

NEW JERSEY MARINE FISHERIES COUNCIL
Stafford Township Municipal Building
Manahawkin, NJ
November 8, 2018

Council Attendees: Erling Berg
John Maxwell
Sergio Radossi
Barney Hollinger
Joseph Rizzo
Richard Herb (Acting Chairman)

Council Absentees: James Alexis
Eleanor Bochenek
Robert Rush

Division of Fish and Wildlife Attendees:

Larry Herrighty, Director of Division of Fish and Wildlife
Joe Cimino, Administrator, Marine Fisheries Administration, (MFA)
Chris Petruccelli, Lieutenant, Bureau of Law Enforcement (BLE)
Jeff Brust, Research Scientist, (MFA)
Jeff Normant, Principal Biologist, Bureau of Shellfisheries (BSF)
Heather Corbett, Principal Biologist, Bureau of Marine Fisheries, (BMF)
Brian Neilan, Assistant Biologist, BMF
Shanna Madsen, Research Scientist, MFA
Mike Celestino, Research Scientist, MFA
Lindy Barry, Senior Biologist, MFA
Greg Hinks, Principal Biologist, BMF
Stacy VanMorter, Assistant Biologist, BMF

Mr. Brust read the compliance with the Sunshine Law. Notice of the Marine Fisheries Council (Council) meeting was filed with the Secretary of State on October 9, 2018. Acting Chairman Herb began the meeting with the Pledge of Allegiance.

Minutes from September 6, 2018 meeting were approved.

Audience Conduct

Mr. Herb reminded the audience to take conversations outside or wait until the end of the meeting and to turn off all cell phones.

Acting Chairman Herb made a special announcement regarding Marine Fisheries Council members who have recently resigned after many years of dedicated service. The Council wishes

Mr. Joseph Zabrowski, Ms. Fran Puskas, and Mr. Erling Berg a happy retirement. These three Council members served a total of 58 years, collectively, with Ms. Puskas serving the Council for 25 years.

Law Enforcement

Conservation Police Officer (CPO) Lt. Petruccelli presented the Council with an update of the Law Enforcement Report for August, September and October 2018 highlights; Handout #3

Highlights include:

- CPO's investigated a complaint of a commercial fisherman who collected horseshoe crabs on an isolated stretch of Delaware Bay beach in Cumberland County. The fisherman was charged for taking horseshoe crabs during the moratorium, taking horseshoe crabs without a permit, possession of horseshoe crabs without written documentation of legal source, and harvesting horseshoe crabs from unlawful area.
- After thousands of dead menhaden washed up on the North Wildwood beaches in early September, CPO's determined a Cape May based commercial menhaden purse seine vessel was responsible. City employees worked overnight removing the dead fish, and the vessel owner agreed to pay for the clean-up. The fisherman and vessel owner were charged for releasing approximately 20,000 pounds of dead menhaden and failing to notify the Department of the release.
- CPO's identified a Delaware Bay commercial oyster vessel that was routinely landing more oysters than they were reporting to the Department for deductions to their allocation in the NJ Direct Market oyster harvest season. The vessel owner and operator were charged with failing to tag 41 bushels of oysters of the 225 bushels tagged and reported, and failing to notify Department of the total number of bushels of oysters landed.
- Detectives wrapped up an investigation involving a New York based commercial fishing vessel that was suspected of landing tautog in New Jersey without the proper permits. The owner/operator of the vessel was charged with two counts of landing tautog in NJ without proper permits, and two counts of landing tautog during the closed season. The owner was also charged with using an otter trawl with a mesh size smaller than minimum size for summer flounder.
- Detective and CPO's conducted an overnight patrol along the Manasquan River in Brielle, Monmouth County that resulted in surveillance of three fisherman suspected of harvesting large numbers of undersized striped bass. The three fishermen were found to be in possession of 46 undersized striped bass, and were issued a court mandatory summonses for possession of undersized and over the limit striped bass.
- CPO's issued summonses to a commercial lobsterman out of the Highlands, Monmouth County area. Charges included deployment of lobster gear outside the

full-access zone on the Sandy Hook Reef, deployment of seven lobster traps without a ghost panel, and failure to have a valid NJ American Lobster Permit.

