

Atlantic States Marine Fisheries Commission

Tautog Management Board

*November 4, 2015
10:15 a.m. – 12:15 p.m.
St. Augustine, Florida*

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

1. Welcome/Call to Order (*A. Nowalsky*) 10:15 a.m.
2. Board Consent 10:15 a.m.
 - Approval of Agenda
 - Approval of Proceedings from August 2015
3. Public Comment 10:20 a.m.
4. Public Information Document for Amendment 1 **Action** 10:30 a.m.
 - Review Options and Public Comment Summary (*A. Harp*)
 - Advisory Panel Recommendations (*A. Harp*)
 - Law Enforcement Sub-Committee Recommendations (*J. Snellbaker*)
5. Draft Amendment 1 (*A. Nowalsky*) 11:15 a.m.
 - Provide Guidance to the Plan Development Team for Draft Amendment 1
6. Review and Populate Advisory Panel Membership (*A. Harp*) **Action** 12:10 p.m.
7. Elect Vice Chair **Action** 12:15 p.m.
8. Other Business/Adjourn 12:15 p.m.

The meeting will be held at the World Golf Village Renaissance, 500 South Legacy Trail, St. Augustine, FL

MEETING OVERVIEW

Tautog Management Board Meeting
November 4, 2015
10:15 a.m. – 12:15 p.m.
St. Augustine, Florida

Chair: Adam Nowalsky (NJ) <i>Assumed Chairmanship:</i> 05/15	Technical Committee Chair: Jason McNamee (RI)	Law Enforcement Committee Representative: Jason Snellbaker
Vice Chair: VACANT	Advisory Panel Chair: VACANT	Previous Board Meeting: August 5, 2015
Voting Members: MA, RI, CT, NY, NJ, DE, MD, VA, NMFS, USFWS (10 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from August 2015

3. Public Comment – At the beginning of the meeting public comment will be taken on items not on the Agenda. Individuals that wish to speak at this time must sign in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Public Information Document for Amendment 1 to the Tautog Fishery Management Plan (10:30 – 11:15 a.m.) Action

Background

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| <ul style="list-style-type: none"> • Based on the results of the 2015 Benchmark Stock Assessment, the Board initiated Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog in May 2015. • The Tautog PID considers overall goals and objectives as well as regional management areas, reference points, management measures and unreported fishing.
(Public Information Document in Briefing Materials). • Public hearings were held in MA, RI, CT, NY, NJ, DE, MD, VA, as well as an Advisory Panel meeting to discuss the outcome of the hearings.
(Public Hearing summaries and Advisory Panel Recommendations in Briefing Materials; Written Comments in Supplemental Materials) • The first Law Enforcement Sub-Committee meeting was held in October 2012 to discuss the results of the public hearings with respect to the tautog black market and formulate a strategy to move forward.
(Recommendations in Supplemental Materials) |
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Presentations

- Overview of Public Comments by A. Harp
- Advisory Panel Recommendations by A. Harp
- Law Enforcement Sub-Committee Recommendations by J. Snellbaker

Board Actions for Consideration at this Meeting

- Approve a regional management area option which will be used to guide the development of the Draft Amendment

**5. Draft Amendment 1 to the Tautog Fishery Management Plan (11:15 a.m. – 12:10 p.m.)
Action****Background**

- Issues to consider for Draft Amendment 1:
- *Regional management areas* which include coastwide management (status quo) or a regional alternative to assess and manage tautog
- *Goals and Objectives* of the Tautog Fishery Management Plan to manage the fishery and resource
- *Management Measures* which includes whether 1) a region should have consistent management measures across states, 2) each state within a region should have the flexibility to manage their fishery using conservation equivalency or 3) a combination of the two meaning only select measures would apply to an entire region
- *Reference points and rebuilding timeframes*
- *Other issues* including adaptive management, landings and biological monitoring requirements and illegal fishing

Board Actions for Consideration at this Meeting

- Provide Guidance to the Plan Development Team on the development of Draft Amendment 1

5. Advisory Panel Membership (10:25-10:30 a.m.) Action
Background <ul style="list-style-type: none">• Captain Mel True (MA, Recreational) has been nominated to the Tautog Advisory Panel (Briefing Materials)
Presentations <ul style="list-style-type: none">• Nominations by A. Harp
Board actions for consideration at this meeting <ul style="list-style-type: none">• Approve nominations

6. Elect Vice Chair

7. Other Business/Adjourn

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
TAUTOG MANAGEMENT BOARD**

**The Westin Alexandria
Alexandria, Virginia
August 5, 2015**

**These minutes are draft and subject to approval by the Tautog Management Board
The Board will review the minutes during its next meeting**

Draft Proceedings of the Tautog Management Board Meeting August 2015

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1. PAGE 12: Motion to approve the Tautog Public Information Document for public comment as revised today. Motion carried on Page 15.
2. PAGE 15: Motion to accept Travis Barao from Rhode Island, Edward Yates from New Jersey and Wes Blow from Virginia to be added to the Tautog Advisory Panel. Motion carried on Page 15.

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ATTENDANCE

Board Members

David Pierce, MA (AA)	Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)
William Adler, MA (GA)	John Clark, DE, proxy for D. Saveikis (AA)
Jocelyn Cary, MA, proxy for Rep. Peake (LA)	Roy Miller, DE (GA)
Mark Gibson, RI, proxy for R. Ballou (AA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Mike Luisi, MD (AA)
Dave Simpson, CT (AA)	Bill Goldsborough, MD (GA)
Lance Stewart, CT (GA)	David Sikorski, MD, proxy for Del. D. Stein (LA)
Craig Miner, CT (LA)	Rob O'Reilly, VA, proxy for J. Bull (AA)
Katherine Heinlein, NY, proxy for Sen. Boyle (LA)	Catherine Davenport, VA (GA)
James Gilmore (AA)	Kyle Schick, VA, proxy for Sen. Stuart (GA)
Emerson Hasbrouck, NY (GA)	Rep. Bob Steinburg, NC (LA)
Russ Allen, NJ, proxy for D. Chanda (AA)	Peter Burns, NOAA
Tom Fote, NJ (GA)	

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Staff

Bob Beal	Ashton Harp
Toni Kerns	Mike Waive

Guests

Pat Geer, GA DNR	Jim Dawson
Thad Altman	Bob Ballou, RI DEM
Tom Moore	Chip Lynch, NOAA
Jack Travelstead, CCA	Aaron Kornbluth, Pew
Arnold Leo, Town of East Hampton	Doug Ochsenknecht, VSSA
Meghan Lapp, Seafreeze	Raymond Kane, CCFA
Joe Cimino, VMRC	Steve Train
Dan Mckiernan, MA DMF	

**These minutes are draft and subject to approval by the Tautog Management Board.
The Board will review the minutes during its next meeting**

Draft Proceedings of the Tautog Management Board Meeting August 2015

The Tautog Management Board of the Atlantic States Marine Fisheries Commission convened in the Edison Ballroom of The Westin Alexandria, Alexandria, Virginia, August 5, 2015, and was called to order at 8:45 o'clock a.m. by Chairman Adam Nowalsky.

CALL TO ORDER

CHAIRMAN ADAM NOWALSKY: Good morning, everyone. My name is Adam Nowalsky. I'll be chairing the Tautog Board. I have assumed the chairmanship as the previous vice-chair and want to thank Jim Gilmore for his two previous years. I know there was some question about who was chairing this board today. Jim had assumed the chairmanship in April of 2013.

The commission had worked to go ahead and basically bring all the change of the chairs in line with the annual meetings; but with his chairmanship having already run two years and some of the issues we have to discuss I am now the Chair. Again, thank you, Jim, for your two previous years of leadership.

APPROVAL OF THE AGENDA

CHAIRMAN ADAM NOWALSKY: The first order of business here this morning is the agenda. I would just like to add that at the last meeting we had a motion with regards to illegal unreported harvest, tagging and establishing a committee. I do think before we leave today we do need to have some additional discussion about that. If that matter does not come up during the PID discussion itself, it would be my intention to add that to the end of the agenda and to have some discussion so we continue to move forward with that.

Is there any objection to that change to the agenda or are there any other items to add to the agenda? Seeing none; the agenda is accepted with consent with that change.

APPROVAL OF THE PROCEEDINGS

CHAIRMAN ADAM NOWALSKY: The next order of business is to approve the Proceedings from the May 2015 meeting. Are there any items to be brought up there? Mr. Pierce.

DR. DAVID PIERCE: Mr. Chairman, there is a mistake in the minutes – inconsistency, actually. I draw the board's attention to the Summary Minutes

and the Index of Motions, Motion Number 5 – and that's the motion you just referred to, Mr. Chairman, regarding tagging of tautog. It says that the motion made by me and seconded by Pat Augustine was tabled. It actually passed. The fact that it was passed is referenced and made known in the body of the minutes itself. That should be revised to "passed".

CHAIRMAN NOWALSKY: I appreciate that comment, Dr. Pierce. I actually have that meeting summary in front of me, and it indicates so the motion carries without objection in the summary of motions. Are you referring to the actual minutes themselves that say it was tabled?

DR. PIERCE: Yes; I'm referring to the minutes and then again the Draft Proceedings of the Tautog Management Board, Index of Motions and then Number 5 – the motion is there but it says it was tabled. Then down in the body of the text itself, on Page 27 to 28, it is referenced or it actually indicates that it pass. There was no motion to table.

CHAIRMAN NOWALSKY: We'll refer that to staff to ensure that is reconciled. Any other issues with the Proceedings? Okay, moving on, is there any public comment today for any items that are not on the agenda? We don't have anyone signed up. Seeing no hands from the audience; we will move to the next agenda item, which is to consider the Public Information Document for Amendment; and for that we'll turn to Mike Waine.

PID FOR AMENDEMTN 1 FOR PUBLIC COMMENT

MR. MICHAEL WAINE: I just wanted to inform the board that Ashton sitting next to me did a great job turning this Public Information Document around in a very short amount of time. I'll try not to mess this up through the presentation here. Just to inform everybody, I'm walking through the Public Information Document. This is on Draft Amendment 1.

I'll start with the process and the timeline here. Our amendment process has two rounds of public input. The first is through a Public Information Document, which is more of the scoping round. The board is reviewing this PID and considering it for public comment at this meeting. The timeline that I'm walking through is basically the quickest timeline that this document could take.

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If approved today, it would go out for comment between now and the November meeting. Ashton would bring those comments back for our annual meeting. The board would review those comments and at that point task the plan development team with drafting the amendment document, which would contain specific options that came out of the scoping process.

If it achieves that timeline, the PDT would draft the document for the February meeting of 2016. The board would review that and consider sending the draft amendment out for public comment in February. Hearings would be held in the spring. That comment would be brought back at the May board meeting, at which the board would make final selection of options and decide on an implementation date.

I just want to reiterate that is the quickest timeline this document could take and just note to the board that as you're considering the timeline here the quickest timeline would be done in May of 2016; so think about sort of implementation and when that might occur. I'm going to overview things fairly broadly and discuss what was included in the Public Information Document.

This amendment was initiated at our May board meeting. That was based on the assessment findings that tautog is overfished and overfishing is occurring on a coast-wide scale. Also, through that assessment document there was a proposal for a delineation of separate regional stock units. It was difficult for the technical committee to decide on what the stock unit should be and so the board decided to move forward with an amendment to the plan to look at the different stock units and how that would relate to management of the fishery.

A quick overview of what is in this document; I'll review the purpose and management, the description of the resource and then get into the issues that we're scoping through the PID. The purpose; generally with these public information documents we're asking broader questions to the fishery; basically wondering how they would like it to look in the future. More specifically in this Public Information Document we're looking for input on what the regional breakdowns in management should be for this stock based off of the assessment that I've just talked about.

In terms of management issues, the stock status is overfished and overfishing is occurring on a coast-wide scale. The F estimate, which is a three-year average from 2011 through 2013, is equal to 0.3. The

most recent addenda – there are six of them – tried to reduce F through various harvest reductions.

Included in the PID is just a quick overview of all the addenda that exists for this management plan, and they briefly describe the actions that the board took through those documents. Moving into the description of the resource, tautog are non-migratory and they prefer home sites, which is the life history characteristics that are the basis for separating out these stock units.

This resource has a fishery that is predominantly recreational. Rhode Island's harvest is primarily from Narragansett Bay. Connecticut is primarily from Long Island Sound. There is this dynamic of New York's harvest being split between open water and Long Island Sound and New Jersey is primarily from open water.

This just emphasizes the shared fishery resource between New York and Connecticut that exists in Long Island Sound, which the board has talked about quite a bit. The pie chart in front of you shows recreational landings by state from 1981 to 2014. The take-away message is a lot of the blue shades make up a predominate amount of the harvest.

Historically that is New York and New Jersey accounting for 41.9 percent and Massachusetts has a pretty large percentage at around 18 percent. Then in more recent times, a little bit of shift to New York and Connecticut making up a bulk of the harvest recreationally. As I mentioned, this is a predominantly recreational fishery. The commercial harvest is a lot smaller, around 10 percent.

In terms of management measures, we've got various size limits and possession limits across the states. There are also various open seasons. This fishery is predominantly a fall fishery, and you can see, based on the figure in the bottom right, that there are various season lengths by state through the management unit.

In terms of the commercial management measures, there are size limits and possession limits. There are some quotas in some states and gear restrictions that are also used to manage the commercial fisheries; once again, season length varying throughout the management unit. That sort of wraps up the background.

Moving into the issues specifically that are outlined in the PID, there are four of them with five that encompass the other issues; regional stock

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management areas, as I've talked a little bit about; FMP goals and objectives; management measures; reference points; and rebuilding timeframes; and other issues.

Starting with Issue 1, regional stock management areas, currently the fishery has one stock unit. As I mentioned, that is the way it was originally assessed and then the regional breakdown was what came out of the most recent assessment; so that stock unit that we're currently using, which is status quo, is from Maine to North Carolina.

I did want to note that North Carolina has indicated to the board that they do not have management interest in tautog; so from here in I'll talk about sort of it being Massachusetts through Virginia. The question that we're asking here is basically which regional breakdown does the fishery support; and those regional breakdowns are the ones that came out of the assessment. Option 1 is status quo. As I mentioned, the stock status is overfished and experiencing overfishing.

You can see in these options that I'm going to move through on the slides that it shows both the target and the threshold for SSB and fishing mortality. You'll note that the text that is in red indicates that it is essentially in an overfished or overfishing condition. For spawning stock biomass, that would be below the threshold; and for fishing mortality, that would be above the threshold.

Option 2 is a regional breakdown, which would be Massachusetts, Rhode Island and Connecticut as one region; New York and New Jersey as another; and then Delaware, Maryland and Virginia as a third breakdown. You can see that we have SSB and F estimates for each of these regional stocks. The SSB estimates are below the threshold for all of these regions within Option 2.

In terms of fishing mortality, the New England Region is experiencing overfishing. New York/New Jersey is in between the target and the threshold. The Delaware, Maryland and Virginia, indicated in green, is basically right at the fishing mortality target.

Option 3 is a second regional breakdown. This is Massachusetts and Rhode Island as one region. Connecticut moves to this New York and New Jersey region and then the Delaware, Maryland and Virginia. With this regional breakdown, the first two regions are overfished and experiencing overfishing, and then DelMarVa has not changed from Option 2.

Issue 2 in the document is a review of the goals and objectives of the plan. It has been a while since there has been a review of these goals and objectives as this is the first amendment to the fishery management plan. As part of that, the intent here is to ensure that the goals and objectives of this amendment are appropriate and adequate for how the fishery is being managed and what is involved in that.

The questions that we're scoping in this document; are the goals and objectives still appropriate for the fishery and the resource; what changes need to be made to reflect the current status of things and which five objectives do you feel are the most important? Through the scoping process, there are the goals and objectives included in the document that the public can review and think about and make recommendations.

Moving to management measures, as we talked about during the description of the fishery, we have various management measures throughout the states; bag and size limits, some quotas for the commercial fishery. Some of the questions that we're scoping through this document are is there support of the regional management measures.

That would mean managing with similar measures throughout those regional breakdowns that were outlined in Issue 1. What is the most effective management measures currently in place? We've got quite a bit of flexibility going on across the management unit; so which management measures are most effective?

Can they be improved upon to better achieve what the goals and objectives are of the plan? Are there any additional management efforts that should be included on the FMP? The fourth issue in the PID; it talks about reference points and rebuilding timeframes. Those reference points are essentially the ones that were included in Issue 1 when I talked about the regional breakdowns in addition to the status quo option.

Given that depending on the breakdown the stock is in an overfished and overfishing condition, there would likely be rebuilding timeframes established to get the stock back to a healthy status. Ultimately the questions that we're scoping around that are does the public support the ability to change reference points based on the latest peer-reviewed stock assessment recommendations without the need of a management document?

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Let me just take a minute and explain that question a little bit more. As you observed if you were here for lobster, there were reference points that came out of that stock assessment; and so the Lobster Fishery Management Plan has the flexibility to adopt those reference points if they get peer reviewed and are recommended to be changed through board action instead of through an actual management document.

That is basically what that question is asking; can reference points be adopted from a peer-reviewed assessment without a management document? The other is do you support the regional reference points that Issue 1 talked about? That would be essentially reference points that are specific to a region of states that would implement management measures to achieve whatever the reference points are that the board would like them to achieve like the target reference points?

Then do you support stock rebuilding timeframes that correspond to the needs of each regional management area; so what are the timeframes that the public suggests that we try to end overfishing and bring our spawning stock biomass back to its target levels? That is a quick review of the specific options in the document.

Obviously with an amendment, we're scoping a lot of issues so we've included some other issues for consideration by the public; remembering that basically any issue that deals with the tautog fishery or the resource can be brought up through this Public Information Document process. Some of the other issues that were discussed were the adaptive management sections to achieve the FMP goals and objectives, remembering adaptive management allows for the board to use the addendum process to make changes to the management plan. That addendum process is quicker than the amendment process as it only has one round of public input in drafting of a document.

There is also landings' and biological monitoring requirements being included in that other section; so reporting timeframes, collection of age-and-length samples that would lead to more robust stock assessments and information to conduct those. This has come up quite a bit, illegal fishing of undersized tautog. That is another issue that is brought up in this PID.

The questions that go along with that is do you support use of the adaptive management process? Do you support increased monitoring to help with the stock assessments? There are questions that probe

the undersized and is this a concern, the live fish market, the poaching that has been documented?

Then as a structural-oriented species like we've talked about; are there any habitat recommendations that would go along with this plan to protect the habitat that tautog use throughout their life history or that would aim at protecting the habitat. Then what other changes should be made to the tautog fishery that are not currently covered in the issues that we addressed?

Like I said, because we want to this to be an open and transparent process, we've provided the opportunity for the public to bring up any issues that are not currently scoped in the Public Information Document. That's a brief run through of the document, Mr. Chairman, and I'd be happy to answer any questions.

CHAIRMAN NOWALSKY: Thank you, Mike, for your presentation and thank you and Ashton for your work in putting this document together. To frame the discussion here, what we'll do is first we'll take any questions for staff about the creation of the document or specific questions about the content included therein. We'll then proceed to specific comments about the document.

If there are some minor modifications, text changes, inclusions to a certain section, I'd like to take those by board consensus where possible. If there are substantive changes to the document such as the addition of new issues, then those we will do as motions with a vote. At the conclusion of that, we will decide at the will of the board whether they wish to make a motion to send this out for public comment or if there is some other tact moving forward. With that, I'd like a show of hands for people that have questions about the presentation. We will start at the front of the room and go to the two hands I have for questions for staff about the presentation. Mr. Adler.

