue. The money is used for restocking efforts, they restock game fish species, they manage the slips, the docks, etc. As far as salt water, there are no restocking efforts, Mother Nature and our creators take care of that. It's our God given right to go out and fish and run a business. As a master 100-ton captain, he wanted to share how much his business affects other businesses. One example is he has a customer coming from out of town who booked his charter for her father's 60 birthday. Since they are from out of town, he has helped them with hotel arrangements, she and her family will be eating at local food establishments, they will most likely be making purchases at local shops and don't forget they will be needed to gas up their cars before returning to their out of town homes. That's not even including the deck hands he employs to help run the charter. Small businesses run this country and the DEC needs to keep that in mind when making decisions.

One other comment he would like to make is that he can't believe we would have a female directed summer flounder fishery – we will be killing the breeding stock of the summer flounder fishery. He just can't believe it. Keep common sense in the fisheries.

John German, commercial lobsterman for more than 50 years said it's not the fish that get managed, just the fisherman.

Councilor Witthuhn had a question regarding fines and what is the outcome when someone receives a large fine. One example would be a fisherman who received a fine of \$6,450 + court costs – where does that money go? Another example was a fisher who was caught in Jamaica Bay with 365 illegal snappers. He isn't sure of the fine imposed but wondered if the money collected from all fines go to the same place. ECL Officer, Lieutenant Sean Reilly answered that fine money that's collected under the settlement for a fish and wildlife offense, the money reverts to the Conservation Fund and its use will be determined by the Conservation Fund Advisory Board. Fees collected for other offenses would revert to the General Fund.

Chairman Frisk said this would be a good agenda topic for the future, *infractions of laws*, it's just too much information to be talked about in the Public Comment section.

Approval of Minutes – January 9, 2024

Due to a lack of a quorum for today's meeting, the approval of Minutes will be tabled until March's meeting.

Councilor Witthuhn did want to make two notations:

On page 1 of the Minutes – under public comments in the first paragraph, they are referring to "winter" flounder.

In the third paragraph the comment refers to commercial striped bass of the western sound.

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**Recreational -**

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## Striped Bass Addendum II Decision Points

1. Ocean Recreational Fishery Option
  - Includes consideration of mode split
2. Chesapeake Bay Recreational Fishery Option
3. Other Recreational Considerations:
  - For-hire measures apply to patrons only or Capt & Crew too
  - Fillet allowances
4. Commercial Quota Changes
5. Stock Assessment Response
  - Status Quo (addendum process) vs. Board Action
6. Thoughts on Hudson River Recreational Measures



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## Striped Bass Addendum II Decision Points

1. Ocean Recreational Fishery Option

**28" to 31" slot; 1- fish bag limit; 2022 seasons**

(no mode splits; achieves a projected 14.1% reduction)



22

## Striped Bass Addendum II Decision Points

2. Chesapeake Bay Recreational Fishery Option

**19" to 24" slot limit; 1-fish bag limit; 2022 seasons**

(no mode split, consistent across all Ches Bay jurisdictions, achieves a projected 15.9% reduction )



## Striped Bass Addendum II Decision Points

### 3. Other Recreational Considerations:

- ~~For-hire measures apply to patrons only or Capt & Crew too~~
- Fillet allowances

**Racks retained and possession limited to no more than two fillets per legal fish**

**The skin-on provision was removed**



## Striped Bass Addendum II Decision Points

### 4. Commercial Quota Changes

**7% reduction from 2022 quotas in ocean and Chesapeake Bay**



## Striped Bass Addendum II Decision Points

### 5. 2024 Stock Assessment Response

**Board can respond via Board Action if stock is not projected to rebuild by 2029**





## Striped Bass Addendum II Decision Points

### 5. 2024 Stock Assessment Response

**Board can respond via Board Action if stock is not projected to rebuild by 2029**



## Striped Bass Addendum II Implementation Timeline

- Submit implementation plans by March 1, 2024
- Special Board meeting late March 2024 for approval of implementation plans
- All measure must be implemented by **May 1, 2024**



Councilor Witthuhn said he felt the decision was made based on emotions rather than science. The argument was that they received 3,000 letters all for saving the striped bass – it's the Holy Grail of the industry. And when science says we can fish for it, but we're told we can't – he doesn't understand that. At the end of the meeting, New Jersey threw in some kind of conservation equivalency because they're going to use their commercial quota where we said, we weren't going to transfer commercial quota. All of a sudden New Jersey uses their commercial quota and instead of getting 14%, they took the 7% reduction with the commercial and now they get an extra fish.