- CPO's conducted a nighttime surveillance of a Wildwood-based commercial sea scallop vessel suspected of overharvesting the 600-pound scallop limit. CPO's determined the vessel landed a total of 900 pounds of scallops, which was 300 pounds over the current daily trip limit. The additional scallops were to be sold for cash through unpermitted dealers, which completely undermines the quota-based management system and drives local market prices down for legitimate transactions. The case was referred to the NMFS for Federal enforcement action.
- As typical for the month of October, District 8 CPO's conducted many hours of surveillance and inspections of recreational anglers targeting tautog along shoreline locations of south Jersey.

Legislative/Regulatory Report

Mr. Brust brought Council's attention to Handouts #4, #5, and #6 for their review.

- Handout #4, A4596, Companion bill is S3132, A4596 creates hunting and fishing guide license.
- Handout #5, A4136, concerning certain commercial fishing possession limits. Allow vessels to land the NJ summer flounder and black sea bass possession limit while in possession of another state's fluke and/or black sea bass possession limit.
 - Mr. Cimino commented this would help those fisheries that have high discards. Will improve fishery efficiency while minimizing discards.
- Handout #6, a Press Release where a federal judge in New Orleans ruled that NMFS does not have the authority to regulate offshore aquaculture.
- Mr. Brust also commented that unless HR200 passes the Senate before January 2019, the bill will have to be reintroduced in the new session. HR200 revises and reauthorizes the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

Atlantic States Marine Fisheries Commission (ASMFC) Report

- Mr. Cimino and Ms. Corbett presented Council with the ASMFC Meeting Summary held October 22-25, 2018 in New York, New York (Handout #7).

MS. CORBETT

- **American Eel Management Board**

The Board met for a presentation by CITES (Convention on the International Trade in Endangered Species). CITES is a global treaty that aims to ensure that the international trade of plants and animals doesn't threaten their survival in the wild. CITES-protected species are listed in one of three appendices. European eel is listed under Appendix II, which includes species that aren't currently threatened with extinction, but may become so without trade controls. There had been notice

given earlier in the year, that a proposal to list American eel under the same appendix may be submitted before the next CITES meeting in 2019. During the Board meeting, USFWS stated that it's unlikely a proposal will be submitted prior to the next CITES meeting, but could be submitted ahead of the 2022 meeting.

This led to a discussion about illegal harvest and exports, and the efforts by states and USFWS's Office of Law Enforcement (OLE) to address the issues. States are concerned about enforcement of legally caught and exported American eel during shipment out of the country. So, the Board recommended that a letter be sent to USFWS OLE requesting additional inspection of American eels at airports before exportation, where possible.

- **Coastal Sharks Management Board**

The Board approved Addendum V for Coastal Sharks which allows the Board to respond to changes in the stock status of coastal shark populations and adjust regulations through Board action rather than through an addendum. The revised process will ensure greater consistency between state and federal shark regulations.

The Board also considered proposed federal 2019 Atlantic shark specifications. Similar to recent years, NOAA is proposing a January 1 open date for all shark management groups, with an initial 25 shark possession limit for large coastal and hammerhead management groups and the possibility of in-season adjustments. The Board will set the 2019 coastal shark specification through an email vote after the final rule is published later this fall.

- **Atlantic Striped Bass Management Board**

The Board met to discuss and provide a recommendation on the Advanced Notice of Proposed Rulemaking (ANPR) recently released by NOAA Fisheries. The Notice provides background information and informs the public of a proposal to open recreational striped bass fishing in the Block Island Sound Transit Zone, which is located in the EEZ. The Board decided to delay comments until Stock Assessment results are provided at the February 2019 meeting. In the meantime, a letter will be sent to NOAA requesting delay on the decision until the Board can formalize its recommendations.

The Board also received an update on the status of the North Carolina Cooperative Winter Tagging Cruise (NCCOOP). Due to funding and staff limitations, the NCDMF is reducing its participation in the NCCOOP and discontinuing funding for the charter vessel contract. Funding was requested from the Commission's Executive Committee for 2019 sampling, which was approved.