MR. WILLIAM A. ADLER: On the live market issue, I see several comments or questions to ask the public about undersized live market. Is there anything in this document – I didn't see it – that had any questions about having a live market for legal-sized fish or is that just not in the document? I'm not trying to put it in here unless you've got something there on that, the live legal-size market.

MR. WAINE: The document just lays out that the preferred size for this live market is below a lot of the current minimum sizes for the states, but that doesn't necessarily mean that there aren't fish of legal size in

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the live market. It just talks about the preference for fish being below the minimum sizes.

MR. ADLER: All right, so we're just talking about the undersized, illegal size live market here?

MR. WAINE: We do address that specifically, but that doesn't preclude the public from talking about the live legal-sized market that exists. It just specifies the size ranges below the current minimum sizes preferred for the live market, but that doesn't exclude legal fish from the live market.

MR. EMERSON C. HASBROUCK, JR.: Thank you, Mike, for a very good presentation. I have two questions and they're both relative to process. Mike, there were a whole list of other issues that you had there. If the public provides input on those additional issues, then if we want we would incorporate those when, in November or February? How does that work? I also have a follow-up question.

CHAIRMAN NOWALSKY: Mike can correct me if I'm wrong. Once the board decides to send this out for public comment, the next step in the process will be for staff to collect those comments and develop a proposed amendment that would come back to the board that we would discuss and could include pretty much any of the information that comes back from the public as part of this process. Maybe, Mike, you could just go back to your earlier slide that had the specific date for when that proposed amendment might come before the board.

MR. WAINE: It is exactly as Adam described. If the board were to approve the Public Information Document for comment at this meeting, we would hold public hearings between now and the November meeting, bring back public comment at the November meeting and present it to the board.

The board would consider that input and essentially task the plan development team with drafting the amendment that includes either the issues scoped in the Public Information Document or any other issue that came out of the public input process. Between November and our next meeting in February of 2016; that is when the plan development team would draft the amendment document that contains those specific options and would bring it back for the board's consideration at that February meeting at which point they would consider sending that document out for public comment, which would be the second round of public input.

CHAIRMAN NOWALSKY: So to summarize that, from the time we send out a Public Information Document we would likely see two meeting cycles later a draft amendment that this board would then potentially take action on for sending out another round of public comment. Does that answer your question?

MR. HASBROUCK: Yes, it does. A follow-up – and it is related to Question 1 – Mike, I believe you said the earliest that this process would be completed would be May of 2016; is that right? If so, the earliest the states would be able to implement any changes will be in the middle of the year. Delaying this process may not have much of an impact on what occurs in terms of implementing regulations in 2016.

CHAIRMAN NOWALSKY: Well, again, let me take a first crack at it and we will turn to Mike. Once the final document is approved; one of the elements of that document will be for this board to include an implementation date at that timeframe. Historically, once the board has approved a management action; that implementation date is not usually that date that we vote on.

It is usually some point in the future. If the board completed action in May, they would go ahead and propose an implementation date for the states, which would likely – I'll simply say and I think most heads would nod in agreement; it would be very difficult even if we implemented the final amendment in May of 2016 to implement changed measures for 2016.

I think a more likely scenario would be whatever was approved some time during Calendar Year 2016 would then have an implementation date probably for the following fishing year. I will turn to staff if they have any other comments.

MR. WAINE: I think Adam summed it up perfectly.

CHAIRMAN NOWALSKY: Another question? Mr. Miller.

MR. ROY MILLER: I'm going to expose my ignorance for just a second. I'm curious why there is not an option similar to what we have for another species that is not subject to management at this particular meeting wherein it was proposed that there be a Delaware Bay specific region. Why do we not have a Long Island Sound specific region that would lump Connecticut and New York?

CHAIRMAN NOWALSKY: Mike, I'll let you touch on that.

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MR. WAINE: From my understanding, Roy, the regional breakdowns come right out of the stock assessment. Because we don't have reference points for that sub-stock that exists in Long Island Sound, it wasn't included in the regional breakdowns that are in this Public Information Document at this point.

CHAIRMAN NOWALSKY: And I do think that's going to be a topic for discussion here as we move forward.

MR. MILLER: Just a quick follow-up, Mr. Chairman. It just seems to me that we would want to take a look at that because it appears to me as an outsider on this particular issues that that seems to be the crux of the controversy is how to treat the catches in Long Island Sound. I think the sooner we tackle that and see if that is a fertile area to explore, I think the better off we'd be.

CHAIRMAN NOWALSKY: Are there additional hands for questions here before we move into discussions. Mr. Luisi.

MR. MICHAEL LUISI: Following up on Emerson's comments regarding implementation; so if we're thinking that we move this forward and we implement in 2017, this current assessment that was done only has – the terminal year is 2012, so we're looking at a pretty significant time period between the terminal year of the assessment and implementation of management measures.

I'm curious as to whether or not there is a planned update of the assessment between now and when management measures would fall into place. The reason I ask is that we've recently made some changes. I think it was in 2014 when states implemented measures for a reduction to protect a growing stock and that we're now at the time period where the protected stock at that time could now be coming into those fish that could be part of the fishery. If you have any thoughts on what those plans are, it would be helpful.

CHAIRMAN NOWALSKY: I'll turn to staff to address potential updates we might get; and based on that answer, also how this board may act to further that process and meet your concerns.

MR. WAINE: Currently there isn't a stock assessment update or a benchmark stock assessment on the schedule. If the board wanted to receive a stock assessment update, they could task that noting that trying to basically fit it into what is an already pretty jam-packed assessment schedule; but directly

to answer your question, Mike, there is no specific date as of right now for an update or a benchmark to occur.

CHAIRMAN NOWALSKY: Okay, seeing no further hands on the topic of questions, let's now proceed to comments, suggestions, motions for how to move forward. I've got a number of hands up. We will turn to Mr. Miller here on the right side of the room and work our way around counterclockwise.

MR. MILLER: I can be very brief. I just wanted to point that on Page 3 of the PID there is an apparent omission. It lists the states from Massachusetts to Virginia, and I don't see Delaware listed among those states. Thank you.

CHAIRMAN NOWALSKY: We're just double-checking that and let you know how best to address that.

MR. WAINE: It wasn't personal; I can promise you that.

CHAIRMAN NOWALSKY: No objection to including Delaware, I wouldn't think. Seeing none; we'll make that correction. Thank you very much. Mr. O'Reilly.

MR. ROB O'REILLY: Mr. Chairman, just a brief comment on the tables. These are going out to the public. I didn't look over all the information, but I do notice that on Page 16, Table 3-B, there is radically different information for Virginia in terms of the open seasons and the gear restrictions. I forwarded a copy of our regulation, which has been in existence since 2013, to Mike Waine just to kind of double-check that, and other states might want to look as well since the public is going to see this. Thank you.

CHAIRMAN NOWALSKY: Okay, we'll double-check to make sure that all those measures included are accurate. Mr. Fote.

MR. THOMAS FOTE: I guess I have two points that we should be discussing. One is, of course, the Long Island Sound Issue. Lumping New Jersey in with Long Island Sound makes no biological sense; and really it makes no habitat sense either. The two bodies that we're talking about have completely different geographical information.

Long Island Sound, in some of the sections is 150 feet deep, 160 feet deep, has a rocky bottom and everything else. When you look at the coast of New Jersey, except from maybe Shark River north, there

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really is no structure like that. As a matter of fact, in Cape May they go out – to find 165 feet of water, you have to go out many miles.

It just doesn't make any biological – and to put it there just because of changing reference points or to basically smooth out mortality just doesn't make any sense, so we need to have a long discussion that. If we're going to start doing regionalization – and that's what I think the future is going to have – we really need to do regionalization on places that have the fish that are regionally the same.

Tautog is a perfect example; they just go in and out; so we should be looking at regions like the Delaware Bay or Raritan Bay and then the rest of the area. We should be looking at Long Island Sound and then we should be looking at the coast of New York and not just regionalization that makes no biological sense.

The other thing is I think we need at least an updated assessment in 2016 if we're going to move forward with a new plan. There are a lot of regulation changes that have gone on in the last couple of years. As we know with tautog, when we change from one size to another size limit and raise that size limit, for two years you have a reduction in mortality but then it catches up. We need to have an assessment to basically look at all those factors. Those are the two points I would like to have further discussion on and hear other people's opinions.

CHAIRMAN NOWALSKY: Well, I think that is a wonderful segue as we recognize Mr. Simpson.

MR. DAVID SIMPSON: Continuing on that theme, yes, as I expressed before, I have concerns about Long Island Sound and the need to recognize that there is a great deal of overlap in the fisheries in Long Island Sound between New York and Connecticut, and the fish themselves move freely between the two states. As others have commented and evidenced by their comments, it is important to the coast; because based on the pie chart that Mike put up earlier, Long Island Sound represents more than 40 percent of coast-wide tautog harvest at this point. It is important on a coast-wide scale.

In the issue statement, I noted that the concern would be that separating the Sound would result in differing management measures for Connecticut and New York within the Sound, and that is not the concern at all. We have different rules now and that is common, so that is not a concern at all. It is that these same fish could be assessed differently and we essentially have two management objectives for this same exact

fish, which can only lead to problems not only for New York and Connecticut but for our neighbor.

I mentioned before and I'll reiterate here the University of Connecticut received a grant from Sea Grant to conduct a stock assessment for Long Island Sound. That assessment we expect to be done in the next several months. New York staff and Connecticut staff along with the UConn researchers met last week in New York to discuss how we might populate the assessment with recreational and commercial data and I think arrived at an understanding of how New York landings could be parsed out to support a Long Island Sound assessment.

I think it is important for multiple states that we take advantage of the information that will be coming on the tautog population within Long Island Sound that this stock assessment will bring. I'm not at all anxious to put off the Public Information Document, but I think you can anticipate the comments you'll get from the public from at least Massachusetts to New Jersey and maybe even Delaware because there can be sort of cascading effects that there is this need.

At this point I am hoping that the board will support holding off, looking for that Long Island Sound assessment. I talked with Bob Beal back in May and he seemed to indicate there would be the ability for the commission to conduct the peer review science so that you'd have the exact same quality of assessment and review to base management on. Then I think we can properly align assessment areas and management areas as the fish are trying to tell us it should be done.

CHAIRMAN NOWALSKY: Thanks, Dave, I appreciate it. Before we recognize Dr. Pierce, let me just go back to Tom Fote for a minute who had suggested an update to the assessment for 2016. I have been informed by staff that the Policy Board had previously approved that; so we are scheduled to see an update which will just take information from the previous couple of years and at least get us past the 2012 terminal year. Any other comments from staff on that?

MS. TONI KERNS: It is not in response to the 2016 schedule but in response to Dave. If we do move forward with utilizing the Long Island Sound assessment, it does have implications for how the rest of the stock has been assessed in that we would have to do another benchmark in order to have reference points for New Jersey south and the other portion of New York because they weren't separated in a way that would give us reference points for those areas. If

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we were to utilize this Long Island Sound assessment, we would still need a benchmark to get reference points for the other areas.

DR. PIERCE: Mr. Chairman, I have a suggestion for two additional questions that can be added to the PID, and they're actually related. These questions focus on the motion that you have already mentioned earlier on in this meeting, the motion made at our last meeting, one that I made and was passed by the board. It is regarding an ASMFC mandated fish-tagging program to minimize the unlawful commerce of tautog and to improve the traceability of all fish in commerce; trace it back to the state or origin and harvester.

My suggestion, Mr. Chairman, is to get that comment that we're going to need regarding this particular issue; that we could add this question. I have not e-mailed it to the staff; I'll just read it. It is relatively brief. The question would be – and this could be in the list of questions on Page 13 of the PID, which is just after the section that deals with illegal fishing of undersized tautog.

The question would be should there be an ASMFC-mandated fish-tagging program to minimize the unlawful commerce of tautog and provide traceability of all fish in commerce back to the state of origin and harvester? The related question would be should the tag be at point of harvest or sale? This gets to the heart of the matter, frankly, regarding what perhaps our major problem is; overfishing caused by too much catch, which very well could be due to illegal harvest. Again, this ties continued discussion with the public to that motion.

CHAIRMAN NOWALSKY: Okay, so I'm hearing you would like to add that under the management questions and not as a whole new issue; and I think that is probably a reasonable place for it. Does staff have that; that we could put up just so everyone could see it?

MR. WAINE: Yes; I think I understand the intent. Ashton and I have talked about this as well; so as long as the board is comfortable with us communicating directly with Dr. Pierce or the subgroup who is going to be working on this issue moving forward, I'm happy with where we are.

CHAIRMAN NOWALSKY: Is there any objection from the board with staff communicating directly with Dr. Pierce to encapsulate that question under management questions for Issue 5? Two hands went

up. We'll go back to Dr. Pierce first and then Jim Gilmore.

DR. PIERCE: Yes; it wouldn't be just with me. It would be with the subcommittee that is going to be established. It involves law enforcement and other individuals. Again, this is a PID, get the question out there, and then the specifics would be worked on in the meantime by the subcommittee as a charge from the board. The charges have already been provided by the board. I just made the motion and now we just get comments from the public regarding whether we should deal with similar to striped bass, for example. It is just not me; it is the board.

CHAIRMAN NOWALSKY: So hearing your reference to the subcommittee that we have not yet completely populated or convened; are you comfortable that staff could craft a question or questions to put in this document at this time?

DR. PIERCE: Yes; I am.

CHAIRMAN NOWALSKY: And staff concurs?

MR. WAINE: Yes.

MS. KERNS: We do have members of law enforcement on the subcommittee that we did establish, and I just wanted to let the board know who those members were. I wasn't under the understanding that we wanted board members on that subcommittee; so if we could get people who are interested for board members, to let Ashton or myself know. We had Pat Moran from Massachusetts, Tim Huss from New York, Doug Messeck from Delaware, Jason Snellbaker from New Jersey. Logan Gregory from NOAA Fisheries can't be on this subcommittee, but he is going to try to get somebody from NOAA on the committee as well. That is the law enforcement members that are going to participate. If we get commissioners, that would be great.

CHAIRMAN NOWALSKY: Great; and once we finish the other items we've got on the agenda, I did put that under other business to come back to, and we can do that. Jim Gilmore.

MR. JAMES J. GILMORE, JR.: Mr. Chairman, wasn't the intent of that subcommittee – and I'm not sure, David, it was yours or the board's – to analyze cost of what this would be to implement?

MS. KERNS: I don't think the law enforcement officers will be able to help us with the cost to

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implement these measures. I can find out maybe the cost for enforcement, but we would need help from the states to let us know what it cost to implement these types of programs. I think we could use things like the Striped Bass Tagging Program to look at estimates, potentially.

MR. RUSS ALLEN: Mr. Chairman, I have a few things I'd like to discuss. First off, on Page 6 in the recreational fishery, the second and third paragraphs, we talk about historical harvest and then recent harvest. Then there is a short paragraph on recent harvest. I think it would be beneficial for just some context there to have some historical harvest numbers; maybe a short paragraph to fit in there also. I think that would be helpful to the public.

Also at the end of that paragraph, it talks about 3,851 fish in Table 4 and Table 4 is in pounds and not fish. That maybe needs a little thought process there. Also on Page 7, under the statement of problem for Issue Number 1, it talks about tagging studies indicate tautog are non-migratory. I think it would be helpful there to have just a short sentence to talk about the inshore/offshore migration. That might be helpful for the public or for those who aren't aware of that.

Also since Rob mentioned Table 3-B, under New Jersey the open season – the third season should be November 9th and not November 1. That is an issue. I also would like to see a little bit more under Issue 1, stock management areas. I know there is a discussion there on Long Island Sound; and I know we're having that discussion. I don't want to get into it too much, but I think there should be some discussion there on how different New Jersey is in regards to the Long Island Sound fishery as other people have already mentioned. I think there needs to be more information in there also. Thank you, Mr. Chairman.

CHAIRMAN NOWALSKY: Okay, so let me go through that laundry list to make sure we've got everything here recorded. On Page 6, where there was the recreational data, you are looking for staff to make some additions to the historical information there as well as to reconcile Maryland's fish with the pounds that are offered elsewhere in the document. Staff is nodding they're okay with that.

The second item you had was for Page 7, a better description or replacement of the word "non-migratory" that reflects the science suggestion about the east/west migration of these fish, primarily north of the Chesapeake Bay. Staff is giving me a thumbs up on that one as well. You brought up another issue

with regards to the commercial regulations. Again, that we will reconcile. Then the final item there was under Issue 1, was it, for Page 9, I believe; just adding some additional information. If you could repeat what you're looking for there again.

MR. ALLEN: It talks about emphasizing the shared fishery between New York and Connecticut, which is nice, but there are options in here that has New Jersey linked in there. The New Jersey fishery is completely different from that fishery. It does have the same type of fishery as the New York open water fishery, but I think that should be in there where there is more discussion.

This makes it look like, okay, this is the best option in my mind; so I think there should be just some break there to talk about how New Jersey has an open water fishery and that they don't link exactly. I think as we have that discussion and depending on how far we're going to wait or not wait for information on Long Island Sound; that might make a big difference to whatever gets in there. Thank you, Mr. Chairman.

MR. MILLER: Mr. Chairman, if I may follow up on Russ' comments and also on Dave Simpson's and Toni's comments, it would appear from their comments that the UConn stock assessment that is planned for – Dave wasn't specific – I guess 2015 or 2016; that information, according to Toni, can't be incorporated for management purposes until a new benchmark is done, which I presume couldn't occur before 2018. Am I correct in that, Toni?

MS. KERNS: I'm not saying that it can't be incorporated. It is just that if we do utilize the Long Island – if the board wanted to take management action on reference points that came out of this Long Island Sound assessment, we would need to do a benchmark assessment to deal with the rest of the southern portion of the stock.

Because the current stock assessment, the regional breakdowns don't match up with pulling Long Island Sound out, because New Jersey was included in the northern portions, not in the southern portions. Then the other half of New York would need to be shifted into one of the areas. If you only use the Long Island Sound landings of New York, we still have other landings included in New York. We wouldn't have reference points for those.

MR. MILLER: Mr. Chairman, I just wanted to make sure I understood what our expectations are with regard to consideration of Long Island Sound as a separate regional management unit. It sounds to me

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like it is unlikely that we will have access to the information we need for a couple more years. I just wanted to make sure that was understood; and if not, what is an alternative?

CHAIRMAN NOWALSKY: I think it is clear from the responses from staff that it is not going to happen tomorrow. I would agree that at some point in the future and that some point being measured in years and not months is probably likely from a management use. Toni, would you care to further respond?

MS. KERNS: I guess the other option is to do regional management but not based on reference points for those specific areas. For summer flounder, let's say, we have a coast-wide set of reference points, but we break down management by regions. You could do regional management but based on not those regional reference points. It is a different tact than the direction this document is going, but it is to the pleasure of the board.

CHAIRMAN NOWALSKY: Dave Simpson.

MR. SIMPSON: As Toni pointed out, if we subset Long Island Sound as a unit stock, which I think there seems to be broad understanding that would be an appropriate scale on the board, anyway. The way to contain the problem is simply working between Connecticut and New Jersey; Connecticut, New York, New Jersey. It is where to subset that; yes, so we're doing the Long Island Sound assessment now. UConn is working on it now.

Then, right, we need to take New Jersey and South Shore, New York, and get an updated assessment on that area, too. That way you don't have any effect on Rhode Island north or Delaware south. As I said, I don't want to delay any kind of management or this process for tautog; but I think it is so fundamental to tautog management what we're trying to achieve, which is appropriately scaled regional management; that I think that is the direction we need to go.