## Commercial Fishery, 2023

|                        |          |
|------------------------|----------|
| quota (lbs)            | 640,718  |
| # tags issued          | 61,776   |
| # tags used            | 52,258   |
| lbs landed             | ~614,000 |
| % quota used           | 96%      |
| # tags returned        | 5,328    |
| # tags unaccounted for | 4,550    |



## Commercial Tag Allotments, 2024

2023 allotments: 195 full; 32 part

| Percent Reduction<br>(from 2022<br>quota 640,718<br>lbs) | Quota<br>(lbs) | Full<br>Share<br>(# tags) | Part<br>Share (#<br>tags) |
|----------------------------------------------------------|----------------|---------------------------|---------------------------|
| 7%                                                       | 595,868        | 184                       | 30                        |

- based on 401 permit holders (316 full; 85 part) and 8% unused tags from 2022/2023 fishery
- 10.56 lbs per fish (26-38") 2023 (market sampling data)



Councilor Witthuhn doesn't see itemization between hook and line and gillnetting. Was that calculated? Ms. Craig said she has that information but it hasn't broken it down yet, she will have it for the next meeting, they are just waiting for several pieces of information.

Councilor Jordan asked does the 4% unused, has that been pretty consistent for the last several years? Ms. Craig said it has, there's been about an 8% return, very consistent.

Mr. Jordan continued by saying if we're reducing the poundage by ~44,000 lbs. but on an average year, we undercatch by about 35 – 40,000 lbs. – what would be the risk of repayment if you left everything as status quo because the reduction is almost the same as what we've "under"caught for so long if history keeps repeating itself. What's the chance that we may have to repay 5,000 lbs. the following year? He believes that anyone in the fishery would be willing to be take that gamble and he thinks it's the safest bet there ever has been. This fishery has been punished for years. Let's roll the dice one time.

Ms. Craig added that there really is already a buffer built in, assuming some are actually going to be returned.



He understands why Councilor Witthuhn is upset and he knows he'll hear comments opposing what he said from people that believe, "We all need to stick together to have a rebuilding plan" but if you look at the ECL and the guidelines of the MRAC, they do not use the word equal – they use the word equitable. There is a giant difference between those two words and not everything needs to be equal.

Mr. Gary said this is something that they did in the Chesapeake where they had latent effort and had unused quota; they knew very predictably how much it was and they used very conservative measures. For instance, where he came from, they had about 80,000 lbs. a year in one sector (the hook and line sector) that never got used. They used a very conservative principle to apply half of that and redistribute it to the gears that were fishing. He defers to Mr. Maniscalco and Ms. Craig if that could even be a possibility here. Mr. Maniscalco said he isn't opposed to trying to find more tags because he doesn't believe it will be a huge increase in numbers, it just needs to be justifiable when it's posed to the Technical Committee. They will try to stipulate to them that we intend to meet but not exceed our quota. They might be able to find some wiggle room in the 5,000 tags that are returned

Mr. Schneider thinks the DEC needs to consider that when a fisherman is down to 10% of his tags, they will stop fishing. It's not worth it to go out and fish so that is where the 10% will go.

John German is very unhappy with this. It is a 100% recreational fishery dilemma that is being foisted upon the commercial sector. This has happened before, the recreational sector has no limit for how much they catch or how long they catch and when the numbers go over – you look to the commercial sector for a fix. Why does the commercial sector have to pay for the recreational problems every time? It really doesn't help that the Council is down several commercial Councilors so when a vote takes places, of course, it will be swayed more toward recreational thinking. He wonders if conservation equivalency in going from a 26" fish to a 28" fish could come into play. He thinks fishers would rather go to 28" and keep their tags. About 25 years ago, the commercial sector did go over and they had to pay it back the following year. Why isn't the same rule being applied now. Stop punishing the commercial sector for the recreational sectors overage.