The Board received an update on the benchmark stock assessment. The TC approved the Draft Report for peer-review, which is scheduled for the end of the month. The primary assessment model incorporates migration and stock structure information. The statistical-catch-at-age model, which is currently used for management, was refined and updated as a supporting model.

- **Weakfish Management Board**

The Board reviewed a report by the Technical Committee (TC) on trends in commercial discards and annual state compliance with the FMP. The TC reviewed state and federal observer data and found no long-term trends for commercial discards, and no state out of compliance.

MR. CIMINO

- **Atlantic Herring Section**

The Commission's Atlantic Herring Management Board initiated Draft Addenda II and III to Amendment 3 of the Interstate Fishery Management Plan for Atlantic Herring to consider strengthening spawning protections in Area 1A (inshore Gulf of Maine) and extending spawning protections to Area 3 (off of Cape Cod and Georges Bank). This action responds to the results of the 2018 Benchmark Stock Assessment which showed reduced levels of recruitment and spawning stock biomass over the past five years, with 2016 recruitment levels the lowest on record.

- **American Lobster Management Board**

The American Lobster Management Board met to discuss bait sources available to the lobster fishery, review a Northeast Fisheries Science Center (NEFSC) Technical Memo on challenges facing the recovery of right whales, and receive an update on the recent Atlantic Right Whale Take Reduction Team (ALWTRT).

Given that recommendations of the ALWTRT may have management implications for the lobster fishery, the Board decided to form a working group to evaluate the measures being considered by the ALWTRT and provide recommendations to the Board.

- **South Atlantic State/Federal Fisheries Management Board**

The South Atlantic State/Federal Fisheries Management Board met to review public comment on the Public Information Document (PID), for Draft Amendment 1 to the Atlantic Cobia Interstate Fishery Management Plan (FMP) and provide guidance to the Cobia Plan Development Team (PDT) as it develops the Draft Amendment.

Public comments provided input on how federal waters should be managed upon final approval of Amendment 31 to the Coastal Migratory Pelagic Resources Fishery Management Plan (CMP FMP), which would remove Atlantic Migratory Group cobia from the CMP FMP and place it solely under Commission management.

Mid-Atlantic Fishery Management Council (MAFMC)

Mr. Cimino presented Council with the MAFMC Meeting report, held on October 1-4, 2018 in Cape May, NJ (Handout #6). Visit Council website at www.mafmc.org/briefing/october-2018

- The following species met jointly with the ASMFC and MAFMC:

- **Spiny Dogfish Specifications**

The Council adopted specification for the spiny dogfish for 2019-2021. These specifications are consistent with advice from Council's Scientific and Statistical

Committee (SSC). Because the spiny dogfish is managed jointly, the New England Fishery Management Council must also make recommendations for spiny dogfish specifications at its upcoming meeting in December. If approved by NMFS, the new measures will go into effect around May 1, 2019.

- **Summer Flounder, Scup and Black Sea Bass Management Board**

The Commission's Summer Flounder, Scup and Black Sea Bass Management Board approved Draft Addendum XXXI for public comment at the Joint Commission/Mid-Atlantic Fishery Management Council meeting in August 2018, and approved Draft Addendum XXXII at the Commission's Annual Meeting in October 2018.

Draft Addendum XXXI and the Council's complementary framework consider adding the following management options to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan.

1. Conservation equivalency for the recreational black sea bass fishery
2. Conservation equivalency rollover for summer flounder
3. Transit provisions for Block Island Sound for recreational and/or commercial fisheries for all three species
4. Slot limits (not currently a management option in the Council's FMP)

Draft Addendum XXXII was initiated to establish new recreational management programs for summer flounder and black sea bass, as the current addenda under which the two fisheries are currently managed (Addenda XXVIII and XXX, respectfully) expire at the end of 2018. The Draft Addendum proposes two options for each recreational fishery: (1) coastwide management (the default program for both species under the FMP), or conservation equivalency for summer flounder; and (2) setting measures through a specifications process. NJ will hold a public hearing for these addenda on November 26, 2018 at Stafford Township Administrative Office, Manahawkin, NJ.