My question is whether there is any value in going ahead with the PID to hear back from the public what you're hearing around the table now that this isn't quite right. We need to refine the Connecticut to New Jersey area or do we just go ahead and say, look, yes, we need – it is either South Shore, New York and New Jersey; or to simplify, we probably should even consider just lumping New York and Connecticut together and assess New Jersey separately.

I think that kind of discussion in the near future is the appropriate way to move forward. I know the options that we have available right now are really problematic from a biological assessment and management perspective; that taking the Connecticut landings and the Long Island Sound wide trawl survey, which as I said before covers both New York and Connecticut waters, and assessing the Narragansett Bay/Buzzard's Bay fishery with that or – and at the same time not counting the Long Island Sound Trawl Survey in New York's – the majority of New York's, not including that same information; that is broken so we need to fix it.

I think the fix is we need two smaller assessments for this area. I do think we are going to have to push off approving the PID today. There is a number of other issues. I hear Russ talking about let's flesh out this difference in New Jersey versus New York and certainly Long Island Sound. We heard the last time from Rhode Island and Massachusetts that the northern grouping was problematic. I do think to move forward with tautog we need these two sub-stocks, if you will, assessed and then we can move forward in this particular three-state area.

CHAIRMAN NOWALSKY: Okay, so let me first do a little cleanup here and going back to Russ' last request, which was for a little bit further development of how the regions utilize the fisheries on Page 9; and is staff comfortable with being able to further differentiate the fisheries of states to the south from the Long Island Sound fishery as it currently exists in the document and is that what you were trying to achieve, Russ? Russ is nodding his head and staff is nodding their heads. Next up I had Rob O'Reilly.

MR. O'REILLY: Mr. Chairman, a couple of things. I wasn't sure about the implementation of the sixth addendum. Did that take place in 2011? Did the states comply in 2011 or was it merely that is when it was established? The only reason I ask is it would make sense if 2011 – if states did implement measures, then on Page 20 you would have something for that time period, 2011 to 2014.

With your pie chart you could note that this corresponds to the implementation of Addendum VI. I'm not positive about that; but as far as when the states all came into compliance, but that would make more sense. The second idea is it is a little bit unusual to see Table 4 and the type of rise and fall inter-annually even with most of the states with the recreational landings; pretty spectacular in some cases.

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I know that is what we have; that is the data; but at the same time would a directed trips help the public a little bit not only from an indicator of effort but also as sort of an economic indicator when you look at the directed trips for tautog. It doesn't have to be extensive. Perhaps you could match it up to whatever exists on Page 20; or if 2011 is part of that Addendum VI regime, you could have the trips for that period. I just think that anyone who looks at Table 4 would really have a lot of questions as to what is going on there. I mean, clearly, year class effects aren't doing that.

CHAIRMAN NOWALSKY: Okay, so let me turn to staff and ask two questions to get clarification on that. Were the Addendum VI regulations implemented in 2012 for most states or not until 2013?

MR. WAINE: I don't have that off the top of my head; but if the board is comfortable with staff working through Rob's characterization of is that change in landings being matched up to implementation of that document and then also an explanation of what the trips look like, let us work a little bit with that, double-check that between now and the November meeting and we will bring back what we can in the next draft of this document if the board is comfortable with that approach.

CHAIRMAN NOWALSKY: Okay, so what I'm hearing you actually suggesting yourself is another draft of this document brought back before the board.

MR. WAINE: Yes, sorry, I didn't mean to be leading there. That's obviously at the board's discretion, but whatever review mechanism gets put in place, whether it needs to come back to the board at the next meeting or if it gets approved for public comment today, we can ensure to communicate with the individuals that made the specific suggestions in the document that we've appropriately and adequately characterized their concerns before it gets released to the public, if that is an acceptable approach. Sorry, I didn't mean to insinuate that this was going to another board meeting unless the board decides that is the case.

CHAIRMAN NOWALSKY: Okay, so Rob will have staff look at adding the directed trips to Table 4 and then will coordinate Figure 2 to make sure that that represents the landings that came post-implementation of Addendum VI. Would those meet your needs; and a nod of the head. Okay, further discussion or action, either moving this ahead or some other course of action? Tom Fote.

MR. FOTE: Mr. Chairman, I think with all the changes we have made; that we need to really hold and bring this back to a full board for discussion and looking at. It has taken a long time to get to this point. The stock is not going to do anything really different in the meantime by changing the information document. I feel uncomfortable basically with all the discussion that has gone on and all the changes going on to say that we'll put a document out and maybe do this over a conference call.

I really would feel more comfortable sitting down around the table and basically going all through it again. There are still a lot of concerns. We're still thinking this through. Tautog has always been the perfect fishery to do actual regionalization. We're handling some of that right now, but truthfully does New Jersey really believe should it be south of Little Egg Harbor into Delaware and then Barnegat north with New York.

I think it is a perfect fishery; and since we're talking so much about regionalization, to actually make sure this plan goes through right. I'm not familiar with the Chesapeake Bay. I don't think there is a lot of fish in Maryland like tautog up in the Upper Bay, but I might be wrong. I don't have any information, but I know Virginia is an important fishery in tautog and basically a lot of that happens by the bridge. I'm just looking at how we do this.

With Maryland, their ocean fishery is more in tune with Virginia, so that is what I'm looking at. This should be the prime example of how to do this afterwards for other species, whether it is summer flounder, whether it is striped bass when we finally get some reference points from the Delaware River and Hudson River that we can start using for that. Anyway, that's just my thoughts.

CHAIRMAN NOWALSKY: Okay, before I get to you, Mark, where we are is we've had a lot of discussion about the document. I've got Mark Gibson I'll recognize in just a moment. The next step would be a motion to take it out or simply the board directing staff to go back, do these changes, possibly get some more information about either the assessment work that is going on for Long Island Sound. We are going to need to populate a PDT moving forward.

We have the issue of the law enforcement, illegal tagging, unreported fish; subcommittee that still needs some further discussion. These would all be

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things that can be ongoing, not moving to take this out today. I don't think anyone is suggesting that we're stopping the process entirely, but these would be some of the ongoing work that would go on. I'll turn to Toni for further clarification and then I'll come back to Mark Gibson.

MS. KERNS: I guess I just have a question. I think a lot of the changes that this board has asked us to do are not significant changes in the document. They can be fairly easily done. There is a couple of pieces in there that we would need to communicate with a couple of commissioners to make sure we have everything correctly.

Now, I haven't heard the board say you want us to change the regional management options in the document yet. If that is the direction that the board wants us to do, then that would be maybe a bigger lift and more substantial because we don't have a stock assessment to base that on, and we don't have a lot of direction from you yet on how to deal with the other portion of New York and New Jersey.

Whether that should be a region on its own, to be mixed into some other area, we would need that direction. If it is just the changes outside of those, it can be pretty easy for staff to make those changes and we could do an e-mail for the board or we could do a conference call for you to look at the document to be able to stay on this timeframe.

It wasn't the intention of the board that I understood from last time to include the working group's information on the illegal harvest for the PID. It was something that we were pulling together for the draft amendment document where it would be thoroughly vetted for options in that document. The PID was just to gather some additional information from the public on the concept of the illegal reporting and fishing. Depending on the direction that you give the staff and PDT, I think you have two different avenues that you can approach this, if that makes sense, Mr. Chairman.

CHAIRMAN NOWALSKY: So if I'm hearing you correctly, if the board so directed you to, staff could include potentially other regional management options in this document, potentially further developing Issue 1 if the board so directed you to do so; is that what I'm hearing?

MS. KERNS: We can do our best to, but again it would not be based on a stock assessment. We would have to come up with an ad hoc way to deal with New York and New Jersey. We wouldn't have

an actual reference point to go off of, so it would have to be something ad hoc. I don't know what the technical committee would come back with in terms of how to deal with that. They may come back and say it is not something we can do. We'd have to get their input.

CHAIRMAN NOWALSKY: All right, let me turn to Mark Gibson; and then I've got a couple of other hands up, and then I think I'm going to ask that we as a board decide how to move forward.

MR. MARK GIBSON: Mr. Chairman, I don't support holding off on taking this out to the public. I think we've had enough discussion here that staff and the appropriate board members can modify this document to be worthwhile for the public to look at. Regardless of how the stock assessment was diced up or aggregated, you have biomass levels substantially below their thresholds.

That is a dangerous place to be for a species like tautog. You don't want to hang around there too long and this assessment is already three years old. I think we're playing with fire a bit by having this extended timeline and then discussions here that would potentially extend it even farther and require additional benchmark calculations and external stock assessments that would need to be blended in. I think we have enough to go on now; and if you're ready for a motion to take this out to the public, I would be happy to make that unless you have some more comments, I guess.

CHAIRMAN NOWALSKY: Let me recognize two more hands and then I will come back for a motion, if that is acceptable. Dave Simpson.

MR. SIMPSON: Well, I was going to make a motion to postpone taking this out to public comment until we can resolve the Connecticut, New York, New Jersey issue. I think it is confined to that. If there is a way that while this PID is out for comment the three of our states can get together and figure out the best way forward to subdivide this area, I'm okay with that, but I think that needs to be done.

I'm willing to investigate facilitating a New York/New Jersey or just a New Jersey assessment. I would be willing to put in state money to do that because I think this issue is important enough to Connecticut. If it took that, I would be willing to do that. I can't envision engaging in management based on the current assessments that are available in Long Island Sound.

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CHAIRMAN NOWALSKY: Tom Fote, did you have any additional comments before I come back to Mark Gibson?

MR. FOTE: Well, I'd probably second Dave's motion just because of the fact that we send a document out like this to public hearings, everything else is going to get lost when people start looking at why are you sticking us up – in New Jersey I'm talking about – why are you sticking us up in Long Island Sound? I mean, that is going to be the whole topic of conversation when I get to public hearings, and that is not what I want.

I want to go to public hearings with a document that I'm looking for the focus of all the parts of the document. I know what is going to happen. As soon as they look at that thing, it basically is going to cloud every part of the discussion. I feel it is going to be a waste of my time to conduct public hearings on this because that's where the public will focus its attention on. We're better off straightening that out before we go to public hearings.

CHAIRMAN NOWALSKY: Mr. Gibson, the floor is yours.

MR. GIBSON: Mr. Chairman, I'm doing some vote counting and listening; and I'm not sensing that the motion I was going to make has enough legs to pass, so I will decline to make it and allow others to make the motions they think have the legs for today. Thank you.

CHAIRMAN NOWALSKY: Okay, if the desire is to take it out for public comment, we'll need that motion. If the desire is to go in some other direction, we don't need a motion to put this off. We just need some direction on how to move forward. Mr. O'Reilly, you had your hand up?

MR. O'REILLY: Yes; this is sort of a delayed response to something I heard earlier, so I'm still on the PID. There were comments made about non-migratory that were changed to some type of migration west for the Chesapeake Bay. I would think overall, from the public's perspective, that they would need several pieces of information as to why the regional management was important.

I'm not sure where else it is captured, but there is certainly on Page 10 the idea of compatible and equitable management measures; but I think the migratory component is pretty important. I just want to make sure that staff checks back with Dr. Cynthia Jones, because what I heard at the last meeting was it

is more than an offshore/inshore component. There is also movement north.

I can't tell you that I know beyond Chesapeake Bay at this point; but I think it ought be certain that there isn't more evidence for some migratory behavior, because the regions, if they can have as much substance as possible as to why they are a better way of management, I think that is what the public needs to really see.

CHAIRMAN NOWALSKY: Staff can work to further develop the migration habits of tautog. Dr. Pierce.

DR. PIERCE: I appreciate the reservations of some board members regarding the PID. There are some very contentious issues in here, of courses, and on top of the list is how the regions will be broken up. I understand the hesitancy to bring the PID out to public comment at this time; but I always am influenced by the fact that it is a PID.

It is a public information document and we're a long way from having a draft amendment that would then be brought to public hearing again. Everything that has been said here today will be said again during and after we get comment on the PID. I just want to move this forward. I think Mark has already highlighted the important points. This assessment is old already. I suspect the fishing mortality is higher than what it is believed to be. I believe there is a tremendous amount of illegal harvest.

I'm convinced that we need not to hesitate but to bring it forward, see what falls out and then continue our discussions later on as to what needs to be done. We will benefit from the work of the subcommittee regarding the tagging program. We will benefit from whatever can be worked out with the Dave Simpson and other states on some other management arrangement. We don't have to bring that other arrangement out to the public now as part of a PID. That will be with the draft amendment. I would make a motion that we approve the PID for public comment.

CHAIRMAN NOWALSKY: Would you include the revisions that were discussed today?

DR. PIERCE: Yes, as revised.

CHAIRMAN NOWALSKY: Okay, so we have a motion to approve the Tautog Public Information Document for public comment as revised today. Motion made by Dr. Pierce; seconded by Mr. Gibson.

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Discussion on the motion? Let me get a list of hands that would like to speak in favor of the motion and a show of hands that would like to speak against it. Before I turn to Mr. Simpson to speak against the motion, Dr. Pierce, do you have anything else you'd like to speak in favor of your motion?

DR. PIERCE: I've already said it, Mr. Chairman, and thanks for the additional opportunity.

CHAIRMAN NOWALSKY: Mr. Adler, did you want to speak in favor or against? In favor; okay, let me go to Mr. Simpson.

MR. SIMPSON: I'm not necessarily opposed because I don't want time to slip; but I think we need something in the PID that clearly articulates the concern for the Connecticut to New Jersey area and the need to take a closer look at a possible subdivision of that area into two stock assessment areas.

I think if we had that we could get together as three states, figure out how we might split that into a couple of assessment areas and get that work done and incorporate it still in a timely fashion. Again, I don't want to delay action that is perceived to be needed with tautog.

MR. ADLER: Yes; I'm in favor of moving it forward because, first of all, you already went through how long it is going to take before anything really gets done as far as final. There were a number of issues today, which staff seemed to say they can incorporate in this PID before it goes out. The biggest issue that I've heard today is the area between Connecticut and New Jersey issues with Long Island Sound.

I don't see why somebody can't work on getting some answers for that or updates while the PID is going. I assume the PID will include do you think Long Island Sound should be separate; and the answer will probably come through, yes. Maybe it won't; but in the meantime it could be prepared that when the PID comes back, if that is a big deal and they want it done that way, there will have been work done that could be put into the draft amendment, which as Dave says, and then goes back out anyway.

I think moving this along rather than looking at 2017, '18, whenever to try to get something done; I think it is appropriate to take this out as corrected or added to and in the meantime do the other work that people want done. Thank you.

CHAIRMAN NOWALSKY: Just to be clear, the document as it stands and with the revisions today does not include an option for discussion for the public about Long Island Sound having its own management. That may come out of the document in the public comment that we receive, but that is not a discussion specifically asked.

I think with the conversation we had earlier, staff could further develop Issue 1 with that. I think it would take some time, if I heard them correctly, and I'll turn to staff to further address the question of whether the document asks and is likely to solicit responses about managing Long Island Sound separately as its own region.

MR. WAINE: Based on the discussion today, I think we can provide some background for that. The way Issue 1 is laid out has specific options that are based on the delineations of the stock units from the assessment. Because we do not have reference points for that Long Island Sound specific stock, that isn't specifically an option within the PID as it is currently written.

I think what the chairman was trying to ask the board is do you want to include an option in there that specifically asks if this is how the public would like that region managed. If we do that, it is with the acknowledgment that we do not have reference points to use for management for that specific stock designation.

CHAIRMAN NOWALSKY: Next up I have Mr. Fote.

MR. FOTE: I will let Russ handle one part of it and I'll do the second part.

MR. ALLEN: After some discussion, we think that there is a possibility of taking the PID out as is. I thought Mr. Simpson had some really good points and also you, Mr. Chairman; and with Mike's suggestions on how to make Issue 1 just have a discussion about the differences between New York, Connecticut and New Jersey; and also bring in some discussion on how we're going to try to do things in the future with a Long Island Sound stock assessment and maybe take New Jersey's data with some of New York's data and develop that over the next six months or so and see if we can't come out and have some sort of regionalization on that.

I think it would be a good idea to just move this forward and also make sure the public understands that these are the issues and that we're working on

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them in the meantime of this PID. I think that is a good way to move this forward. I would be ready to support this motion knowing that we're going to have this discussion amongst these three states and moving that forward. Thank you very much.

CHAIRMAN NOWALSKY: Mike also has a suggested revision that I'll turn to him that he could further inform the board about that would then fall under the "as revised today" with the acknowledgment of the board.

MR. WAINE: Yes; it is kind of reiterating what I just said; but based on Russ' comments, the way Issue 1 is currently laid out in the PID right now is it has options that are specific to the stock delineations in the benchmark – I feel like a broken record – and so ultimately if the board would like, we could add another option that scopes this issue further and specifically allows public input on an option that would be Long Island Sound specific stock delineation in addition to the other options that came right out of the benchmark assessment and noting the caveat that we do not currently have reference points to manage with those delineations; but it is something that is currently in the works and we can explain that in more detail.

CHAIRMAN NOWALSKY: Looking around the room, is there any objection to letting staff further develop Issue 1 and posing that? Okay, seeing none; additional hands to speak on the motion. I had Emerson. Is there anyone else who wants to speak on it?

MR. HASBROUCK: Mike, you actually addressed something that I was going to raise in terms of how we might be able to structure that. In terms of this motion then, the document for public comment as revised today, based on the discussion we just had; that will incorporate a section in, whatever it was, 1A that talks about Long Island Sound; is that correct?

CHAIRMAN NOWALSKY: The revisions that we had today will go back to those people who brought them up. Staff will bring them back for those individuals to review it. As chairman I would review those with the staff; and once we were comfortable with it, that is then the document that would go out. Okay, I've got two more hands and then I think we'll move the question. Tom Fote.

MR. FOTE: My concern was with this straightened out; because if this thing is straightened out, all I'm going to hear is that we should put Connecticut with Rhode Island and Massachusetts. My other point

here is we went out in 2011. I spent a lot of time at public hearings, and the number one problem there, the number one thing discussed at that particular time is how do we deal with the illegal fishery?

We basically were told back then that we should have all these things; so we're just going to go out with this information document with the same thing. It really is up to this board when that information comes back. It came back loud and clear when we went out with the amendment in 2010 that we should have a tagging program, we need to do better to basically address this illegal fishery problem in tautog. At least hopefully this time we will actually do something.

When we went out to public comment, I think it was in every state that we should do something and we just kicked the can down the road. Hopefully this time we will act and hopefully we might not wait until we do the major amendments on this create these regions but do this immediately under an addendum, the existing one, and do a separate addendum to deal with that as soon as the tagging committee basically comes back with their report. That's all I have to say.

CHAIRMAN NOWALSKY: Okay, I'm going to turn to Mr. Simpson and then we're going to move the question.

MR. SIMPSON: I just reframing for the document, Issue 1 right now is characterizing the only difference between Option 2 and 3 is where to put Connecticut. I think it needs to be more of a discussion about within – I was thinking at the time within Option 3; that Connecticut to New Jersey region the issue is how to subdivide.

I think it is something that, Mike, between you and me and the New York and New Jersey if we have an opportunity to help craft that, I think we will be in good shape. Worse case is now it just says where to put Connecticut and the problem is that we might have different management measures between New York and Connecticut. That doesn't capture it.

CHAIRMAN NOWALSKY: Mike has a comment he wants to make before we vote on the question.

MR. WAINE: I think everyone understands the process. Staff will work with the commissioners to ensure that we've addressed the concerns. Dave, I just say that staff is totally welcoming any language that you have to help clarify this. We would love that. Thanks.

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CHAIRMAN NOWALSKY: Okay, we have a motion to approve the Tautog Public Information Document for public comment as revised today. Motion by Dr. Pierce; seconded by Mr. Gibson. We will take 30 seconds to caucus and then take a vote.