Paul Ripperca said this has never been about the science – It's always been based upon mathematical equations. He also wanted to make note that New Jersey does not have a commercial Striped Bass fishery and that is why they are capable of making a transfer. Decades ago, New Jersey declared Striped Bass a sportfish so there is no commercial fishery. NJ does not have a commercial striped bass fishery so even though they are allocated, they can get transferred.

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Summer Flounder -

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## Recreational Summer Flounder 2024 - 2025

**28% Reduction required**

ASMFC meets on February 14, 1-330PM

| Column 1<br>Future RHL vs<br>Estimated Harvest                                                                                                        | Column 2<br>Biomass compared to<br>target level (SSB <sub>SSB<sub>MSY</sub></sub> ) | Column 3<br>Change in Harvest                                                                                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| Future 2-year<br>average RHL is<br>greater than the<br>upper bound of the<br>harvest estimate CI<br>(harvest expected to<br>be lower than the<br>RHL) | <b>Very high</b><br>(greater than 150% of target)                                   | Liberalization percent equal to difference<br>between harvest estimate and 2-year avg. RHL,<br>not to exceed 40% |
|                                                                                                                                                       | <b>High</b><br>(at least the target level, but<br>no higher than 150% of<br>target) | Liberalization percent equal to difference<br>between harvest estimate and 2-year avg. RHL,<br>not to exceed 30% |
|                                                                                                                                                       | <b>Low</b><br>(below the target stock size)                                         | Liberalization: 10%                                                                                              |
| Future 2-year<br>average RHL is<br>within harvest<br>estimate CI (harvest<br>expected to be close<br>to the RHL)                                      | <b>Very high</b><br>(greater than 150% of target)                                   | Liberalization: 10%                                                                                              |
|                                                                                                                                                       | <b>High</b><br>(at least the target level, but<br>no higher than 150% of<br>target) | No liberalization or reduction: 0%                                                                               |
|                                                                                                                                                       | <b>Low</b><br>(below the target stock size)                                         | Reduction: 10%                                                                                                   |
| Future 2-year<br>average RHL is less<br>than the lower bound<br>of the harvest<br>estimate CI<br>(harvest is expected<br>to exceed the RHL)           | <b>Very high</b><br>(greater than 150% of target)                                   | Reduction: 10%                                                                                                   |
|                                                                                                                                                       | <b>High</b><br>(at least the target level, but<br>no higher than 150% of<br>target) | Reduction percent equal to difference between<br>harvest estimate and 2-year avg. RHL, not to<br>exceed 30%      |
|                                                                                                                                                       | <b>Low</b><br>(below the target stock size)                                         | Reduction percent equal to difference between<br>harvest estimate and 2-year avg. RHL, not to<br>exceed 40%      |

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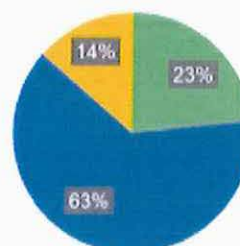
## Summer Flounder Survey Results

A total of 903 people  
responded to the DEC survey.

- 48 For Hire Businesses
- 842 Anglers
- 13 Unknown

In State: 853 Out of State: 21

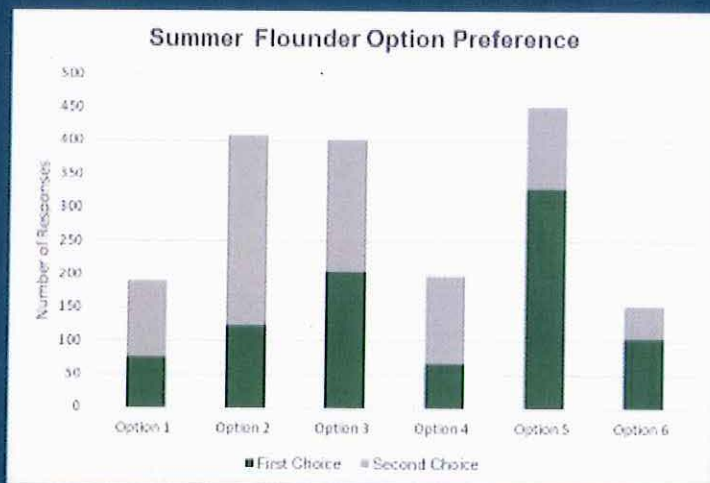
Angler Breakdown



■ Party/Charter Boat ■ Private Boat ■ From Shore



## Summer Flounder Survey Results Cont.



Option 5  
4 fish at 19.5in, Apr - Oct  
was the preferred option  
across all sectors

## Summer Flounder Public Meeting

24 Attendees, predominantly from the party/charter industry, unanimously voted for option 5

### Public comment:

Seasons for many recreationally targetted fish have continued to shrink putting further economic strain on for-hire, bait, and recreational fishing associated businesses. Having a longer season outweighs the hardship of a size increase.