➤ Species under MAFMC

- **Squid, Mackerel, Butterfish**

The Council reviewed squid and butterfish specifications for 2019-2020. For longfin squid and butterfish, no changes recommended. For *Illex* squid, the Council voted to increase the Acceptable Biological Catch (ABC) to 26,000 metric tons (mt) for 2019 and 2020.

- **Chub Mackerel**

Approved public hearing document for Chub Mackerel Amendment to be in December 2018, NJ. Mr. Cimino will update Council when the final date is posted.

Marine Fisheries Bureau Report

- Mr. Brust presented Council with the Marine Fisheries Bureau Report
 - River Herring Survey has been completed for 2018. The survey is comprised of two parts and occurs in both the Maurice and Great Egg Harbor Rivers. Part one is

performed in the spring to survey returning adults and part two is performed in the fall to survey the juveniles. The 2018 results appear average for both survey parts. Mr. Brust hopes to have a staff member give a presentation in the spring of 2019 to Council.

- Striped Bass Bonus application period ended the last day of October 2018. Permits are still being issued to those postmarked by the deadline. So far, 4,668 individual permits and 5,750 of 140 Party/Charter Boats have been issued. As of last week the reported harvest is 728 pounds from 117 fish.
- Saltwater Angler Registry currently has 155,457 registered individuals, and 760 for hire vessels. In 2018, staff have been allowing anglers to register on paper applications during outreach events to hopefully increase participation.
 - Mr. Rizzo commented that the registry numbers appear to be decreasing every year and asked if there was a reason, suggesting it might be because it is unenforceable.
- Stock Assessment Updates
 - Striped Bass Stock Assessment – November 2018
 - Summer Flounder – November 2018
 - Horseshoe Crab – Spring 2019
 - Menhaden – beginning stages – probably Fall of 2019
- Offshore Windfarms – Four projects are being developed of which 2 have submitted plans. Council will receive a more detailed update during the January 3, 2019 meeting.
- Coastal Resilience Plan – Commissioner McCabe has prioritized development of a coastal resilience plan to address sea level rise, future storm events, and other flood related threats. Six working groups have been formed, and MFA is involved with the Natural Resources Work Group.
 - Mr. Hollinger asked if Delaware Bay is included in the Coastal Resilience Plan.
- Winter menhaden survey – MFA has signed on to assist with a new winter population survey for menhaden, which will begin in January-February 2020 if funded.
- Conditional offers have been provided for three Biologist Trainee and one Wildlife Worker positions. These positions are not associated with the 2019 supplemental funding.
 - Council requested information on the status of the 2019 supplemental funding. Staff reported that the MFA spending plan has received both Division and Department approval and has been forwarded to the Governor's office for final approval. Staff's concern is that we did not receive approval to use the FY2018 supplemental funding spending plan

until December 2017, and we were unable to carry through with the plan. We are approaching the same timeline for the FY2019 funding, so things need to fall in place soon if there is any hope in implementing the FY2019 spending plan.

MOTION: Marine Fisheries Council to write a letter to the Governor, expressing their concern regarding the status of the 1.2 million dollars in funding the Marine Fisheries has acquired. The concern is the timeline of when the spending plan would be approved in order for the Administration to carry out the plan during the fiscal year. Motion Made by Mr. Hollinger, seconded by Mr. Rizzo. Approved unanimously.

- Mr. Greg Hinks, Principal Investigator on the NJ Ocean Trawl, gave a presentation on the NJ Ocean Trawl Survey, showing the publicity video produced by the Bureau of Information and Education and posted on Facebook recently.

Shellfisheries Bureau Update- No report

Shellfish Council Report

- **Atlantic Coast-** Mr. Maxwell - none
- **Delaware Bay-** Mr. Hollinger
 - **Delaware Bay Direct Market Harvest 2018**
As of November 16, 2018 all harvest quotas have been met. The season ended November 7, 2018 with 115,000 bushels collected. There has been a transplant from the mouth of the Maurice River to new beds on November 12, 2018.