(Whereupon, a caucus was held.)

CHAIRMAN NOWALSKY: Okay, all those in favor please raise your right hand; opposed like sign; abstentions; null votes. The motion carries unanimously; and staff will go ahead and make the revisions discussed here today, get back to those individuals with those for review, and we'll move forward. We'll move on to the next order of business – comment from Toni.

MS. KERNS: Just quickly; we're trying to follow the timeframes that are established for the amendment process. The document needs to be out 30 days before we have hearings and then the comment closes 14 days after the last hearing. Because it will be somewhat of a timeframe to do all of this, it is just that for states that we've asked for additional language from and help from, we're going to ask that you do that rather quickly.

Also in responding to Ashton, when she asks for hearings, if we could do that as quickly as possible as well so we stay within these timeframes. We will send out an e-mail this week asking who will want hearings, et cetera, so we can start working on that now. Thank you.

POPULATE ADVISORY PANEL MEMBERSHIP

CHAIRMAN NOWALSKY: The next order of business to come before the board is to review and populate advisory panel membership. Mike.

MR. WAINE: We've received three nominations for the Tautog Advisory Panel. Those were Travis Barao from Rhode Island – he is representing the recreational fishery – Edward Yates from New Jersey for the for-hire charter and Wes Blow from Virginia for the recreational fishery. We would be looking for a motion from the board to approve these members to the Advisory Panel for Tautog.

MR. ADLER: Mr. Chairman, I'll make the motion to accept Travis Barao from Rhode Island, Edward Yates from New Jersey and Wes Blow from Virginia to be added to the Tautog Advisory Panel.

CHAIRMAN NOWALSKY: Seconded by Mr. O'Reilly. Discussion on the motion? Seeing none; I

don't believe there is a need to caucus. Is there any objection to the motion for these members? Seeing none; the motion carries without objection. The next order of business is to just circle back to the motion from the last meeting.

Dr. Pierce had read it earlier: Move to establish a Joint Subcommittee of the Tautog Management Board and the Law Enforcement Committee to study problems of unauthorized harvest and sale of tautog especially in the well-publicized live fish market in local and interstate commerce that likely is contributing to current levels of overfishing. The joint committee is to: (1) determine the feasibility of ASMFC mandating a fish-tagging program for each state that would minimize the unlawful commerce of tautog and provide traceability of all fish in commerce back to the state of origin and harvester, and (2), if feasible, then offer details of such a program to accomplish the two aforementioned objectives.

Toni, I believe that you had mentioned you had members of the Law Enforcement Committee for this subcommittee but that we would still need Tautog Management Board members. Is that something you'd like to get volunteers from here today or would you like to get those after this board meeting concludes?

MS. KERNS: It is the pleasure of the board, Mr. Chairman. If you want to choose people or if people want to volunteer, it is at your discretion. We would have meetings this fall.

CHAIRMAN NOWALSKY: Are there volunteers here today or would the preference be to get back? Okay, I see a couple of hands. I have Dr. Pierce; I have Mr. Simpson. I don't think that would preclude anyone else from coming forward in the next couple of weeks if they have an interest. That would be something probably that I would take part as well on as board chair. Okay, any further discussion on that previous motion from the last board meeting?

Seeing none; let me just also make one additional comment that the board currently does not have a vice-chair, and it is the intention to solicit nominations and elect a vice-chair for this board at the annual meeting. Is there any other business to come before the Tautog Board today? Seeing none; a motion to adjourn. Mr. O'Reilly; seconded by Mr. Adler. Without objection, this board is adjourned.

(Whereupon, the meeting was adjourned at 10:25 o'clock a.m., August 5, 2015.)

Atlantic States Marine Fisheries Commission

**PUBLIC INFORMATION DOCUMENT FOR
AMENDMENT 1 TO THE INTERSTATE FISHERY
MANAGEMENT PLAN FOR TAUTOG**



*ASMFC Vision:
Sustainably Managing Atlantic Coastal Fisheries*

August 2015

**The Atlantic States Marine Fisheries Commission
Seeks Your Input on Tautog Management**

The public is encouraged to submit comments regarding this document during the public comment period. Comments will be accepted until 5:00 PM (EST) on October 23, 2015. Regardless of when they were sent, comments received after that time will not be included in the official record. The Tautog Management Board will consider public comment on this document when developing Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog.

You may submit public comment in one or more of the following ways:

1. Attend public hearings held in your state or jurisdiction.
2. Refer comments to your state’s members on the Tautog Management Board or Advisory Panel, if applicable.
3. Mail, fax, or email written comments to the following address:

Ashton Harp
1050 North Highland St., Suite 200 A-N
Arlington, VA 22201
Fax: (703) 842-0741
aharp@asmfc.org (subject line: Tautog PID)

If you have any questions please call Ashton Harp at (703) 842-0740.

Commission’s Process and Timeline

	February 2015	Board Initiates Plan Amendment and Tasks PDT to Develop Public Information Document (PID)
	August 2015	Board Reviews Draft PID and Considers Approval for Public Comment
Current Step →	September – October 2015	Board Solicits Public Comment on the PID and States Conduct Public Hearings
	November 2015	Board Reviews Submitted Public Comment and Advisory Panel Input and Provides Guidance to PDT on Development of Draft Amendment 1
	February 2016	Management Board Reviews Draft Amendment 1 and Considers Approval for Public Comment
	March – April 2016	Board Solicits Public Comment on Draft Amendment 1 and States Conduct Public Hearings
	May 2016	Board Reviews Submitted Public Comment and Input from its Advisory Panel and the Law Enforcement Committee Full Commission Considers Final Approval of Amendment 1

Atlantic States Marine Fisheries Commission

Public Information Document for Amendment 1 to the Interstate Fishery Management Plan for Tautog

Introduction

The Atlantic States Marine Fisheries Commission (Commission) is developing an amendment to revise the Interstate Fishery Management Plan for Tautog (FMP). The Commission is responsible for managing tautog through the coastal states of Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, and Virginia.

This is your opportunity to inform the Commission about changes observed in the fisheries; actions you feel should or should not be taken in terms of management, regulation, enforcement, and research; and any other concerns you have about the resource or the fisheries, as well as the reasons for your concerns.

Management Issues

The Tautog FMP was approved in March 1996. Since the FMP was implemented, the resource has experienced changes in stock status, as well as management measures that are used to control harvest. Based on the 2015 Benchmark Stock Assessment and Peer Review Report, tautog is overfished and overfishing is occurring on a coastwide scale.

The 2015 Benchmark Stock Assessment and Peer Review Report suggested the delineation of separate, regional stock units as management areas. The Tautog Management Board accepted the 2015 assessment for management use, but expressed concern with the proposed stock delineations that would split Long Island Sound into two assessment and management areas, which could present management challenges given the high degree that Connecticut and New York fishermen target the same tautog habitat across state lines in the Sound. In the absence of conclusive biological evidence to delineate the regional boundaries along the Atlantic coast, the Board decided to initiate a plan amendment to consider the management implications of regionalization and delineate regions for future management.

Purpose of the Public Information Document (PID)

The purpose of this document is to inform the public of the Commission's intent to gather information concerning the tautog fishery and to provide an opportunity for the public to identify major issues and alternatives relative to the management of this species. In addition, the document seeks specific input from the public on the selection of regional stock areas for management use. Input received at the start of the amendment development process can have a major influence on the final outcome of the amendment. The PID is intended to draw out observations and suggestions from fishermen, the public, and other interested parties, as well as any supporting documentation and additional data sources.

To facilitate public input, the PID provides a broad overview of the issues already identified for consideration in the amendment; background information on the tautog population, fisheries, and management; and a series of questions for the public to consider about the future management of the species. In general, the primary question on which the Commission is seeking public comment is: **“How would you like the tautog fishery to look in the future? And, more specifically, what do you think is the best regional breakdown for tautog management moving forward?”**

Background on Tautog Management

The FMP for Tautog (*Tautoga onitis*) was approved in 1996 (ASMFC, 1996), with the goals of conserving the resource along the Atlantic coast and maximizing long-term ecological benefits, while maintaining the social and economic benefits of recreational and commercial utilization.

The FMP required a minimum size limit to increase the spawning stock biomass and yield to the fishery. It also included fishing mortality targets intended to prevent overfishing. The FMP established a 14” minimum size limit and a target fishing mortality (F) of $F = 0.15$. The target F was a significant decrease from the 1995 estimate of $F = 0.70$, so a phased in approach to implementing these regulations was established. Northern states (Massachusetts through New Jersey) were to implement the minimum size and achieve an interim target of $F = 0.24$ by 1997, while southern states (Delaware through North Carolina) had until 1998 to do the same. All states were then required to achieve the target $F = 0.15$ by 1999.

Several changes were made to the management program under the FMP’s adaptive management provisions in response to changes in the fishery and the latest stock assessment information, as described below.

Addendum I (1997) delayed implementation of the interim $F_{\text{TARGET}} = 0.24$ until 1998, at which time the states would be required to reduce to $F_{\text{TARGET}} = 0.15$ by 2000. It also established *de minimis* specifications.

Addendum II (1999) further extended the deadline to achieve the $F_{\text{TARGET}} = 0.15$ until 2002. In the interim, data were collected to conduct a stock assessment to determine the extent of reductions needed by each state to meet the F_{TARGET} .

Addendum III (2002) modified the F_{TARGET} to $F_{40\%SSB} = 0.29$ and mandated each state collect a minimum of 200 age samples per year to improve future stock assessments.

Addendum IV (2007) modified the $F_{\text{TARGET}} = 0.20$, and established biomass reference points for the first time as $SSB_{\text{TARGET}} = 59,083,886$ lbs. and 75% of this value as $SSB_{\text{THRESHOLD}} = 44,312,915$ lbs.

Addendum V (2007) allowed states flexibility in achieving the F_{TARGET} through reductions in commercial harvest, recreational harvest, or some combination of both. A Massachusetts-Rhode Island model indicated regional F was lower than the coastwide target, therefore these two states were not required to implement management measures to reduce F.

Addendum VI (2011) established a new $F_{TARGET} = 0.15$. All states adopted higher minimum size limits exceeding the FMP’s minimum requirement of 14” in addition to other measures, such as possession limits, seasonal closures, and gear restrictions (See Table 3A-B). Massachusetts and Rhode Island, again, demonstrated a lower regional F and these states were not required to implement changes to their regulations. States were required to implement regulation requirements on January 1, 2012.

Summary of Stock Status

The 2015 benchmark stock assessment, which considered data through 2012, determined that tautog is overfished and overfishing is occurring on a coastwide basis (Massachusetts – North Carolina). The estimated three-year (2011-2013) fishing mortality is $F = 0.30$, well-above the $F_{TARGET} = 0.10$, see Table 2 on page 9.

Stock Definition

Unlike previous assessments, which assessed the stock on a coastwide basis, the 2015 benchmark stock assessment evaluated stock status regionally to reflect differences in life history characteristics and harvest patterns. The management board is considering three regional alternatives to assess and manage tautog.

Table 1. Alternative stock definitions

Option 1 (Current Stock Definition)	Option 2 (3 stocks)	Option 3 (3 stocks)	Option 4 (4 stocks)
Single Stock: Massachusetts – North Carolina	1) Massachusetts–Connecticut	1) Massachusetts–Rhode Island	1) Massachusetts–Rhode Island
	2) New York–New Jersey	2) Connecticut–New Jersey	2) Long Island Sound (Connecticut–New York)
	3) Delaware–North Carolina	3) Delaware–North Carolina	3) New York–New Jersey (excluding LIS) 4) Delaware–North Carolina

The Peer Review Panel and the Technical Committee support the use of a regional approach since it is most likely to reduce the risk of overfishing and account for tautog’s very limited coastwide movement. Specifically, the Peer Review Panel and Technical Committee endorsed the three-region approach (i.e., Options 2 and 3).

Option 4 was not part of the stock delineations in the 2015 benchmark stock assessment because of challenges associated with splitting harvest in Long Island Sound (LIS) between Connecticut and New York. However, the Board decided to include an option with LIS as its own stock unit because of tautog’s limited north-south migration and the likelihood that recruitment has

minimal overlap with the surrounding area (e.g., Rhode Island and New Jersey). Currently, researchers at the University of Connecticut are working on an appropriate split of the harvest data to complete a stock assessment of the LIS stock. Additionally, the states are exploring options to conduct an assessment of the New York-New Jersey region (excluding LIS). Results of both assessments are expected to be available in the first half of 2016, but until then there are no biological reference points for the LIS and the New York-New Jersey (excluding LIS) stock units of Option 4. More information, and stock status by region can be found in Table 2 on page 9.

Life History and Biological Overview

Age and growth studies indicate tautog are slow-growing, long-lived species that aggregate around structured habitats with a preferred home site. This unique life history makes it vulnerable to overfishing and slow to rebuild.

Tagging data suggest strong site fidelity across years with limited north-south movement, and some seasonal inshore-offshore migrations. In the northern part of their range, adult tautog move from offshore wintering grounds in the spring, to nearshore spawning and feeding areas, where they remain until late fall when the reverse migration occurs as water temperatures drop. Populations in the southern region may undergo shorter distance seasonal migrations, and in the southern-most part of the range may not undergo seasonal migrations at all (Hostetter and Munroe, 1993; Arendt et al., 2001). For example, observations suggest that some localized populations, such as those in the lower Chesapeake Bay, eastern LIS, and Delaware Bay, remain inshore during the winter (Olla and Samet, 1977; Ecklund and Targett, 1990; Hostetter and Munroe, 1993; White, 1996; Arendt et al., 2001).

Fish as old as 30 years have been caught in Rhode Island, Connecticut, and Virginia, but most of the fish caught are four to eight years old. The species exhibits late age at maturity, it is believed to reach sexual maturity between the ages of three and four (Chenoweth, 1963; White, 1996).

Fecundity, which is the number of eggs produced by a female per spawning event, is strongly related to female size, with larger females producing significantly more eggs than smaller females. A 22-year LIS trawl survey demonstrated a decrease in abundance and a shift in the size structure of the population to smaller fish (LaPlante and Schultz, 2007).

Management Unit

Under the FMP, the management unit is defined as all US territorial waters of the northwest Atlantic Ocean (0 – 3 miles from shore) and from US/Canadian border to the southern end of the species range. Currently, all states from Massachusetts through Virginia have a declared interest in the species. While the stock ranges from Massachusetts through North Carolina, North Carolina has such minimal landings it did not declare interest in being part of the management unit. Additionally, Delaware was approved for *de minimus* status in 2015 and therefore is exempt from certain regulatory and monitoring requirements.

Description of the Fishery

Tautog are targeted by both commercial and recreational fisheries, but approximately 90% of the total harvest comes from the recreational fishery (Figure 1). Current management measures for the recreational fishery are presented in Table 3A; regulations for the commercial fishery are in Table 3B.

Recreational Fishery

Recreational harvest estimates are available for 1981-2014 (Table 4A). Recreational catch estimates for tautog are more uncertain than other commonly targeted species along the coast because tautog anglers are not frequently intercepted by the Marine Recreational Information Program (MRIP). Historically, recreational harvest is mostly attributed to New Jersey, New York and Massachusetts which combined account for 60% of total harvest from 1981-2011 (Figure 3). In 1986, anglers harvested a historical high of 16.9 million pounds (lbs.). However, 1986 was a unique year in which recreational harvest in Massachusetts was unusually high. Since then harvest has generally declined. Both 1998 and 2011 had the lowest harvest, at 1.5 million lbs.

Between 2000 and 2014 the recreational harvest averaged 3.3 million lbs. (Figure 2) and on average 90% was harvested within state waters. In 2014, recreational fishermen harvested approximately 970,000 fish weighing a total of 4.2 million lbs., an increase from the 2011-2013 average recreational harvest of approximately 500,000 fish per year across a three year landing average of 1.96 million lbs. (Tables 4A-B). This increase occurred after Addendum VI measures, which were intended to decrease fishing mortality, went into effect on January 1, 2012. Since 2012, the majority of recreational landings are attributed to Connecticut (33%), New York (21%), Rhode Island (16%), and New Jersey (13%) (Figure 4); additionally 94% of the overall harvest came from state waters.

In 2014, Connecticut anglers harvested the most tautog, bringing in 289,829 tautog weighing a total of 1,470,133 lbs. New York harvested the second largest amount with 263,962 fish weighing a total of 1,211,285 lbs. Maryland anglers landed the fewest tautog, with 494 fish (Table 4B).

Commercial Fishery

Commercial landings exist for 1950 to present (Table 5). In 1987, commercial landings peaked at nearly 1.16 million lbs. and steadily declined to a low of 208,000 lbs. in 1999. Since 2000, commercial landings have varied without trend, ranging from approximately 241,000 to 351,000 lbs. Rod and reel are the predominant commercial gear; in addition to bottom otter trawls, and fish pots and traps—collectively they represent the top three commercial gear types for the past two decades. The ex-vessel value for tautog has increased since the historic low of \$0.03/lbs. in 1962, along with the increasing landings trend. In 2012, value surpassed \$3/lbs.

Monthly landings back to 1990 indicate approximately 30% of the annual commercial harvest occurs during May-June, and again during October-November. More recently, since 2010, the fall harvest has extended to September-November. Harvest is lowest during January-March,

when less than 5% of the annual commercial catch occurs. The commercial harvest is roughly evenly split among the remaining months.

Since 1982, commercial landings have been dominated by Massachusetts, Rhode Island, and New York, each averaging more than 20% of coastwide harvest. New Jersey and Connecticut account for the majority of the remaining harvest, averaging 15% and 8%, respectively.

Issues for Public Comment

Public comment is sought on five issues that are being considered in Draft Amendment 1. The issues listed below are intended to focus the public comment and provide the Board input necessary to develop Draft Amendment 1. The public is encouraged to submit comments on the issues listed below as well as other issues that may need to be addressed in Draft Amendment 1.

ISSUE 1: STOCK MANAGEMENT AREAS

Statement of the Problem

Currently, tautog are managed on a coastwide basis, with the management unit consisting of all states from Massachusetts through Virginia (excluding Pennsylvania). Tagging data suggest strong site fidelity (e.g., tautog tend to stay near and return to their “home” reefs) across years with limited north-south movement, although some populations may undergo seasonal inshore-offshore migrations. Further, the 2015 benchmark stock assessment and peer review supported the use of a regional approach since it is most likely to reduce the risk of overfishing and account for tautog’s very limited coastwide movement. This would also allow the inclusion of biological and harvest data at a finer regional scale. Managers are seeking input on how the stock management areas should be defined in the new amendment. Meaning, what should the boundaries be for each regional area?

Management Options

In order to streamline the amendment process, managers are seeking public comment on a stock delineation approach through the PID, with the intention of using these comments to choose one of the below options for the development of draft Amendment. Comments are encouraged on the following stock management area options (Table 2).

Table 2. Stock status for the proposed stock management area options.