Several comments also indicated concern over biological strain of a female only fishery at that size, and possibility of increased discard mortality.





## Summer Flounder Options

### Option 2:

3 fish at 19in  
May 5 - Sep 14 (132 days)  
28% reduction

### Option 3:

3 fish at 19in  
May 17 - Sep 20 (126 days)  
28% reduction

### Option 5:

4 fish at 19.5in  
Apr 1 - Oct 31 (213 days)  
37% reduction

- New York is in a region with Connecticut and is required by the ASMFC fishery management plan to adopt consistent recreational fluke regulations.
- These 3 options received the most public support in DEC's online survey.
- Options will be up for approval during the February 14<sup>th</sup> ASMFC Board webinar.
- DEC would like MRAC recommendations on their top 2 for discussions with CT.
- Reminder 2023 Regulations:
  - 4 fish @ 18.5" May 1-Oct 9



Mr. Witthuhn doesn't think enough time was allotted in order to get the proper amount of feedback. Mr. Maniscalco said they are restricted to a timeline in order to get the regulations in place. He would go with Option 5.

Mr. Maniscalco said even though Option 5 was preferred, New York still has to work together with Connecticut so, they cannot guarantee that we will get Option 5 and that is why they are asking what other Option does the Council lean toward.

Mr. Jordan asked if the DEC has an idea about what Connecticut prefers. Mr. Maniscalco said he has heard that CT is not in favor of 19.5" because they feel that size fish is hard to find. Councilor Paradiso wouldn't oppose Option 5 but wants folks to know that we would be taking a bigger reduction without getting anything back. If we go with a 19.5" fish now we are going to worry about discard mortality, which will go through the roof. Where do you go after a 19.5" should the next stock assessment come back bad? We also have worry about effort and if you extend the season by almost two months, he guarantees MRIP extrapolates effort way through the roof. It will affect the next management plan – BIG time.

Councilor Dearborn who did attend the public hearing wanted to reiterate her comment at how disappointed she was that the bait and tackle trade were not represented as part of the survey process especially when the party and charter boat sector were. She did reach out to her sector and they were almost unanimously in favor of Option 5. If we did have a quorum today that's what she would vote for. If that didn't work, Option 2 would be her second choice. She would **never** go with Option 3, it would be devastating to the recreational industry and believes party and charter would suffer as well.

Ms. Dearborn did speak to a shop owner from Connecticut who is involved with ASMFC and on one of the AP Boards. He told her that they did have a meeting and that his state was leaning a little bit more toward size vs. the season. He didn't know of any survey which we were led to believe was taking place. She wanted to add that she appreciates that the DEC has gotten information to the Council in advance which is something the Council has been asking for, for a number of years. This afforded the Council to make recommendations regarding Options rather than just being asked to vote on what has been presented. She hopes this continues in the future. Mr. Maniscalco wanted Ms. Dearborn to know that they were led to believe that Connecticut was going to be partaking in a survey but have come to learn that they will be having public meetings, which have yet to be scheduled for public opinion. Ms. Dearborn said she will be happy to spread the meeting information when he receives it.



Mr. Gary said in the southern regional, where he came from, their Options look similar to this. They have an Option for ½" increase that would get them a longer season and, in their case, it's an entire year-long season. At their hearing, they listed that as non-preferred, highlighting it in red. The reasoning is because the availability of fish at that extra half inch size, would be minimal.

Mr. Jordan questioned if the Chesapeake Bay area has a directed for-hire fluke fishery or is the majority of the fishing, recreational? Mr. Gary said the amount of Summer Flounder has dropped dramatically because of the shifts in distribution that we were all familiar with, the range shifts, and it's mostly inspected vessels that take a dozen people out. Mr. Jordan said it's been his experience with boats down South that a lot of them are non-directed – it's fishing – period.