Committee Reports

- **NJ Marine Fisheries Council Recreational Black Sea Bass Committee Report (Handout #9)**
Meetings of the NJ Marine Fisheries Council's Summer Flounder and Black Sea Bass Recreational Advisory Committees were held at the Nacote Creek Field Office on October 1, 2018 to discuss future options for NJ's recreational summer flounder and black sea bass fisheries.

SUMMER FLOUNDER

At their August 2018 meeting, the NJ Marine Fisheries Council requested Marine Fisheries Administration staff explore several management measures for summer flounder including slot size limits and splitting regulations within NJ to mitigate the increasingly lower catch targets for this species. Staff performed analysis for this fishery using data from the NJ Ocean Stock Assessment Survey, the NJ Volunteer Angler Survey, and the National Marine Fisheries Service Marine Recreational Information Program (MRIP). Results of these analysis provided council and advisors with several slot options focusing primarily on fish sizes from 14 to less than 18 inches in length. Staff kept possession limits at 3 fish per angler for all examples changing only the number of open days and the size range of the fish in the slot example. Ultimately, the committee concluded that the open season days was too short when

allowing for a suitable size range. When the number of open days was acceptable, the slot range was prohibitive allowing for less than a full inch in size range. After discussion through the group, several ideas were added to the options which should include a) one fish less than 18 inches, 2 fish greater than 18 inches, b) a slot option with a trophy fish, c) tournament stamps, d) two fish 16-17 inches and one fish greater than 17 inches. Staff will reevaluate the data analysis with these options included. Analysis for splitting measures within the state resulted in no significant difference between southern NJ and northern NJ. This analysis did not result in spatial differences in size or timing availability suggesting an analysis between inshore and offshore availability should be explored. This analysis will commence when a valid data source is identified, likely using Federal Vessel Trip Reports.

BLACK SEA BASS

The ASMFC Black Sea Bass management board approved a universal coastwide state option of opening the February 1- February 28 recreational fishery with a 15 fish possession limit and a 12.5 inch size limit. This would again require NJ to account for approximately 80,000 fish prior to the 2019 fishing year if we opted into this season. Advisors again recommended not participating in this fishery for numerous reasons, primarily describing the disparity between the population abundance and the recreational target and the need to pay back 80,000 pounds at the expense of fishing opportunities in other parts of the year.

The NJ Marine Fisheries Council's Black Sea Bass Committee recommends not participating in the wave 1 February fishery for 2019.

- Mr. Cimino commented to Council the concept of the Wave 1 fishery and the benefit it can provide. Management struggles with it because there is no recreational harvest estimate for January and February. MAFMC estimated each state's allocation based on Vessel Trip Report (VTR) data from the for-hire fishery. However, in a few weeks there will be a public hearing on conservation equivalency, which will allow states flexibility in their regulations, but will also allow them to develop their own estimates of seasonal harvest, which could be used in future deliberations about the February season.

MOTION: Recreational Black Sea Bass Committee Report for summer flounder stands as a motion and is seconded.

No further questions from Council and public, Motion passes unanimously.

- **NJ Marine Fisheries Council Commercial Black Sea Bass and Summer Flounder Committee Report (Handout #10a and #10b)**

SUMMER FLOUNDER

The purpose of this meeting was to review the 2018 commercial summer flounder fishery and discuss trip limit modifications to the 2019 fishery.

NJDFW staff provided advisors with current 2018 summer flounder commercial fishery landings. Additionally, advisors were presented with the preliminary 2019 commercial summer flounder quota for NJ. The preliminary quota for NJ is

1,115,557 pounds. This includes a 17% increase as a result of the ASMFC and MAFMC's decision to maintain their previously approved multi-year specifications. An accountability measure was deducted from the original 2019 commercial fishing ACL due to higher than expected discards during 2017 commercial fishing season.