Stock Region	Stock Status	SSB Target (lbs.)	SSB Threshold (lbs.)	SSB** 2013 (lbs.)	F Target	F Threshold	F** 2011-13 Average
OPTION 1 (STATUS QUO)							
Coastwide (Massachusetts to Virginia)	Overfished Experiencing Overfishing	45,441,681	34,081,261	10,762,968	0.10	0.13	0.30
OPTION 2							
Massachusetts, Rhode Island, Connecticut	Overfished Experiencing Overfishing	8,560,550	6,419,861	3,999,185	0.15	0.20	0.48
New York, New Jersey	Overfished Not Experiencing Overfishing	7,870,503	5,820,204	4,854,579	0.17	0.26	0.24
Delaware, Maryland, Virginia*	Overfished Not Experiencing Overfishing	4,607,661	3,483,304	3,377,482	0.16	0.24	0.16
OPTION 3							
Massachusetts, Rhode Island	Overfished Experiencing Overfishing	5,804,771	4,354,130	3,553,852	0.16	0.19	0.38
Connecticut, New York, New Jersey	Overfished Experiencing Overfishing	11,375,853	8,642,121	5,200,705	0.17	0.24	0.34
Delaware, Maryland, Virginia*	Overfished Not Experiencing Overfishing	4,607,661	3,483,304	3,377,482	0.16	0.24	0.16
OPTION 4							
Massachusetts, Rhode Island	Overfished Experiencing Overfishing	5,804,771	4,354,130	3,553,852	0.16	0.19	0.38
Long Island Sound (CT, NY)^	Status Unknown		Unknown			Unknown	
New York, New Jersey (excluding LIS)^	Status Unknown		Unknown			Unknown	
Delaware, Maryland, Virginia	Overfished Not Experiencing Overfishing	4,607,661	3,483,304	3,377,482	0.16	0.24	0.16

* North Carolina is also considered part of the Delaware, Maryland and Virginia stock unit, but it has not declared interest in the management of tautog.

** Red numbers indicate the stock is overfished or overfishing is occurring; yellow is cautionary; green is within management limits.

^Stock status information for these areas are not available at this time. Assessments should be completed by the first half of 2016, and subsequently followed by a peer review.

**ISSUE 1: STOCK
MANAGEMENT
AREAS (Cont.)**

There is no clear biological evidence to determine where stock boundaries should be drawn. As discussed previously, LIS presents a unique challenge to regional management for this species. The difference between Option 2 and Option 3 is the placement of Connecticut landings and the information on stock condition provided by the LIS Trawl Survey.

Option 2 places Connecticut with Massachusetts and Rhode Island because growth information suggested tautog landed in Connecticut were more similar to Massachusetts and Rhode Island fish than to New Jersey fish, and the Technical Committee felt there was little biological connectivity between Connecticut and New Jersey. However, by grouping Connecticut landings with the Southern New England states under Option 2, tautog found in LIS are divided into two separate stock units. Subsequently, the LIS Trawl Survey which collects data in Connecticut and New York waters will be used to inform the Massachusetts, Rhode Island and Connecticut assessment area, but not the New York-New Jersey assessment area because the survey data cannot be used in more than one region.

Option 3 recognizes the LIS as a shared resource for Connecticut and New York, and groups Connecticut with New York and New Jersey. New York and New Jersey fish on a shared stock in the ocean south of Long Island, and New York and Connecticut fish on a shared stock in LIS. This meta-complex of stocks provides improvement in assessment and management over the status quo coastwide scale. However, this regional breakdown groups Connecticut and New Jersey, which do not fish on the same tautog stocks.

Option 4 was developed to create separate LIS and New York-New Jersey (excluding LIS) management areas. It was not part of the 2015 peer-reviewed assessment and will need additional analysis, review, and discussion. It takes into account the overlap in fishing areas between New York and Connecticut and the likelihood that tautog found in LIS represent a population for assessment and management purposes with minimal overlap in fisheries or tautog movements between adjacent jurisdictions (e.g., RI, NJ). In recent years, harvest from LIS has accounted for 29% of coastwide landings. For these reasons, the Technical Committee acknowledges managing LIS as a discrete area may be appropriate. However, reference points do not

currently exist for the LIS or the New York-New Jersey (excluding LIS) stocks. As a result, management under Option 4 would have to use an ad hoc approach for the LIS and New York-New Jersey (excluding LIS) regions in any management action taking place for 2016. This may include a percent reduction from recent catch within the LIS or New York-New Jersey (excluding LIS) regions, or estimating the reduction needed to achieve F_{TARGET} in Option 3 (Connecticut/New York/New Jersey region) and splitting that reduction in some way between LIS and New York-New Jersey (excluding LIS). It is expected that peer reviewed stock assessment advice for both LIS and the NY-NJ (excluding LIS) assessment areas will be available to support management decisions affecting 2017 and later.

Management Question

- Which management area approach do you support: Option 1 (status quo), Option 2, Option 3 or Option 4?

ISSUE 2: FISHERY MANAGEMENT PLAN GOALS AND OBJECTIVES

Statement of the Problem

The goals and objectives for this management program are being reviewed to ensure they are consistent with the needs of the tautog fishery and resource. Should the goals and objectives of the FMP be revised?

The current goals and objectives as outlined in the FMP:

GOALS

- A. To perpetuate and enhance stocks of tautog through interstate fishery management so as to allow a recreational and commercial harvest consistent with the long-term maintenance of self-sustaining spawning stocks
- B. To maintain recent (i.e. 1982-1991) utilization patterns and proportions of catch taken by commercial and recreational harvesters
- C. To provide for the conservation, restoration, and enhancement of tautog critical habitat for all life history stages
- D. To maintain a healthy age structure
- E. To conserve the tautog resource along the Atlantic coast to preserve ecological benefits such as biodiversity and reef

community stability, while maintaining the social and economic benefits of commercial and recreational utilization

OBJECTIVES

- A. To establish criteria, standards, and procedures for plan implementation as well as determination of state compliance with FMP provisions
- B. To allow harvest that maintains spawning stock biomass (SSB) in a condition that provides for perpetuation of self-sustaining spawning stocks in each spawning area, based on maintain young-of-the-year indices, SSB, size and age structure, or other measures of spawning success at or above historical levels as established in the plan
- C. To achieve compatible and equitable management measures among jurisdictions throughout the fishery management unit
- D. To enact management recommendations which apply to fish landed in each state, so that regulations apply to fish caught both inside and outside of state waters
- E. To promote cooperative interstate biological, social, and economic research, monitoring and law enforcement
- F. To encourage sufficient monitoring of the resource and collection of additional data, particularly in the southern portion of the species range, that are necessary for development of effective long-term management strategies and evaluation of the management program. Effective stock assessment and population dynamics modeling require more information on the status of the resource and the biology/community/ecology of tautog than is currently available, in particular to facilitate calculation of F and stock trends
- G. To identify critical habitats and environmental factors that support or limit long-term maintenance and productivity of sustainable tautog populations
- H. To adopt and promote standards of environmental quality necessary to the long-term maintenance and productivity of tautog throughout their range
- I. To develop strategies that reduce fishing mortality, restore stock size composition and the historical recreational/commercial split, consider ecological and socio-economic impacts and identify problems associated with the

offshore fishery. Compatible regulations between the states and the EEZ are essential

**ISSUE 2: FISHERY
MANAGEMENT
PLAN GOALS AND
OBJECTIVES
(Cont.)**

Management Questions

- Are these goals and objectives still appropriate for the tautog fishery and resource?
- What changes to the goals and objectives need to be made to reflect the needs of the fishery and the resource?
- Which five objectives do you feel are the most important?

**ISSUE 3:
MANAGEMENT
MEASURES**

Background

Current management measures for the recreational fishery are presented in Table 3A; regulations for the commercial fishery are in Table 3B. The recreational fishery is managed with minimum size limits (15-16” depending on the state), possession limits (3-6 fish/person/day depending on the state and season), and seasonal closures. The commercial fishery is managed with quotas, gear restrictions, minimum size limits, possession limits and seasonal closures.

Management Questions

- Do you support the use of regional management measures?
- What are the most effective management measures in place?
- Are there management measures that can be improved upon to better achieve management goals and objectives?
- Are there additional state management efforts that should be included in the FMP?

**ISSUE 4:
REFERENCE
POINTS AND
REBUILDING
TIMEFRAMES**

Statement of the Problem

Based on the 2015 stock assessment, tautog is overfished and overfishing is occurring on a coastwide basis. To increase spawning stock biomass and yield to the fishery, the Draft Amendment will consider new reference points and stock rebuilding timeframes to guide management within regional stock management areas (outlined previously in issue 1).

Management Questions

- Do you support the ability to change reference points based on the latest peer-reviewed stock assessment recommendations without the need of a management document?
- Do you support the use of regional reference points?
- Do you support stock rebuilding timeframes that correspond to the needs of each regional management area (i.e. timeframes that are based upon respective stock condition relative to their regional reference points)?

ISSUE 5: OTHER ISSUES

As stated earlier in this document, the intent of the PID is to solicit comments on a broad range of issues for consideration in Draft Amendment 1. The public comment should generally focus on **“How would you like the tautog fishery and resource to look in the future?”** The Board is interested in hearing from the public on all issues associated with the fishery and resource. Comments should not be limited to issues included in this document.

Issues that have been discussed by stakeholders, scientists, and managers regarding the future of the fishery, include:

- A. *Adaptive management to achieve the goals and objectives*
 - a. Adaptive management provides the Board with the ability to make timely changes to the management program based on changes to the fishery or resource. These changes could be addressed through the addendum process, which typically takes 3-6 months to finalize versus the amendment process, which typically takes 12-16 months to finalize. Examples of issues addressed under adaptive management are: size limits, possession limits, seasonal closures, area closures, and creation of special management zones (to name a few).

- B. *Landings and biological monitoring requirements*
 - a. The 2015 benchmark stock assessment made a number of monitoring recommendations to improve understanding of tautog life history and stock dynamics, as well as aid in development of future stock

assessments. High priority needs include improved biological sampling of the commercial and recreational catch, better sampling of the smallest and largest fish, improved characterization of the lengths of discarded or released fish, and development of a comprehensive fishery-independent survey that is more appropriate for a reef-oriented species, such as a pot or trap survey.

C. Illegal fishing of undersized tautog

a. Commercial demand

- i. There is demand for undersized live tautog in seafood restaurant businesses, primarily Asian markets in large cities, with a premium price for those who can manage to catch and transport these fish to a retailer alive. The preferred fish size is 12", well below the minimum legal size for most states (i.e., 15-16" depending on the state).

b. Recreational demand

- i. Law enforcement has noted a significant number of hook and line fisherman using tautog (almost always undersize) as live bait for species such as striped bass.

***ISSUE 5: OTHER
ISSUES (Cont.)***

Management Questions

- Do you support the use of adaptive management to meet the goals and objectives of the fishery?
- Do you support increased monitoring to improve our understanding of tautog life history and stock dynamics as well as aid in development of future stock assessments?
- Are undersized tautog harvested for recreational bait or the live fish market in your state? If so, is this a concern to you?
- Should there be an ASMFC mandated commercial fish tagging program to minimize the unlawful commerce of tautog and provide traceability of all fish in commerce back to the state of origin. Should the point of tagging be the point of harvest and/or the point of sale?

- As a structure-oriented species, do you have regional habitat recommendations, recognizing that the Commission and the state marine fishery agencies have limited regulatory authority for habitat?
- What other changes should be made to the tautog fishery that are not covered by the topics included in this document?

References

- Atlantic States Marine Fisheries Commission. 1996. Fisheries Management Plan for Tautog. ASMFC, Washington, DC.
- Atlantic States Marine Fisheries Commission. 2015. Tautog benchmark stock assessment report for peer review. Arlington, VA.
- Arendt, M., J. Lucy, and T. Munroe. 2001. Seasonal occurrence and site-utilization patterns of adult tautog, *Tautoga onitis* (Labridae), at manmade and natural structures in Chesapeake Bay. *Fisheries Bulletin*. 99:519-527.
- Chenoweth, S. 1963. Spawning and fecundity of the tautog, *Tautoga onitis*. M.S. thesis. University of Rhode Island. North Kingston, RI, 60 p.
- Ecklund, A.M. and T.E. Targett. 1990. Reproductive seasonality of fishes inhabiting hard bottom areas in the Middle Atlantic Bight. *Copeia* 1990:1180-1184.
- Hostetter, E.B. and T.A. Munroe 1993. Age, growth, and reproduction of tautog *Tautoga onitis* (Labridae: Perciformes) from coastal waters of Virginia. *Fishery Bulletin* 91:45-64.
- LaPlante, L.H. and Eric Schultz. 2007. Annual Fecundity of Tautog in Long Island Sound: Size Effects and Long-Term Changes in a Harvested Population. *American Fisheries Society* 136: 1520-1533.
- Olla, B.L. and C. Samet. 1977. Courtship and spawning behavior of the tautog, *Tautoga onitis* (Pisces: Labridae), under laboratory conditions. *Fishery Bulletin* 75:585-599.
- White, G.G. 1996. Reproductive Biology of Tautog, *Tautoga onitis*, in the Lower Chesapeake Bay and Coastal Waters of Virginia. M.S. Thesis. The College of William and Mary.

Table 3A. Recreational regulations for tautog by state

STATE	SIZE LIMIT (inches)	POSSESSION LIMITS (number of fish/person/day)	OPEN SEASONS
Massachusetts	16"	3	Jan 1 – Dec 31
Rhode Island	16"	3 3 6 (up to 10 per vessel)	Apr 15 – May 31 Aug 1 – Oct 15 Oct 16- Dec 15 (private)
Connecticut	16"	2 2 4	Apr 1-Apr 30 July 1 – Aug 31 Oct 10 – Dec 6
New York	16"	4	Oct 5 – Dec 14
New Jersey	15"	4 4 1 6	Jan 1 – Feb 28 Apr 1 – Apr 30 Jul 17 – Nov 15 Nov 16 – Dec 31
Delaware	15"	5 3 5 5	Jan 1 – Mar 31 Apr 1 – May 11 July 17 – Aug 31 Sept 29 – Dec 31
Maryland	16"	4 2 4	Jan 1- May 15 May 16 – Oct 31 Nov 1 – 26
Virginia	16"	3	Jan 1 – April 30 Sept 20 – Dec 31
North Carolina	-	-	-

Table 3B. Commercial regulations for tautog by state

STATE	SIZE LIMIT	POSSESSION LIMITS (number of fish/vessel/day)	OPEN SEASONS	2015 QUOTA (lbs.)	GEAR RESTRICTIONS*
Massachusetts	16"	40	Apr 16 - May 23 Sept 1 - Oct 31	54,984	Yes
Rhode Island	16"	10	Apr 15 - May 31 Aug 1 - Sept 15 Oct 15 - Dec 31	17,116 13,390 17,116	Yes
Connecticut	16"	10	Apr 1 - Apr 30 Jul 1 - Aug 31 Oct 8 - Dec 24	-	Yes
New York	15"	25 (except, 10 per vessel when fishing lobster pot gear and more than six lobsters are in possession)	Jan 1 – Feb 28 Apr 8 – Dec 31	-	Yes**
New Jersey	15"	> 100 lbs requires directed fishery permit	Jan 1 - 15 June 11 - 30 Nov 9 - Dec 31	103,000	Yes
Delaware	15"	5 3 5 5	Jan 1 - Mar 31 Apr 1 - May 11 July 17 - Aug 31 Sept 29 - Dec 31	-	Yes
Maryland	16"	4 2 4	Jan 1 - May 15 May 16 - Oct 31 Nov 1 - 26	-	Yes
Virginia	15"	-	Jan 1 – Jan 21 Mar 1 – Apr 30 Nov 1 – Dec 31	-	Yes
North Carolina	-	-	-	-	Yes

* FMP regulations: A pot and trap used to catch tautog shall have hinges or fasteners on one panel or door made of one of the following degradable materials: 1) Untreated hemp or jute string of 3/16 inch in diameter or smaller; 2) Magnesium alloy fasteners; or 3) Ungalvanized or uncoated iron wire of 0.094-inch diameter or smaller.

** New York: In addition to other fish pot or trap requirements, it is unlawful to take or possess tautog using fish pots or traps, unless there is one circular vent measuring in 3 1/8 inch opening diameter.

Table 4A. Recreational harvest in tautog in pounds, 1981-2014 (MRIP)

Year	MA	RI	CT	NY	NJ	DE	MD	VA	NC	Total
1981	790,610	664,568	242,337	1,496,039	161,423	6,584	10,296	742,653	536	4,115,046
1982	3,226,868	777,930	610,608	1,674,949	1,241,155	428,036	90,645	271,919	15,849	8,337,959
1983	1,837,262	615,595	458,582	1,124,844	414,957	4,437	6,551	1,267,165	20,144	5,749,537
1984	733,876	1,809,822	733,710	541,805	717,261	95,740	79,110	669,869	NA	5,381,193
1985	328,041	277,384	471,185	2,034,903	741,656	144,859	1,107	298,797	7,154	4,305,086
1986	7,862,584	2,042,584	838,346	2,833,208	2,132,571	264,744	10,049	918,138	4,173	16,906,397
1987	1,751,372	507,424	1,106,606	2,288,076	2,130,955	387,075	266,094	442,751	8,430	8,888,783
1988	2,255,930	612,123	610,171	2,380,285	1,331,833	249,803	446,947	1,410,003	4,605	9,301,700
1989	1,076,366	296,889	1,038,217	1,018,015	1,289,185	743,339	78,391	806,336	31,012	6,377,750
1990	895,327	389,579	200,000	1,980,289	1,256,488	142,627	59,720	229,442	2,703	5,156,175
1991	798,889	1,007,549	648,634	2,352,646	2,189,144	354,498	106,223	619,214	24,645	8,101,422
1992	1,668,485	656,712	1,048,639	1,199,558	2,485,693	183,854	159,730	255,995	12,559	7,671,225
1993	752,598	389,733	531,023	1,800,794	1,361,612	217,881	105,231	758,410	9,738	5,927,020
1994	373,189	328,668	417,438	585,037	330,551	152,033	177,358	1,101,130	2,708	3,468,112
1995	309,224	237,093	402,616	369,643	1,722,713	793,339	115,993	613,348	3,405	4,567,374
1996	397,284	248,840	245,816	193,045	1,123,174	158,751	26,483	778,315	13,191	3,184,899
1997	166,042	301,109	84,297	331,529	483,639	204,419	182,995	391,258	58,751	2,204,039
1998	96,695	316,339	231,622	208,743	41,431	257,348	27,648	273,515	26,420	1,479,761
1999	363,471	223,763	61,142	761,446	511,673	358,328	37,677	203,249	11,940	2,532,689
2000	442,816	203,602	58,475	258,100	1,812,960	373,581	56,126	188,187	4,502	3,398,349
2001	502,247	165,380	63,157	171,927	1,482,613	159,961	72,357	127,555	4,503	2,749,700
2002	521,611	265,116	447,140	2,135,221	1,184,560	652,007	104,246	116,797	4,448	5,431,146
2003	221,843	479,345	603,861	315,384	164,327	200,618	43,212	308,838	20,512	2,357,940
2004	107,905	698,737	77,219	966,022	283,109	240,288	21,633	524,251	31,226	2,950,390
2005	382,866	807,715	145,342	314,691	144,423	220,642	84,538	242,650	30,277	2,373,144
2006	294,785	380,009	842,213	793,999	726,554	406,499	47,484	468,246	3,204	3,962,993
2007	333,668	621,747	1,384,528	823,257	1,064,250	298,500	137,026	246,802	58,480	4,968,258
2008	109,932	491,953	720,575	1,081,693	520,100	380,729	69,331	222,485	1,535	3,598,333
2009	85,414	323,717	303,047	1,431,273	408,567	387,643	108,297	268,102	18,006	3,334,066
2010	162,488	923,690	412,775	502,526	1,067,379	146,044	201,753	479,462	9,389	3,905,506
2011	129,669	80,300	88,728	450,171	381,449	152,895	33,859	173,871	1,555	1,492,497
2012	94,699	534,716	982,891	252,745	133,048	171,329	17,670	49,988	11,687	2,248,773
2013	197,775	593,304	392,146	355,232	395,539	138,051	18,681	23,836	9,636	2,124,200
2014	399,812	297,955	1,470,133	1,211,285	579,934	187,915	3,004	121,352	9,472	4,280,862