Reed Reimer recreation fisherman, for Option 5 are you including a mortality rate? Ms. Sysak is currently serving on jury duty and would have the exact answer but Mr. Maniscalco believes the angular hook and release mortality used for the assessment is 10%.

Paul Ripper wondered why one of the Options wasn't for May 1<sup>st</sup> to September 30<sup>th</sup>, it would give an even greater reduction? Mr. Maniscalco said because it would give MORE than a 37% reduction and why would we do that. We don't want to give away everything.

Ms. Dearborn referred to Option 2 and wanted to know what the season would look like if it opened on a Friday or Saturday rather than the middle of the week. Can we back this up through May 4<sup>th</sup> (Saturday)?

Mr. Maniscalco doesn't think they could recalculate the value on various dates at this point in time. If the Council wanted to consider May 1st through October 31st, which is more restrictive than proposed, *and* if Connecticut was on board, he would expect that ASMFC wouldn't have an issue with that.

Mr. Quarisomo needs days at sea. The majority of fluke fishing in the Long Island Sound takes place on our side of the pond, does what Connecticut want even matter on this? They get to fish for Seabass well before we can, so let Connecticut deal with us on this.

Mr. Schneider doesn't believe that CT will ever go for 19.5" fish, they will not go for Option 5. He also thinks that instead of looking for the mysterious 19.5" fluke, people out of state will not be spending money to come to New York to fish. He has been in conversation with people from Connecticut and doesn't think New York should even consider Option 5, just move along to the next Option.

Mr. Paradiso would like to poll the Council to see which way the Council is going, even though they can't vote.

Mr. Witek personally doesn't have a strong feeling about any of them, however, we need to remember that by going from 19" to 19.5" means that people will be catching so many fewer fish of that size that it gives you 81 more days at sea. How happy will folks be about the difficulty of catching the legal sized fish.

Mr. Paradiso would vote for Option 5 if that's what everyone wants, however, he would fall back to Option 2 as the second choice.

Ms. Dearborn concurs, Steve Witthuhn does as well. Councilor Jordan will go with Option 5, with nothing as the second choice. Everyone agrees – they need more days at sea. No second choice. Customers can be trained as to what to expect while fishing.

## Recreational Scup 2024 - 2025

### 10% Reduction required

ASMFC meets on February 14, 1-330PM

| Column 1<br>Future RHEL vs<br>Estimated Harvest                                                                                                   | Column 2<br>Biomass compared to target<br>level (SSB/SSB <sub>target</sub> )     | Column 3<br>Change in Harvest                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| Future 2-year average<br>RHEL is greater than<br>the upper bound of the<br>harvest estimate CI<br>(harvest expected to be<br>lower than the RHEL) | <b>Very high</b><br>(greater than 110% of target)                                | <b>Liberalization</b> percent equal to difference between<br>harvest estimate and 2-year avg. RHEL, not to<br>exceed 40% |
|                                                                                                                                                   | <b>High</b><br>(at least the target level, but no<br>higher than 150% of target) | <b>Liberalization</b> percent equal to difference between<br>harvest estimate and 2-year avg. RHEL, not to<br>exceed 20% |
|                                                                                                                                                   | <b>Low</b><br>(below the target stock size)                                      | <b>Liberalization</b> 10%                                                                                                |
| Future 2-year average<br>RHEL is within harvest<br>estimate CI (harvest<br>expected to be close to<br>the RHEL)                                   | <b>Very high</b><br>(greater than 150% of target)                                | <b>Liberalization</b> 10%                                                                                                |
|                                                                                                                                                   | <b>High</b><br>(at least the target level, but no<br>higher than 150% of target) | <b>No liberalization or reduction</b> 0%                                                                                 |
|                                                                                                                                                   | <b>Low</b><br>(below the target stock size)                                      | <b>Reduction</b> 10%                                                                                                     |
| Future 2-year average<br>RHEL is less than the<br>lower bound of the<br>harvest estimate CI<br>(harvest is expected to<br>exceed the RHEL)        | <b>Very high</b><br>(greater than 110% of target)                                | <b>Reduction</b> 10%                                                                                                     |
|                                                                                                                                                   | <b>High</b><br>(at least the target level, but no<br>higher than 150% of target) | <b>Reduction</b> percent equal to difference between<br>harvest estimate and 2-year avg. RHEL, not to<br>exceed 20%      |
|                                                                                                                                                   | <b>Low</b><br>(below the target stock size)                                      | <b>Reduction</b> percent equal to difference between<br>harvest estimate and 2-year avg. RHEL, not to<br>exceed 40%      |