Based upon this preliminary quota for the summer flounder commercial fishery, the Committee's preferred trip limits for the 2019 commercial fishing year are as follows:

Season 1 (January-February):

- Option A – 1,500 pounds one time per two-week period
- OR
- Option B – 750 pounds two times per two-week period

Season 2 (March-April):

- Option A- 800 pounds one time a week
- OR
- Option B- 400 pounds two times per week

Season 3 (May-June):

- Option A- 500 pounds three times a week
- OR
- Option B- 250 pounds six times a week

Season 4 (July-August):

- Option A- 500 pounds three times per week
- OR
- Option B- 250 pounds six times a week

Season 5 (September-October):

- Option A- 1,000 pounds one time a week
- OR
- Option B- 500 pounds two times a week
- OR
- Option C- 250 pounds four times a week

Season 6 (November-December):

- Option A- 1,000 pounds one time a week
- OR
- Option B- 500 pounds two times a week

Options cannot be combined under any circumstance for a given season. Once a trip has been landed under one option, the fisherman is restricted to only that option for the remainder of the fishing week (Sunday-Saturday). Once the following fishing week begins

(12:00 am Sunday), the fisherman can choose another option under the corresponding season.

The Committee recommends the commercial trip limits for the 2019 commercial summer flounder fishing year as provided in this report.

MOTION: Commercial Black Sea Bass and Summer Flounder Committee Report for summer flounder stands as a motion and is seconded.

No comments from Council.

Public Comment

Carl Benson- Commercial hook and line fisherman, has asked every year for fairness to all gear types and proposes Season 3 and 4 options to be 500 pounds two times a week *OR* 200 pounds five times a week. His concern is the fishery closing too soon. He would like to have the opportunity to fish himself the entire season.

After some discussion, Council decided not to make any new changes at this time, but will look into more for the future.

MOTION: Passes unanimously.

- **HANDOUT #10b**

- **BLACK SEA BASS**

- The purpose of this meeting was to review the 2018 commercial black sea bass fishery and discuss trip limit modifications to the 2019 fishery.

NJDFW staff provided advisors with current 2018 black sea bass commercial fishery landings. Additionally, advisors were presented with the preliminary 2019 commercial black sea bass quota for NJ. The preliminary quota for NJ is 628,000 pounds, an 11% decrease from 2018 quota. This quota was an expected decreased based upon the results of the ASMFC's 2016 black sea bass Benchmark Stock Assessment.

Advisors within the pot fishery expressed their frustrations with daily trip limits because of the unpredictability of weather. NJDFW staff stated that the way that regulations are currently written, the idea of going to weekly poundage limits without the restriction of daily limits isn't currently possible. The committee agreed that the idea of weekly poundage limit should be researched.

Based on the committee's recommendation, the preferred trip limits for the 2019 commercial fishing year are as follows:

Season 1 (January-February):

Option A- 1,500 pounds one time per two week period

OR

Option B- 750 pounds two times per two week period

OR

Option C- 500 pounds three times per two week period

Season 2 (March-April)

Option A- 1,000 pounds two times per two week period

OR

Option B- 500 pounds four times per two week period

Season 3 (May-June)

Option A- 1,000 pounds one time per week & 500 pounds two times a week

OR

Option B-1,000 pounds two times a week

OR

Option C- 500 pounds four times a week

Season 4 (July-August)

Option A- 1,000 pounds two times a week

OR

Option B – 500 pounds four times a week

Season 5 (September-October)

Option A- 1,000 pounds two times a week

OR

Option B- 500 pounds four times a week

Season 6 (November-December)

Option A- 1,500 pounds one time a week

OR

Option B- 750 pounds two times a week

Options cannot be combined under any circumstance for a given season. Once a trip has been landed under one option, the fisherman is restricted to only that option for the remainder of the fishing week (Sunday-Saturday). Once the following fishing week begins (12:00 am Sunday), the fisherman can choose another option under the corresponding season.

The Committee recommends the commercial trip limits for the 2019 commercial black sea bass fishing year as provided in this report.

Acting Chairman Herb commented that these proposals do provide lots of flexibility, however if found to be hard to keep track, they may become more restricted in the future.

MOTION: Commercial Black Sea Bass and Summer Flounder Committee Report for black sea bass stands as a motion and is seconded. No further comments from Council or Public, Motion passes unanimously.

- **New Jersey Marine Fisheries Council Executive Committee Meeting (Handout #11)**

The Executive Committee met by conference call on October 18, 2018 to discuss proposed edits to the Council's Administrative Guidelines, review advisor applications, and evaluate concerns raised during public comment about a Scientific Collecting Permit issued by Marine Fisheries.