Table 4B. Recreational harvest in tautog in number of fish, 1981-2014 (MRIP)

Year	MA	RI	CT	NY	NJ	DE	MD	VA	NC	Total
1981	228,736	233,508	100,308	721,062	132,271	3,457	4,670	236,768	3,072	1,663,852
1982	1,051,022	214,938	231,187	646,693	583,550	137,328	35,105	71,599	15,062	2,986,484
1983	670,508	245,796	200,676	612,163	344,580	4,350	2,126	579,795	36,549	2,696,543
1984	258,256	490,128	287,470	286,077	516,086	28,388	42,835	207,192	NA	2,116,432
1985	100,941	115,404	182,318	1,105,234	840,627	62,001	486	91,957	8,252	2,507,220
1986	1,980,719	671,592	333,396	1,183,114	2,369,852	141,290	5,476	322,905	12,660	7,021,004
1987	617,068	130,729	312,430	929,887	1,015,123	99,706	90,523	126,783	3,698	3,325,947
1988	621,679	207,799	234,198	828,183	564,286	94,491	107,570	368,320	4,462	3,030,988
1989	250,077	116,506	303,782	562,549	710,958	249,928	34,709	284,477	11,354	2,524,340
1990	233,444	153,433	75,871	953,622	841,770	61,526	45,467	111,998	3,428	2,480,559
1991	176,905	291,946	191,137	871,221	1,067,283	128,985	26,770	168,068	6,804	2,929,119
1992	357,949	193,786	319,221	413,236	1,018,205	68,769	106,255	100,952	5,249	2,583,622
1993	216,553	118,775	180,055	505,632	773,213	82,475	60,231	300,484	4,785	2,242,203
1994	78,483	82,304	150,109	196,937	208,003	65,837	157,260	231,740	2,271	1,172,944
1995	72,461	54,570	120,259	118,006	707,963	300,303	43,542	222,186	3,178	1,642,468
1996	79,798	55,528	72,558	82,826	470,431	57,751	9,695	224,447	6,605	1,059,639
1997	39,075	70,628	32,200	92,907	196,724	65,133	85,682	106,678	11,432	700,459
1998	25,034	56,084	66,797	68,887	11,667	62,584	6,512	50,923	9,487	357,975
1999	91,476	52,136	15,701	196,564	165,505	95,309	20,180	42,880	8,437	688,188
2000	87,552	38,687	10,648	79,245	462,371	113,686	20,129	34,725	5,555	852,598
2001	115,658	39,993	16,579	45,913	467,728	50,541	23,715	28,985	2,418	791,530
2002	102,662	62,423	100,240	629,772	347,831	185,684	42,038	25,987	4,514	1,501,151
2003	46,808	120,061	167,875	128,729	102,593	63,181	13,555	76,236	12,185	731,223
2004	21,816	124,419	16,464	278,749	90,214	70,608	8,690	150,703	9,137	770,800
2005	72,038	160,524	35,699	84,280	43,055	60,831	28,129	60,484	13,707	558,747
2006	79,639	81,611	200,708	246,882	200,725	111,028	14,894	105,137	1,234	1,041,858
2007	91,304	125,233	352,819	223,798	300,179	99,605	43,308	60,992	15,250	1,312,488
2008	34,237	103,760	167,179	318,899	172,518	101,735	19,128	56,384	734	974,574
2009	24,879	85,416	85,915	346,276	127,403	119,941	37,963	60,470	2,895	891,158
2010	45,743	197,062	116,058	145,663	374,599	56,505	57,338	127,221	3,720	1,123,909
2011	32,828	19,304	25,823	111,406	136,674	45,483	11,853	46,441	981	430,793
2012	24,796	104,425	194,101	58,127	30,705	44,807	5,216	13,918	9,936	486,031
2013	57,736	126,897	104,982	76,797	111,377	38,368	3,851	5,976	5,963	531,947
2014	100,297	68,768	289,829	263,962	169,879	50,467	494	25,917	3,997	973,610

Table 4C. Recreational directed trips that targeted or harvested tautog, 1981-2014 (MRIP)

Year	MA	RI	CT	NY	NJ	DE	MD	VA	TOTAL
1981	133,401	113,268	100,158	305,359	75,729	3,458	4,247	98,806	834,426
1982	338,751	129,894	99,704	257,979	222,095	31,316	56,032	75,156	1,210,927
1983	292,435	137,334	98,572	277,585	119,430	5,952	2,002	92,059	1,025,369
1984	139,603	284,909	222,862	327,674	210,892	18,655	22,313	122,676	1,349,584
1985	79,242	137,830	241,500	479,055	134,101	12,759	1,698	75,046	1,161,231
1986	500,757	183,928	209,639	527,990	647,480	83,942	12,561	88,408	2,254,705
1987	128,967	83,415	153,383	483,605	321,539	27,979	15,454	51,524	1,265,866
1988	179,568	129,705	238,297	429,959	256,390	25,742	53,934	175,868	1,489,463
1989	109,844	105,036	257,835	334,236	280,680	60,240	32,067	95,024	1,274,962
1990	87,222	205,761	158,510	462,868	409,608	27,480	76,019	53,532	1,481,000
1991	86,113	154,934	205,139	547,079	410,306	43,359	27,220	120,923	1,595,073
1992	78,528	164,841	225,713	365,216	313,109	60,858	35,941	66,909	1,311,115
1993	115,604	172,215	155,736	354,960	312,372	72,008	57,044	113,382	1,353,321
1994	96,991	126,616	118,351	169,566	134,154	63,220	87,748	101,967	898,613
1995	85,063	81,618	121,986	178,920	202,828	110,419	66,906	76,822	924,562
1996	88,602	68,555	82,982	121,014	182,100	45,048	18,313	75,662	682,276
1997	47,660	83,477	52,967	79,916	129,478	55,318	49,478	55,296	553,590
1998	41,741	73,252	73,776	99,419	36,079	46,318	20,757	29,750	421,092
1999	79,840	72,504	29,596	176,028	102,933	43,632	59,779	44,639	608,951
2000	64,447	50,857	15,394	143,471	192,234	66,246	58,863	33,070	624,582
2001	42,012	67,239	39,749	89,702	230,465	73,028	52,744	36,687	631,626
2002	52,716	60,250	101,715	305,883	274,477	82,107	53,730	25,158	956,036
2003	80,506	89,821	130,892	145,223	104,869	65,453	39,789	59,878	716,431
2004	36,969	124,730	112,825	301,279	153,908	106,624	15,408	95,428	947,171
2005	59,652	106,102	70,479	119,876	110,640	65,826	73,241	75,139	680,955
2006	53,194	89,647	122,904	300,377	312,887	90,718	57,236	102,037	1,129,000
2007	63,552	114,747	147,098	202,800	328,041	94,342	130,086	41,044	1,121,710
2008	37,114	149,914	131,014	291,760	254,881	97,416	50,755	34,005	1,046,859
2009	74,253	104,936	36,879	247,184	259,026	53,905	125,790	39,320	941,293
2010	79,224	151,867	112,678	239,711	373,784	65,978	175,025	107,397	1,305,664
2011	108,688	81,796	107,558	253,610	188,938	66,894	73,526	68,635	949,645
2012	31,952	87,289	97,726	101,582	97,260	43,015	58,540	13,616	530,980
2013	69,341	59,910	62,538	122,535	109,137	31,368	33,571	13,004	501,404
2014	81,213	61,531	115,557	265,484	92,399	31,190	6,296	31,877	685,547

Table 5. Commercial landings for tautog in pounds, by region, 1981-2012. Landings have been combined to protect confidentiality at the state level. States were combined based on how landings were reported in the 2015 benchmark stock assessment. (2015 Benchmark Stock Assessment, NOAA Fisheries and ACCSP Data Warehouse)

Year	MA, RI, CT Combined	NY-NJ Combined	DelMarVa + North Carolina Combined	Total (Coastwide)
1981	193,200	135,800	2,900	331,900
1982	176,800	238,600	4,156	419,556
1983	233,700	189,000	2,819	425,519
1984	435,500	232,200	9,915	677,615
1985	516,600	210,000	7,770	734,370
1986	633,100	302,000	5,706	940,806
1987	829,700	320,400	7,080	1,157,180
1988	718,100	343,000	9,714	1,070,814
1989	666,600	337,300	12,531	1,016,431
1990	582,166	280,655	10,684	873,505
1991	779,943	319,435	10,733	1,110,111
1992	717,758	285,343	9,071	1,012,172
1993	447,993	242,941	7,506	698,440
1994	210,781	234,016	14,693	459,490
1995	150,753	188,849	35,965	375,567
1996	130,723	194,901	31,810	357,434
1997	118,360	127,954	34,598	280,912
1998	118,528	111,318	24,340	254,186
1999	114,670	65,193	28,962	208,825
2000	148,224	79,589	19,636	247,449
2001	162,654	122,947	19,879	305,480
2002	224,861	97,410	29,178	351,449
2003	181,639	139,030	19,832	340,501
2004	150,810	127,663	22,276	300,749
2005	166,235	113,688	12,271	292,194
2006	211,477	123,964	14,424	349,865
2007	189,263	136,777	14,886	340,925
2008	142,054	152,529	16,357	310,940
2009	126,817	101,880	14,947	243,644
2010	136,318	142,366	9,170	287,855
2011	120,000	128,626	17,758	266,384
2012	124,229	97,257	16,581	238,067
2013	129,479	118,512	15,829	263,820
2014	121,740	109,591	9,817	241,148

Figure 1. Total tautog harvest in pounds (1981-2014)

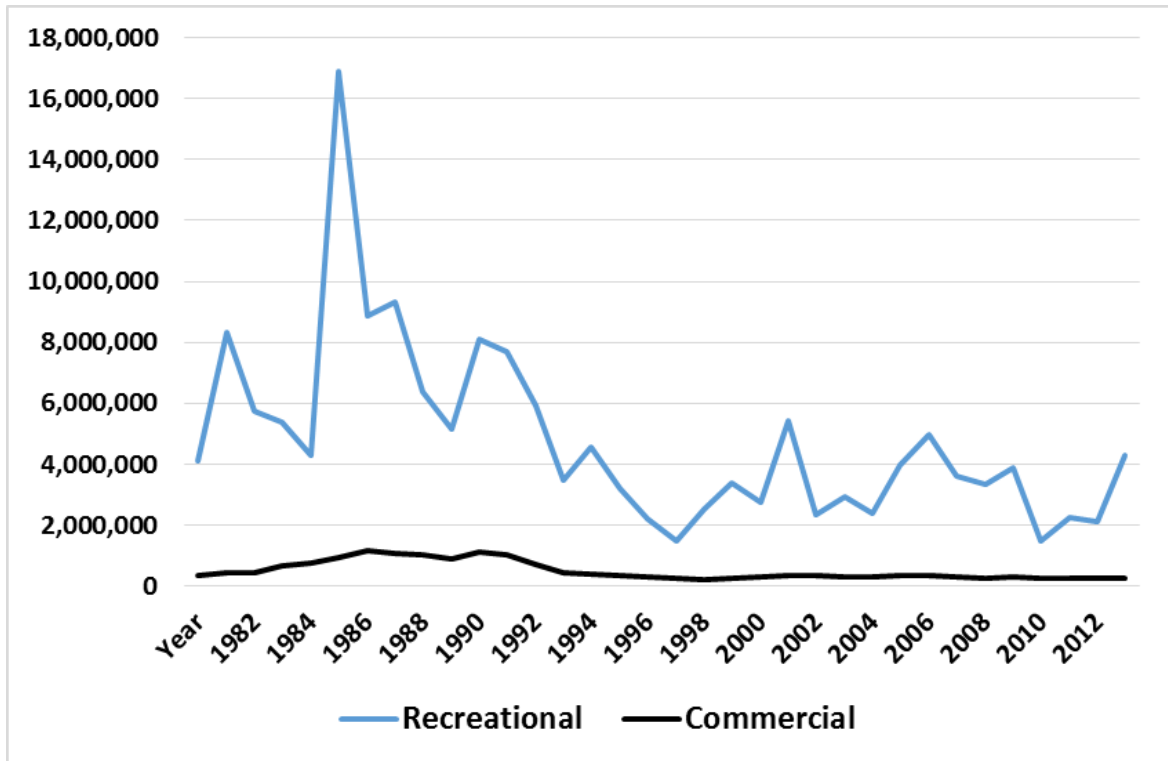


Figure 2. Total tautog harvest in pounds (2000-2014)

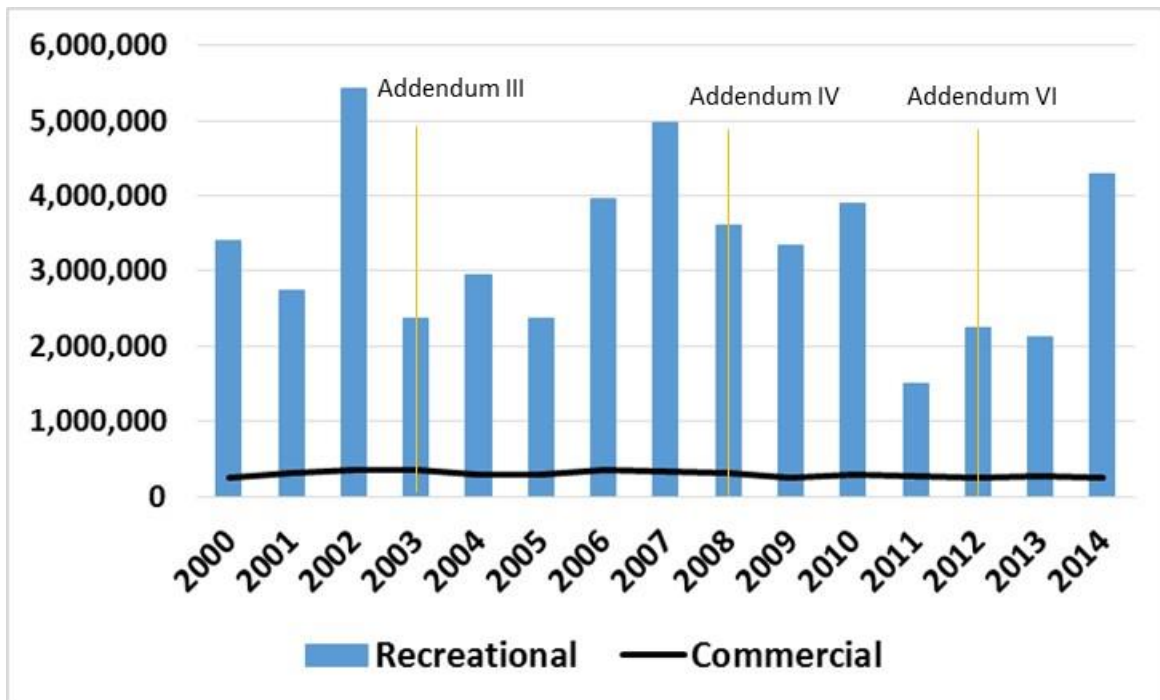


Figure 3. Recreational landings for tautog by state (1981-2014 average landings, MRIP)

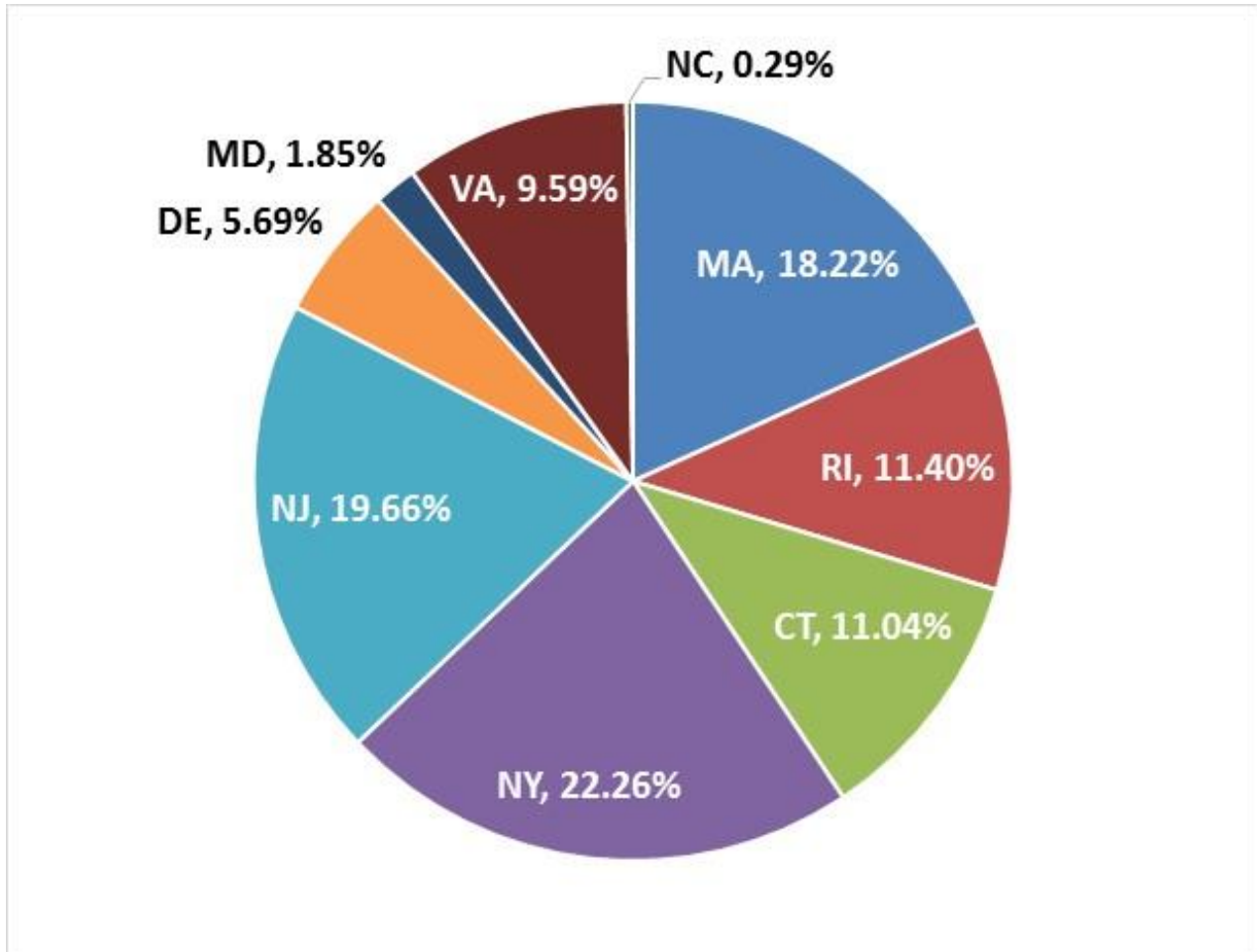
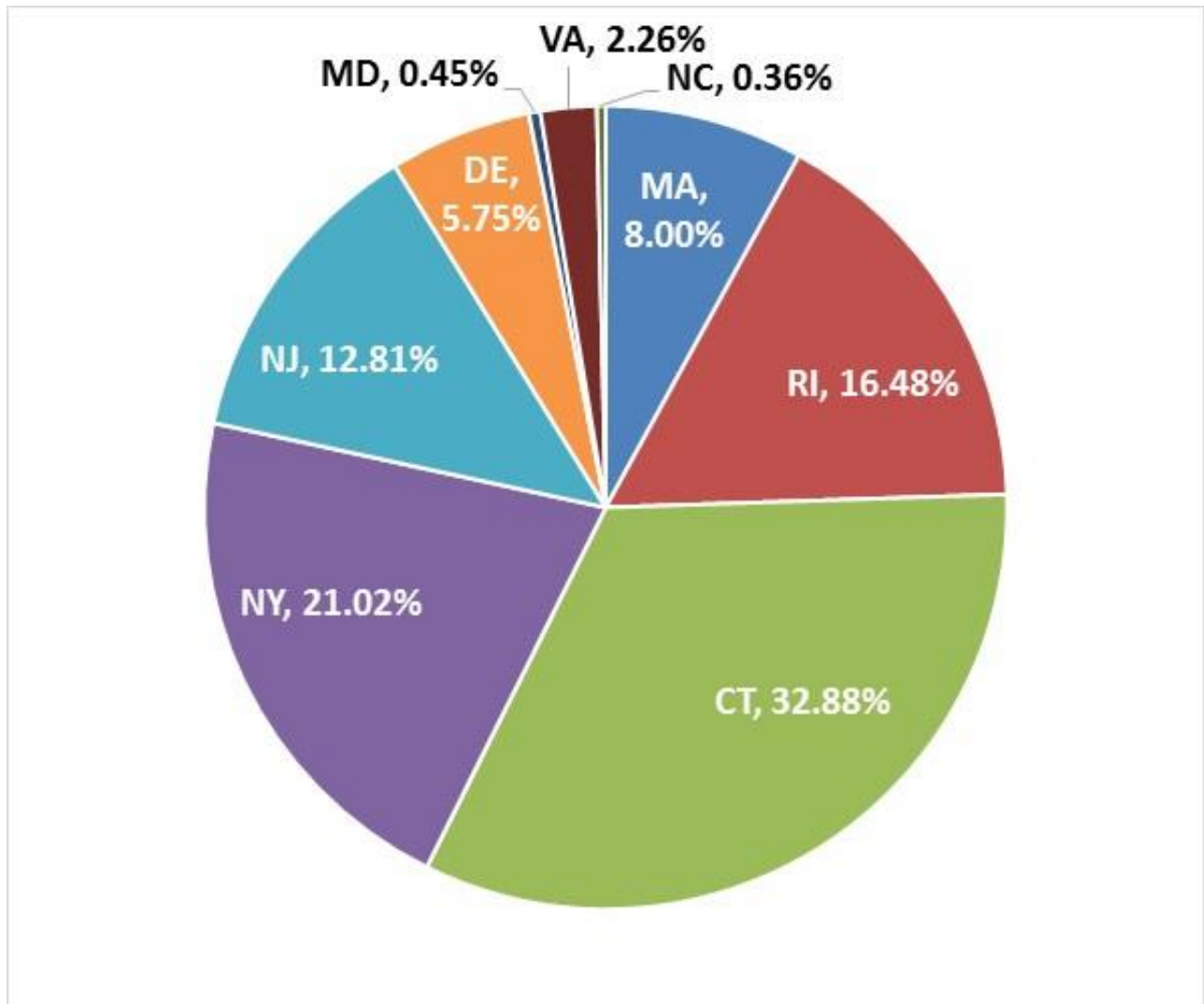