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## Scup Survey Results

A total of 903  
people responded to the survey

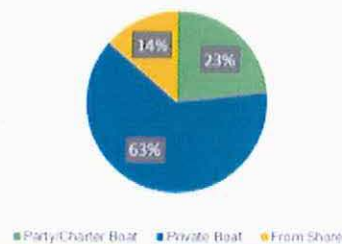
48 For Hire Businesses

842 Anglers

13 Unknown

In State: 853 Out of State: 21

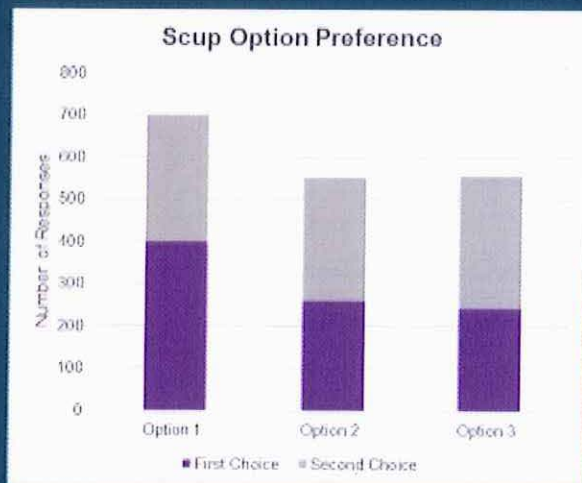
Angler Breakdown



Department of  
Environmental  
Conservation



## Scup Survey Results Cont.



### Option 1

11in all modes but shore was the preferred option across all sectors

## Scup Public Meeting

22 Attendees, predominantly from the party/charter industry, unanimously voted for option 1

### Public comment:

The options with lower possession limits could result in extreme hardship for the for-hire industry since customers for this species largely engage in subsistence fishing.

Comment was also made about lower shore mode size limits putting the for-hire industry at a disadvantage.



## Scup Options

### Option 1:

Raises the minimum size for every mode but shore by  $\frac{1}{2}$  inch

### Option 2:

Lowers the possession limits (9/20)

### Option 3:

Lowers the possession limits (20/40), raises the minimum size for all by  $\frac{1}{2}$  inch, opens April

- New York is in a region with CT, RI and MA and is required by the ASMFC fishery management plan to adopt consistent recreational scup regulations.
- Options will be up for approval during the February 14<sup>th</sup> ASMFC Board webinar.
- DEC would like MRAC recommendations on their top 2 for discussions with the other regional states.
- Reminder 2023 Regulations:
  - Vessel based anglers 30 fish @ 10.5" May-Dec
  - Shore based anglers 30 fish @ 9.5" May-Dec
  - \*\*For-hire anglers 40 fish @ 10.5" Sep-Oct



Councilor Dearborn said as a representative for bait and tackle shops, she stated that there was overwhelming support for Option 1 and there is some support for Option 3, which could be considered an alternative. Option 2 shouldn't even be considered, the bag limits are way too small. They would also want to see a bit more viable chance for shore bound anglers keeping that 9  $\frac{1}{2}$ " fish. The bag is still an important factor over the length of season in Option 3; we still need to maintain a decent bag limit because of the demographics involved in this fishery. In speaking with shop owners from Connecticut that were in attendance at the meeting, Option 1 was also standing out for them as well.

Mr. Paradiso has heard that most of the for-hire fishers do not want to go lower than a 30 fish bag limit and the  $\frac{1}{2}$ " decrease in size for the shore angler seems to be very popular. He would vote for Option 1 and does not have a second choice. Option 2 shouldn't even be considered.

Councilor Witek said rather than saying which would be his second choice he would just say what he would not like to see and that is Option 2.

Councilor Witthuhn would go with Option 1 and he agrees – definitely NOT Option 2.