Three main topics were discussed regarding the Administrative Guidelines. The definition of quorum was revised from "a majority" to "a minimum of 6" as defined in NJ Statutes; new language was added to the section on advisors to reflect Council's decision regarding advisor conduct and penalties for receiving violations, and it was clarified what Council action to take in the event of inappropriate actions of Council members, such as breaking the code of conduct. Minor editorial changes were also approved.

Because of public comment received during the September 6, 2018 Council meeting that indicated a Scientific Collecting Permit issued to the Wetland's Institute to rescue overturned and stranded horseshoe crabs was illegal and unethical, the Executive Committee reviewed the permit and associated documents. Staff provided insight into the approval of the permit, benefits of the project to horseshoe crab conservation, and benefits to enforcement monitoring. Committee members expressed concerns about large numbers of citizen volunteers walking on protected beaches, but staff clarified that nightly groups are limited in size with designated leaders from reputable organizations, with standard operating procedures. After review and discussion, the Committee agreed that the Scientific Collecting Permit meets the spirit of the law and responsibilities of the Marine Fisheries Council.

Applications for appointment to advisory positions were reviewed for three people, with the following recommendations. The committee approved one and denied two.

Motion Executive Committee Meeting stands as a motion and is seconded. No comments from Council. Motion was approved unanimously.

Regulatory Actions

Mr. Brust did not have the Draft Notice of Administrative Change regarding modifications for summer flounder and black sea bass 2019 fishing season, in time to pass out to all Council members, as he received immediately prior to Council meeting. Council moved to approve the Notice pending legal review, so that the relevant changes could be implemented as soon as possible for the new fishing year.

MOTION: Approve Draft Notice of Administrative Change regarding modifications for summer flounder and black sea bass for the 2019 fishing season. Mr. Hollinger made the motion, Mr. Maxwell seconded the motion. The motion was approved unanimously.

Old Business –

- Mr. Brust proposed to Council of holding a public hearing in early 2019 to address the ASMFC Commercial Tautog Tagging Program, which is scheduled for implementation in January 2020. Since there are only 2 advisors currently on the Tautog Committee, staff suggests opening up the committee meeting in the form of a public hearing to increase participation and start development of the tautog tagging program.

- Mr. Brust mailed the Council the final hard copy of the Executive Committee Guidelines for their review.

New Business-

Mr. Brust presented Council with Handouts #12, #13 and #14.

- Handout #12- For Council information regarding notice of an application being submitted to the NJ DEP regarding project Nautilus Offshore Windfarm
- Handout #13- is a copy of one of many petitions regarding Diamondback terrapins.

MOTION: Motion for Council to send a letter to the Sponsor of the Petition letting them know that both the NJ DEP and Marine Fisheries Council received their petitions. Mr. Rizzo/Mr. Radossi, motion passes, unanimously.

- Handout #14 – 2019 Marine Fisheries Council Dates

MOTION: Approval of the 2019 Marine Fisheries Council dates, Motion made by Mr. Hollinger, seconded by Mr. Rizzo, motion passes, unanimously.

- Mr. Brust reminded council of the November 26, 2018 public hearing to be held in Manahawkin regarding summer flounder and black sea bass recreational measures.

MOTION: Mr. Rizzo made a motion to send a letter to the District Legislators and copy to Fish and Game regarding A4596 bill and its companion S3132. Council was appraised of the bills at the November 8, 2018 Marine Fisheries Council meeting and the Council has concerns as well as no consultation from those that these bills may effect. Seconded by Mr. Hollinger, motion passes, unanimously.

Public Comment –

- Jim Jenks – Would like to know how he can obtain a permit to be able to continue to fish for silver eel for a few more years in NJ to continue to supplement his livelihood.
- Kevin Wark- A Highly Migratory Species (HMS) Permit holder asked for clarification on the Atlantic shark 25 shark possession limit, and when a new sandbar shark assessment will be conducted.

Meeting adjourned (7:18 pm). Next Meeting is scheduled for January 3, 2019 in Galloway at the Atlantic County Library, 306 E Jimmie Leeds Road, Galloway NJ 08205. Time 5:00 pm