Figure 4. Recreational landings for tautog by state (2012-2014 average landings, represents landings after Addendum VI went into effect, MRIP)





Atlantic States Marine Fisheries Commission

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Tautog Advisory Panel

October 5, 2015

9 Total Attendees

Meeting Staff (2): Ashton Harp (ASMFC), Katie Drew (ASMFC)

Meeting Participants (7): John Mihale (NY), Jack Conway (CT), Denise Wagner (NJ), Jim Dawson (VA), Wes Blow (VA), Travis Barao (RI), Edward Yates (NJ)

Issue 1: Regional Management

The AP could not come to a consensus for a regional management breakdown. However all could agree that they did not want any option that resulted in severe cuts. Specific comments:

- **Option 3 or 4: Jim Dawson (VA) Wes Blow (VA), Travis Barao (RI)** are strongly in favor of regional management, they believe status quo will mean more restrictions.
- **Option 1 (status quo): John Mihale (NY)** is not completely against regionalization he just thinks the fishery needs more time (until 2017-2018) to adjust to the Addendum VI management measures that became effective in 2012. Because the fish protected under these regulations are just entering the reproductive phase of their lives.
- **No Decision: Denise Wagner (NJ)** doesn't want to commit to any option now, she wants to see the numbers for Option 4. Although she is hesitant to be lumped into a region with New York because southern New Jersey and New York have different bathymetry and fish.
- **No Decision: Edward Yates (NJ)** is concerned regionalization will look similar to the regional quota system that is being used for black sea bass. Although it was explained that the regional management being put forth from tautog is different that the regional quota system for black sea bass.

Issue 2: FMP Goals and Objectives

No comment

Issue 3: Management Measures

General consensus, for those in favor of regional management, that states should have the flexibility to manage their own fishery within a regional management area (i.e. state by state conservation equivalency). Additional issues that had a general consensus:

- A uniform size limit for the coast (or across regional management areas) should not be implemented
- A uniform possession limit cap for the coast (or across regional management areas) should not be implemented. All possession limits for the recreational fishery should be per person, not per boat.

Regulatory suggestions:

- Spawning regulations should match the spawning timeframes, for example the spawning timeframes are changing in certain regions due to climate induced water temperature changes and the regulations should be updated as appropriate.
- States should prohibit the use of roller rig gear
- Incorporate water temperature into stock assessments

Issue 4: Reference Points and Rebuilding Timeframes

For those in favor of regional management, there was a general consensus that regional reference points and regional rebuilding timeframes are appropriate.

Issue 5: Other Issues

Unlicensed, recreational fishermen are taking **undersized tautog for the live market**; this includes people in row boats at night (who understand, but do not follow the regulations in place) and those fishing on jetties and bridges (who don't understand the regulations). The black market is in direct competition with commercial fishermen; and as the value of the fish continues to increase illegal fishing will only rise in the future.

The AP believes a two-prong approach is necessary to combat the black market:

1. Fines/penalties need to be higher/stricter, which should include fines >\$1,000 and jail time (taking away gear or licenses is not strict enough)
2. Law enforcement needs to visit restaurants and fish markets to monitor fish length, in addition to being more widely seen on docks, jetties and on the water.

Additional solutions: (Note: the AP did not collectively agree on every suggestion below)

- The fishery should have state and federal regulations
- There should be a federal permit to fish for tautog
- There is a Pennsylvania loop hole; Pennsylvania fishermen are fishing on the Delaware River and selling live tautog to the Philadelphia market. Pennsylvania should be added to the tautog management unit.
- Regulatory signs should be in multiple languages including Chinese, Spanish and English

The AP is concerned that the recreational fishery as a whole harvests a lot of tautog for **recreational bait** (e.g. ~ 10-12 tautog per person).

AP commercial fishermen are against a **commercial tagging program**, they believe the two-prong approach (above) has a higher degree of success than a commercial tagging program. Concerns include tampering with the tag at the restaurant, for example a tag could be removed from a legal sized fish and placed on an undersized fillet. They also believe more research is needed on this topic, however even if a tag can be placed on a fish without killing it in the long run they still believe a tagging program is too costly and places an unnecessary burden on commercial fishermen.

Denise Wagner (NJ) is not in favor of additional **artificial reefs** because New Jersey commercial fishermen are not allowed to fish on them; additional artificial reefs equates to less fishing ground for commercial fishermen in New Jersey.

Jim Dawson (VA) wants **improved recreational data** in the tautog fishery, he suggests a pilot program where all tautog recreational fishermen have to submit a landing report, similar to a VTR.

Tautog Public Hearing Summaries
September-October 2015
Draft Amendment 1

New Bedford, Massachusetts
September 29, 2015
16 Total Attendees

Meeting Staff (7): Ashton Harp (ASMFC), Dan McKiernan (MA DMF), Nichola Meserve (MA DMF), Mike Bedwaski (MA DMF), Bob Glenn (MA DMF), Teresa Burnham (MA DMF), Bill Adler

Meeting participants (9): Stan Bazyclu, Drew Kelek (Dartmouth Salt Water Anglers), Mike Bouvier (Dartmouth Salt Water Anglers), Paul Tomisik (Dartmouth Salt Water Anglers), Abel Noyevia (Dartmouth Salt Water Anglers), John Amaral (Dartmouth Salt Water Anglers), Fred Stowell (F/U Jim Dandy), Chris Stowell (F/U Jim Dandy), Edward Nasser

Issue 1: Regional Management

Six participants supported Option 4 (4 regions), two supported Option 3 or Option 4. There was general consensus that Massachusetts should be in a smaller grouping (i.e. Option 3 or 4) and an understanding of the challenges imposed if Long Island Sound was split among two regions. One participant commented that they would like more data to be made available to explore state options in the future.

Issue 2: FMP Goals and Objectives

Revision of Goal B, suggested text should focus on creating more equity in the fishery. There was general consensus that there is a disparity between the commercial and recreational fishery. For example, the commercial fishermen in Massachusetts are limited by a quota, whereas the recreational sector is not. The commercial fishermen want to make up a bigger slice of the total harvest (i.e. more than 10%).

Issue 3: Management Measures

There was a general consensus that all states and all fishermen should have the same minimum size limits; the desired minimum size limit by participants is 16 inches. A uniform minimum size limit of 16 inches will make it easier for law enforcement, regardless of state affiliation, to size the fish and hold fishermen or restaurants responsible for undersized, illegal fish. Other comment include:

- If regulations are put in place to further restrict the fishery, the commercial fishermen think it is unfair and likely to have little effect because they make up such a small percentage of the total harvest.
- Two participants support a prohibition of fishing on spawning aggregations, which would close the spring fishery (MA allocates 28% of the commercial quota to the spring fishery)
 - Subsequently two commercial fishermen are against this action because they target tautog for two weeks in the spring and will negatively affect their business.

They throw back spawning females, although they cannot say this is the practice of all commercial fishermen in the spring.

- The states currently uses weekly dealer reports to monitor the quota, participants would like a daily catch report to be used when the quota is close to being harvested.

Issue 4: Reference Points and Rebuilding Timeframes

There was general consensus against question 1, should the board be able to change reference points based on the latest stock assessment without the need of a management document. Fishermen would like to be involved, via public hearings, in future decision-making that affects the fishery.

There was general consensus in favor of regional reference points and rebuilding timeframes.

Issue 5: Other Issues

There was general consensus in favor of **adaptive management**.

All of the fishermen voiced negative comments regarding how the **data** is collected for stock assessments, they feel as though trawl surveys do not provide an adequate description of the stock. There were multiple offers for scientists to board their vessels to take samples. There were interested in knowing that Massachusetts and Rhode Island have incorporated ventless lobster trap and fish pot surveys into the data collection process. One participant noted that trawl and pot surveys are indiscriminate collection devices and asked for scientists to directly target tautog (preferably on a fisherman's boat) for data assessments.

There was general consensus that **poaching** of live tautog is an issue and it is common. They do not think the fish is harvested as a bait fish, rather it is going to New York's live market. They voiced a two-fold approach to solve the problem, 1) change how the fish is purchased and 2) uniform minimum size limit. Other comments include:

- Law enforcement should go to restaurants to check the size of live fish
- Restrict the areas where people can harvest fish
- Tagging is a waste of time and resources, it is too costly
- There would need to be a tagging study to see how the fish is affected by the tag, it is very important that the fish lives given this a live market

As a structure orientated species, **habitat** conservation and artificial reefs should be placed in areas that already support the species. The structure that holds the fish should be studied intensively prior to the creation and placement of artificial structures. Massachusetts has 30-40 artificial reefs along the coast.

Other

There should be a license for tautog, potentially a controlled date for people to go back to, to obtain this license (like striped bass)

Narraganset, Rhode Island
September 30, 2015
10 Total Participants

Meeting Staff (2): Ashton Harp (ASMFC), Jason McNamee (RI DFW)

Meeting participants (8): Pat Heaney (City by Theresa Charters), Paul Johnson (RIPCBA), Marshall Youmens (RIPCBA), Michael Buchanan (Recreational), Andrew J (Charter/RIMFC), Stephen Medeiros (RISAA), Travis Barao (RISAA), one unnamed fisherman

Issue 1: Regional Management

There was general consensus for Rhode Island to be grouped with Massachusetts as it has informally done in the past—all were opposed to any grouping that included Connecticut. Three participants supported Option 3 or 4, two participants supported option 4 (and Option 3 as a back-up).

Issue 2: FMP Goals and Objectives

One participant noted that he agreed with the current FMP goals and objectives.

Issue 3: Management Measures

Two participants supported the current de facto regional management measures between Rhode Island and Massachusetts, noting the management measures are different between the states but are working. Other comments include:

- If regional management is chosen, then states within a region should come together to decide if A) they want flexibility to manage their fishery individually or B) if states should have the same management measures.
- There should be a coastwide regulation that caps the possession limit at 10 fish per private vessel, as Rhode Island has done.
- Consider adding slot limits

Issue 4: Reference Points and Rebuilding Timeframes

In regard to questions #1, one participant suggested the Board could consider implementing interim reference points without going out for public comment. The effects of the interim reference points could be reviewed for effectiveness and then go out for public comment under the addendum process. This would allow public participation and give managers the ability to manage in real time.

One participant suggested regional reference points make the most sense given limited fish movement.

Issue 5: Other Issues

There was general consensus that improved **monitoring and data** collection of the resource is needed, overall there should be more investment in this species. Other comments include:

- There should be studies about the effects artificial reefs and rebuilding existing habitats have on the resource
- There should be more artificial reefs and rebuilding efforts within state waters

There is general agreement that **poaching** is a problem, but it is not for bait, it is for the live market. Other comments include:

- Regulations or a tagging program will have little effect on the health of the fishery because the commercial sector represents such a small portion
- There are concerns a tag will kill the fish
- One participant suggested fin clips and another was opposed to this action because any individual could cut the fins
- They do not think fish from Rhode Island are being shipped to New York
- This is an enforcement issue, you can have more regulations but without proper enforcement the poaching will not stop

Old Lyme, Connecticut
September 24, 2015
19 Total Attendees

Meeting staff (4): Ashton Harp (ASMFC), Mike Waine (ASMFC), Dave Simpson (CT DMF), Marc Alexander (CT DMF)

Meeting participants (15): Amanda Caskenette (UConn), Eric Schultz (UConn), Lyle Wolsinger (UConn), Adam Czepiel (fisherman), TJ Karowski (Rock and Roll Charters), Jordon May (Rock and Roll Charters), Alison Vaion (Harbor/Shellfish), Tony Notaro (Cucky Hock), Mink Kralmish (fisherman), Larry McLoughlin (LIS Lobster Association – NY), Preston Glas (Helen), Marc Berger (Lucky Strike), Richard Rizzitello (fisherman), Garth Cologne (fisherman), Bob Shea (fisherman)

Issue 1: Regional Management

Three recreational fishermen support Option 4 (4 regions)—it was perceived as the most realistic option due to the shared fishery between Connecticut and New York. One participant noted that they do not want to be lumped into a region with New Jersey.

Issue 2: FMP Goals and Objectives

One participant wanted to encourage efficient monitoring of the stock, which might entail using other types of gear (i.e. not trawls) for the fall and spring survey. Given habitat considerations, trawls are one way to keep track of the species, but may not be the best way to gather an indices of abundance. This comment most closely aligns with Objective F, which may need to be re-worded.

Issue 3: Management Measures

One recreational fishermen wants to impose regulations on processing tautog at sea—racks should be brought back to the dock to prove minimum size compliance. There was hesitation to provide further management suggestions—fishermen would like to see the proposed management measures and then comment on them.

Issue 4: Reference Points and Rebuilding Timeframes

One recreational fishermen supported regional management for reference points and rebuilding timeframes. In addition there was support for the addendum process when changing reference

points, public hearings were seen as an important step to maintain transparency.

Issue 5: Other Issues

One fisherman supported increased monitoring of tautog, specifically to illustrate the perceived cause and effect relationship between management measure and biomass. For example, did increased size limits positively affect the stock? Can we show this positive trend overtime?

There was general concern about poaching of illegal (undersized) live tautog. Comments include:

- Perception that tautog is poached more than any other fish because people are not worried about being caught, the high value for live fish and they are relatively easy to find.
- Poaching happens in the Central Sound with multiple trips per day
- Recreational fishermen are poaching and selling live, illegal fish
- Commercial tagging should occur at point of harvest.
- Black sea bass have invaded reefs during the tautog open season. The increase in size limits from 14" to 16" has made it difficult for charters or recreational fishermen to find tautog of that size. Fishermen have to catch a lot of tautog, in order to find a 16" fish. To reduce discard mortality, the minimum fish size should be reduced to 15".
- There should be no spring fishery. The fishery should start on October 10 through December 31.
- Fines should be large (and severe enough) to deter poaching—fishermen and restaurants should be penalized.

East Setauket, New York
September 29, 2015
23 Total Attendees

Meeting staff (4): Ashton Harp (ASMFC), Jim Gilmore (NY DEC), John Maniscalco (NY DEC), Sandy Dumais (NY DEC)

Meeting participants (19): Willie Young (NY Coalition for Recreational Fishing), Ronald Turbin (C.C.A.-NY/Gateway), John Mihale (NY State Commercial HTL Association), Reed Riemer (NY Sport Fishing Federation), Larry McLoughlin (LIS LA), Richard Jensen (North Fork Captains), David Bornemann (LISLA), Edward Liotta, Philip Kess (North Fork Captains), Ralph Viamostad (NY Coalition for Recreational Fishing), Tom Gariepy (NY Commercial), Ron Sineo (NYSCC), Ed Rodman (LIS Lob), Arnold Leo (Town of East Hampton), John German (LISLA), Jim (James Joseph), Milo Wild (James Joseph)

Issue 1: Regional Management

Thirteen recreational and commercial fishermen support Option 1 (status quo), the majority specifically stating they are in favor of “status quo for now”. One participant did not choose a regional option, rather voted against option 4 due to the fact that it would create separate regulations within New York. There was general consensus to not split Long Island Sound into two separate regions.

Comments include:

- This is a law enforcement problem, it is not a recreational problem or a commercial problem
- Stock assessments for tautog should not use trawl data
- There are concerns about the accuracy of data, specifically calling attention to the commercial data
 - Fishermen want to see the VTR reports for New York and New Jersey
- A participant stated new regulations were implemented in 2012, via Addendum VI, and therefore patience is needed to see the effects on the resource
- The fishery varies from state to state (i.e. spawning seasons, habitat, etc.), a regional approach will cause individual states to lose their voice on fishery management in their state

Issue 2: FMP Goals and Objectives

No public comment

Issue 3: Management Measures

As noted under Issue 1, one participant commented on the differences in the fishery across states. For example, southern states have earlier spawning seasons and northern states have later spawning seasons. These kind of differences need to be taken into consideration for coastwide or

regional management. States should have the flexibility to manage their fishery according to these differences.

A recreational fisherman wants to prohibit the use of roller rig gear in the tautog fishery (specifically within New York and New Jersey waters).

Issue 4: Reference Points and Rebuilding Timeframes

No public comment

Issue 5: Other Issues

Five fishermen commented on the illegal harvest of tautog. Comments include:

- Poaching is astronomical, worse than striped bass
- Poaching for the live market is most often done by recreational fishermen who fish at night and do not have a license—live, illegal fish are sold for lower prices. The unlicensed recreational fishermen are now in competition with commercial fishermen.
- There should be more law enforcement dedicated to preventing the illegal, live market. Eliminating the illegal market will increase the price of live, legal tautog.

Two commercial fishermen voted against a **tagging program**. They believe a tag will increase the mortality of the fish, which is unfavorable given the market is for live fish. Participants noted the fishery is largely recreational and the poaching issue is also attributed to recreational fishermen, therefore proper enforcement not a tagging program is needed.