Mark DeJung– Option 1 is the only one. Option 2 is completely off the table. Where do we go from here. Where do we go from 11" on a Porgy? Mr. Maniscalco said we had a stock assessment, that's what made a difference, we're on an assessment cycle.

Paul Ripperca said Option 1 is the only Option. Scup fishing is generally low income and non-Caucasian fishery and those folks are looking for the biggest bang for their buck. They do not have the money to take a party boat

Mr. Schneider is also for Option 1. The mission of the DEC is to expand recreational opportunity and a great way to do it is to keep the longest season open for people and families to catch a nice bunch of fish and join their families for dinner. This also helps the tackle shops keep going.



## Current Rulemakings

### Part 38, Reporting

- Notice of Proposed Rulemaking
- Purpose:
  - Clarifies and consolidates in one place the reporting requirements (new Part 38)
  - Requires party and charter boat license holders to submit VTRs online (SAFIS eTRIPS) within 48 hours of trip ending, starting January 2025
  - Requires federal lobster trap permit holders to install electronic tracking devices on federally-permitted lobster & Jonah crab vessels (LMA 6 is excluded from tracking requirements)
  - Updates DEC DMR address and other technical details in regulation



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  - Updates DEC DMR address and other technical details in regulation



Mark DeJung said electronic recording (eVTR) is much more convenient and he recommends everyone to record their catch this way.

Councilor Jordan asked where does the eVTR information get used in the management process?

Mr. Maniscalco John said right now Federal VTRs are used as part of effort estimation for the For-hire industry in MRIP. Getting all State licensed party and charter boats to use electronic reporting is one of the first steps to help eliminate double reporting. Electronic reporting enables a quick turnover in time. Effort estimation for the For-Hire industry is the goal.

Mr. Quarasimo attested that it is much easier to use etrips. That being said, if the DEC really wants good numbers, you need to give them a little time. He's been reprimanded for being 8 fish off. Give them 2 hours after a trip to see what they caught. He doesn't understand why it needs to be done before you even get to the dock.

Councilor Jordan agrees with Jamie most small boats don't even have a scale and they ask for your best guess. He agrees, give them a bit of time so they don't have to correct their paperwork. You would save them the trouble of having to make corrections, let them do it once – correctly.

Councilor Witthuhn said there is also confusion mixed in – do they report what they caught or what they keep? Simplify this.

Lt. Sean Reilly said that right now you're mandated by what is kept not what was caught. He added that there is also a bit of leeway. Keep in mind "a little bit off" and not a whole case off.

Lt. Sean Reilly – said there is always a bit of leeway. There is a difference between being a little off and being one entire case off.

#### Upcoming meetings –

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### Upcoming Meetings

#### Mid Atlantic Fishery Management Council

February 6-7, 2024. Arlington, Virginia

<https://www.mafmc.org/council-events/2024/february-council-meeting>

#### ASMFC Summer Flounder, Scup and Black Sea Bass Management Board (Recreational Scup and Summer Flounder Measures approval)

February 14, 2024 1PM-330PM (Virtual only)

#### New York ASMFC Public Hearing on American Eel draft Addendum VI (Maine glass eel quota) and VII (Coastwide commercial yellow eel quotas)

Tuesday March 5, 2024 6-8PM (Virtual only)



Department of  
Environmental  
Conservation

### 2024 Calendar Meeting Dates

~~March 12<sup>th</sup> – 2:00 p.m.~~ **CANCELLED**

April 9<sup>th</sup> – 2:00 p.m. – Legislative Review

May 7<sup>th</sup> – 2:00 p.m.

July 9<sup>th</sup> – 6:00 p.m. (tentative)

September 17<sup>th</sup> – 2:00 p.m.

November 12<sup>th</sup> – 2:00 p.m.



For further information about the Marine Resources Advisory Council, past and present bulletins, as well as any pertinent graphs, charts or data please check the Council's web page <https://you.stonybrook.edu/mrac/meetings/>

Should you wish to suggest an agenda topic, contact the Chairman, Dr. Michael Frisk, (Michael.frisk@stonybrook.edu), phone (631) 632-8656 or Staff Assistant, Kim Knoll (Kim.knoll@stonybrook.edu).