A recreational fisherman is in support of a commercial tagging program so there can be a better idea of how many fish commercial fishermen are catching—this relates back to comments under Issue 1 about a perceived inaccuracy in the commercial data.

Prior to the start of a tagging program there should be a study on the type of tag that should be used, where it should be placed on the fish and if/how the tag affects mortality.

Tom's River, New Jersey
September 22, 2015
16 Attendees

Meeting Staff (7): Ashton Harp (ASMFC), Mike Waine (ASMFC), Russ Allen (NJ DFW), Tom Fote (JCAA), Brandon Muffley (NJ DFW), Adam Nowalsky (Board Chair), Lindy Barry (NJ DFW)

Meeting participants (9): Ron McClelland, Tom Daffin, Bob Greenlin, Denise Wagner, Jim Wagner, Jack Fullmer (NJ Council on Diving Clubs), Phil C., Paul Huetel (JCAA), fisherman

Issue 1: Regional Management

Meeting participants were generally weary of any regional management measure that would pair New Jersey with New York. Two participants displayed support for option 1 (status quo), 1 for option 4 (4 regions) and 1 could not make a decision due to a perceived lack of available data.

Comments include:

- States within regional grouping would need to work together to have the same or similar regulations
- NY and NJ have notable differences in management measures (i.e. fishing seasons, possession limits, quotas) and it would be difficult to embark on regional management approach
- There is a perceived lack of enforcement within NY waters in regard to poaching and a fear that if the illegal landings were to be counted then that it impose further fishing restrictions on the regional grouping that includes NY
- The live market is the most profitable avenue, and it is most profitable when NJ doesn't have to compete with NY (i.e. during the period of time when the NY season is closed)
- NJ sells dead fish for about \$4 per pound, whereas live, legal fish can sell for \$8-11 per pound
- The current recreational season in NY is far shorter than the recreational season in NJ, in addition NY has larger size limits. If the states are combined then that could liberalize NY fishing.
- Each state should manage its own fishery, irrespective of neighboring state regulations

Issue 2: FMP Goals and Objectives

One participant voiced that maintaining spawning stock biomass and critical habitat as the most important goals. In regard to habitat, there is concern that beach/sand replenishment is not only destroying the habitat where the sand originates but also covering important reef habitat nearshore.

Issue 3: Management Measures

Echoing earlier comments under Issue 2, participants voiced the need for habitat protection and rebuilding and protection for spawners.

- The current beach/sand replenishment rebuilding projects are projected to source sand from five (5) ‘lumps’, similar to a seamount, which will damage prime fish areas.
- There should be efforts to restore or rebuild nearshore reefs.
- There should be protection for spawners given larger fish are prolific breeders. A participant suggested using ‘slots’ similar to what is used in Florida to achieve this goal.
- A commercial fishermen said they can’t catch 100,000 pound NJ quota, and the commercial fishery should get more days to catch the quota.

Issue 4: Reference Points and Rebuilding Timeframes

One participant said managers should not rush to change reference points as a result of the most recent stock assessment. The stock rebuilding timeframes should be flexible and realistic.

Issue 5: Other Issues

Related to the comment in Issue 4, a participant supported adaptive management but also said managers should hesitate before changing regulations because some states require more time than others to implement.

There was general concern about poaching of illegal (undersized) live tautog. Participants believe proper enforcement can deter illegal fishing, not a commercial tagging program. Comments include:

- Party boat captains often have bags of live tautog over the side of the boats which is intended for the oriental market. This occurs in and out of season.
- Fines should be large (and severe enough) to deter poaching—fishermen and restaurants should be penalized. The fines could be a revenue source for enforcement moving forward.
- Concern that people fishing on jetties do not know the regulations in place—proper signage which includes a picture of the fish, minimum size limits, seasonal and possession limit information should be displayed at prime fishing areas.
- There was mention of an example where NJ enforcement caught one charter boat and the rest of the boats stopped illegally harvesting after one boat was penalized.
- Concern that a tagging program will not deter illegal fishing, it will only place a heavier burden on those that are fishing legally.
- Tagging would only work on dead fish not alive. And the dead ones are only worth \$4/pound whereas the live market gets \$8/pound.

Other comments

- There were comments made that management decisions were being decided prior to public comment in the past.

Dover, Delaware
October 8, 2015
4 Total Participants

Meeting Staff (2): Ashton Harp (ASMFC), John Clark (DE DFW)

Meeting Participants (2): Captain Brian Wazlavek (Delaware Family Fishing), Rodney A. Jones (Fish Whisperer Charters)

Issue 1: Regional Management

Two participants supported Option 3, they specifically voiced concern regarding Option 4 because it does not have complete reference points and they do not think it can go through peer review prior to Spring 2016. In addition, striped bass set a precedent that states should not be divided into separate management groups.

Issue 2: FMP Goals and Objectives

No public comment

Issue 3: Management Measures

General consensus supports regional management, suggesting a regional quota for the commercial fishery and recreational fishery that allows states the flexibility to manage their own fishery (state by state conservation equivalency).

Issue 4: Reference Points and Rebuilding Timeframes

Two participants supported using the addendum process to change reference points. This ensures transparency and alleviate back door deals. They support regional reference points and rebuilding timeframes.

Issue 5: Other Issues

General consensus to continue using the addendum process for **adaptive management** issues.

With the knowledge that the only **monitoring** that Delaware does is aging on the racks that are brought back to the dock, a participants suggested a stock assessment be completed no more than 3 years after new management measures become effective.

Recreational fishermen contribute to a small portion of **illegal fishing** when they hide fillets, however the majority of illegal fishing is attributed to Chinese fishermen that actively catch undersized tautog for the live market – the fish are stored in coolers with small generators to circulate oxygen. This level of illegal fishing is beyond poaching, it is a black market. Comments to suppress the black market include:

- There should be federal money geared toward tautog regulations
- Higher fines
- Increased enforcement at restaurants and fish markets

A participant supported a **commercial tagging program**, “every tautog in a restaurant should have a tag in it”. There should be enforcement going into restaurants in Pennsylvania, New York, Washington DC and New Jersey. The tagging should be at the point of harvest. The participant noted that more research will need to be done to make sure the fish can survive with a tag.

There should be more money from the federal government for the creation **habitat**, specifically artificial reefs (at least a 5-1 match, right now it is a 3-1 match). One fisherman is concerned that artificial reefs work so well at creating habitat for tautog and other reef dwelling fish that they might be turned into marine sanctuaries.

Ocean Pines, Maryland

October 7, 2015

15 Total Attendees

Meeting staff (3): Ashton Harp (ASMFC), Craig Weedon (MD DNR), Steve Doctor (MD DNR)

Meeting Participants (12): Rich Puchahski (VA commercial), Sandra Puchahski (VA commercial), Chris Mizurul (angler boat captain), San Stauffer (charter boat), Buddy (Allen) Seigel (OP Anglers-MSSA-ACC), John McHalls (OP Anglers/MSSA), Victor Bunting (Party Boat Captain), Monty Hawkins (Party Boat Captain), Richard Comly, Toni Comly, Frank Watkins (OP Anglers/MSSA), Merrill Campbell (SCOC Fishing)

Issue 1: Regional Management

General consensus to move forward with regional management, as the DelMarVa region. There was a preference for Option 4 if a specific regional choice was needed. One participant specifically supported Option 4.

Issue 2: FMP Goals and Objectives

Given this is a largely recreational fishery, a participant supported more advanced recreational data collection than what is currently being used to monitor state landings.

A participant supported an objective that focuses on gathering a better understanding of habitat for this species, as well the effect increased habitat has on recruitment.

Issue 3: Management Measures

General consensus supports regional management, suggesting a regional quota for the commercial fishery and recreational fishery that allows states the flexibility to manage their own fishery (i.e., state by state conservation equivalency).

Issue 4: Reference Points and Rebuilding Timeframes

General consensus in support of regional reference points and rebuilding timeframes.

Issue 5: Other Issues

General consensus in favor of adaptive management and increased data and monitoring efforts, with a focus on habitat.

Commercial fisherman says he has not seen **poaching** in Maryland waters. A VA fisherman says it is practically nill in VA waters, but is starting to increase as the value of the fish escalates. Recreational fishermen reported seeing illegal activity near bridges and jettis (i.e. people taking undersized fish and over the possession limit), unsure if these fish are intended for the live market.

Commercial fishermen are against **tagging**, it penalizes the honest fisherman. In support of recreational fishermen not being allowed to bring live fish back to the dock.

Hampton, Virginia
October 6, 2015
8 Total Attendees

Meeting Staff (2): Ashton Harp (ASMFC), Joe Cimino (VMRC)

Meeting Participants (6): Jeff Deem (Finfish Management Advisory Committee, FMAC), Will Bransom (Norfolk Anglers Club), David Agee (Peninsula Salt Water Sport Fisherman's Association Inc, PSWSFA), Mike Avery (Virginia Saltwater Sportsman Assoc, VSSA), Bob Allen (PSWSFA), Jim Ellis

Issue 1: Regional Management

Two participants supported any option, except Option 1 (status quo). Two participants supported Option 4 because they believe it best represents the fishing pressure and stock dynamics.

Issue 2: FMP Goals and Objectives

A participant would like an objective that focuses on fisheries management performance, specifically to analyze the effect addendums/changes to management have on the stock, on a state basis. Other comments include:

- An objective that incorporates the need to manage based on a changing climate; changing water temperatures are effecting the spawning seasons and seasonal closures should be reflective of this.
- Support for Objective B

Issue 3: Management Measures

General consensus that each states, regardless of region, should have the flexibility to manage their fishery based on their individual needs. There was also a general consensus for the Amendment 1 to set a minimum size limit of 16 inches for all management areas and all fisheries (commercial and recreational), similar to how the original FMP set a 14 inch minimum size limit. Other comments include:

- An alternative to seasonal closures, states set a target removal number (quota) and manage to that each year.
 - This was emphasized after a comment that changing weather patterns make it difficult for fishermen to fish in open seasons, therefore regulations and weather are shortening the season.
 - A participant supported a state's ability to adjust seasonal closure dates based on spawning periods and weather, for example if weather prohibits fishermen from fishing for two weeks at the start of the season, can the season then be extended by two weeks? Currently it would require an addendum to make a change.

Issue 4: Reference Points and Rebuilding Timeframes

General consensus that regions should apply reference points and set rebuilding timeframes, good or bad, that reflect the needs of that regional fishery.

One participant supported the ability for managers to change reference points without a management document. One participant supported using the addendum process to change reference points.

Issue 5: Other Issues

General consensus from fishermen that more **data and monitoring** in general is needed for this fishery. Given the DelMarVa region is data poor, there is a need for a person/organization to help develop and provide guidance on survey methods that would be appropriate for this species (VA staff comment).

Poaching for the live market or recreational bait is not an issue in Virginia.

Three participants supported a **commercial tagging program**, they believe it will not halt all poaching up north, but it is a first step. General consensus that a tagging program should be region specific, therefore the DelMarVa region will most likely not need a tagging program. Tagging should be at the point of harvest.

All recreational fishermen are in support of **artificial reefs** in areas where reefs have been destroyed.



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfmc.org

MEMORANDUM

October 21, 2015

To: Tautog Management Board
From: Tina Berger, Director of Communications
RE: Advisory Panel Nomination

Please find attached nominations to the Tautog Advisory Panel – Captain Mel True, a Massachusetts fisherman who has experience in commercial, recreational and for-hire fisheries. Please review this nomination for action at the next Board meeting.

If you have any questions, please feel free to contact me at (703) 842-0749 or tberger@asmfc.org.

Enc.

cc: Ashton Harp

M15-65

TAUTOG ADVISORY PANEL

Bolded names await approval by the Tautog Management Board

Bolded and italicized name denotes Advisory Panel Chair

October 21, 2015

Massachusetts

Captain Mel True (comm/for-hire/rec)

124 Braley Road

East Greetown, MA 02717

Phone: 508.951.9991

Capt.meltrue@gmail.com

Email: hugapuck@potononline.net

Appt. Confirmed 11/18/02

Appt Reconfirmed 11/06

Appt Reconfirmed 5/10

Appt Reconfirmed 8/15

Vacancy (rec)

Rhode Island

Travis Barao (rec)

15 Gibbs Street

Rumford, RI 02916

Phone (day): 401.301.7944

Phone (eve): 401.270.7161

travisbarao@gmail.com

Appt. Confirmed 8/5/15

New Jersey

Denise Wagner (comm trap)

130 Woodbine Ocean View Road

Ocean View, New Jersey 08230

Phone: (609)624-0848

Email: wagnerfishingone@yahoo.com

Appt. Confirmed 11/18/02

Appt Reconfirmed 8/15

1 Vacancy (comm/otter trawl)

Edward K. Yates (for-hire)

33 Magnolia Road

Manahawkin, NJ 08050

Phone (day): 609.713.6918

Phone (eve): 609.597.8739

hunter.fishing@hotmail.com

Appt. Confirmed 8/5/15

Connecticut

Lauren Griffith (partyboat captain)

214 Rowayton Avenue

Rowayton, CT 06853

Phone: (203)853-2556

FAX: (203)655-0860

Email: captgriff55@aol.com

Appt Confirmed 2/25/03

Appt Reconfirmed 2/07

Appt Reconfirmed 8/15

Delaware

Greg Jackson (comm/hook & line)

132 Crescent Drive

Dover, DE 19904

Email: gregory.jackson.1@us.af.mil

Phone (day): (302)677-6846

Phone (eve): (302)734-9724

FAX: (302)677-6837

Appt. Confirmed 4/24/95

Appt. Reconfirmed 7/27/99

Appt. Reconfirmed 7/6/03

Appt Reconfirmed 6/10

Appt Reconfirmed 8/15

John David Conway, Jr. (rec)

34 Edward Road

North Branford, CT 06471

Phone (day): (203)386-7965

Phone (eve): (203)484-9455

FAX: (203)386-6039

Email: jconway@sikovsky.com

Appt Confirmed 2/25/03

Appt Reconfirmed 2/07

Appt Reconfirmed 8/15

New York

John G. Mihale (comm rod & reel)

153 California Place North

Island Park, NY 11558

Phone: (516)432-3592

Carey Evans (for-hire)

34614 Bookhammer Landing Road

Lewes, DE 19958

Phone (day): 302/245-9776

Phone (eve): 302/947-9271

Email: CBEvansDE@aol.com

TAUTOG ADVISORY PANEL

Bolded names await approval by the Tautog Management Board
Bolded and italicized name denotes Advisory Panel Chair

October 21, 2015

Appt. Confirmed 8/3/10

Appt Reconfirmed 8/15

Maryland

Victor Bunting Jr. (rec)

11123 Bell Road

Whaleyville, Md 21872

Phone: (443) 614-6484

Email: Victorbunting@rocketmail.com

Appt. Confirmed 8/3/10

Appt Reconfirmed 8/15

Vacancy (processor/comm)

Virginia

Jim Dawson (comm.)

3008 Ridge Road

Chincoteague, VA 23336-1221

Phone: (757) 336-6590

Jimdawson1@verizon.net

Appt Confirmed 2/25/03

Appt Reconfirmed 2/07

Appt Reconfirmed 8/15

Wes Blow (rec)

56 Cedar Lane

Newport News, VA 23601

Phone (day): 757-880-4269

Phone (evening): 757-880-4269

wesamy2000@cox.net

Appt. Confirmed 8/5/15

Appt Reconfirmed 8/15



ATLANTIC STATES MARINE FISHERIES COMMISSION

Advisory Panel Nomination Form

This form is designed to help nominate Advisors to the Commission's Species Advisory Panels. The information on the returned form will be provided to the Commission's relevant species management board or section. Please answer the questions in the categories (All Nominees, Commercial Fisherman, Charter/Headboat Captain, Recreational Fisherman, Dealer/Processor, or Other Interested Parties) that pertain to the nominee's experience. If the nominee fits into more than one category, answer the questions for all categories that fit the situation. **Also, please fill in the sections which pertain to All Nominees (pages 1 and 2). In addition, nominee signatures are required to verify the provided information (page 4), and Commissioner signatures are requested to verify Commissioner consensus (page 4). Please print and use a black pen.**

Form submitted by: Dan McKiernan State: MA
(your name)

Name of Nominee: Captain Mel True

Address: 124 Braley Rd

City, State, Zip: EAST FREETOWN, MA 02717

Please provide the appropriate numbers where the nominee can be reached:

Phone (day): X- 508-951-9991 Phone (evening): SAME

FAX: _____ Email: capt.meltrue@gmail.com

FOR ALL NOMINEES:

1. Please list, in order of preference, the Advisory Panel for which you are nominating the above person.

1. Tautog
2. _____
3. _____
4. _____

2. Has the nominee been found in violation of criminal or civil federal fishery law or regulation or convicted of any felony or crime over the last three years?

yes _____ no X

3. Is the nominee a member of any fishermen's organizations or clubs?

yes X no _____

If "yes," please list them below by name.

RISSA

4. What kinds (species) of fish and/or shellfish has the nominee fished for during the past year?

Striper

SEA BASS

Scup

Bluefish

TUNA

Tautog

5. What kinds (species) of fish and/or shellfish has the nominee fished for in the past?

N/A

FOR COMMERCIAL FISHERMEN:

1. How many years has the nominee been the commercial fishing business? 15 years

2. Is the nominee employed only in commercial fishing? yes _____ no X

3. What is the predominant gear type used by the nominee? Rod & Reel

4. What is the predominant geographic area fished by the nominee (i.e., inshore, offshore)? Inshore - Buzzards Bay, Cape Cod Bay

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? 4 years

2. Is the nominee employed only in the charter/headboat industry? yes _____ no X

If "no," please list other type(s) of business(es) and/occupation(s): Owner of Wicked Cooler
Owner of True Image Photography, Owner Custom Rods CMTSS

3. How many years has the nominee lived in the home port community? 15 years

If less than five years, please indicate the nominee's previous home port community.

FOR RECREATIONAL FISHERMEN:

1. How long has the nominee engaged in recreational fishing? 40 years
2. Is the nominee working, or has the nominee ever worked in any area related to the fishing industry? yes no

If "yes," please explain.

Commercial Rod & Reel Fisherman, Cooler Company
Wicked Cooler sold to fishermen, Custom Fishing Rods.
Outdoor writer for several fishing magazines

FOR SEAFOOD PROCESSORS & DEALERS:

1. How long has the nominee been employed in the business of seafood processing/dealing?
_____ years
2. Is the nominee employed only in the business of seafood processing/dealing?
yes _____ no _____ If "no," please list other type(s) of business(es) and/or occupation(s):

3. How many years has the nominee lived in the home port community? _____ years
If less than five years, please indicate the nominee's previous home port community.

FOR OTHER INTERESTED PARTIES:

1. How long has the nominee been interested in fishing and/or fisheries management? _____ years
2. Is the nominee employed in the fishing business or the field of fisheries management?
yes _____ no _____

If "no," please list other type(s) of business(es) and/or occupation(s):

FOR ALL NOMINEES:

In the space provided below, please provide the Commission with any additional information which you feel would assist us in making choosing new Advisors. You may use as many pages as needed.

As A full time Charter Captain here in New England
it is in my best interest that we maintain a
healthy fish population. Proper Management will
ensure that the fisheries are properly
maintained.

Nominee Signature: Capt. Mel True

Date: 8-2-15

Name: Mel TRUE
(please print)

COMMISSIONERS SIGN-OFF (not required for non-traditional stakeholders)

David J McKeenan for David Pierce
State Director

State Legislator

Governor's Appointee