



# Atlantic States Marine Fisheries Commission

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## MEMORANDUM

**TO:** Tautog Management Board  
**FROM:** Toni Kerns ISFMP Director  
**DATE:** July 25, 2017  
**SUBJECT:** Public Comment on Tautog Draft Amendment I

The following pages represent a summary of all comments received by ASMFC on American draft Amendment I to the Tautog FMP as of 5:00 PM (EST) on July 14, 2017 (closing deadline).

A total of 145 written comments were received on Draft Amendment I. Of those comments, 8 were from organizations, 21 were from individuals, 2 form letters (one with 4 copies and one with 3 copies) and 1 petition with 317 signatures. Public hearings were held in 8 jurisdictions. Approximately 167 individuals attended the hearings.

The following tables (pages 2-10) are provided to give the Board an overview of the support for specific options and issues contained in Draft Amendment I. This is then followed by written comment (individual, groups, and form letters). Public Hearing summaries were provided in briefing materials.

## Public Comment Summary Tables

FMP Goals (pg 48-49)	Option A: Maintain the 1996 Goals (A-E)	Option B: Revised Goal Statement
<b>Written Comments</b>		
Individual Letters	2	
Groups/Organization Letters	3	1
Form Letters		
<b>Hearings</b>		
MA	x	
RI		x
CT		
NY		
NJ		
DE		
MD		x
VA		

Objectives(Pg49-51)	Option A: Maintain the 1996 objectives (A-J)	Option B: Suggest modifying or removing select objectives - F and SSB Targets	Option C: Suggest modifying or removing select objectives - Regional management	Option D: Suggest modifying or removing select objectives - EEZ management	Option E: Suggest modifying or removing select objectives - Habitat	Option F: Suggest modifying or removing select objectives - Monitoring	Option G: Suggest modifying or removing select objectives - Illegal harvest	Option H: Insert all modifications identified under Options B-G
<b>Written Comments</b>								
Individual Letters	2						1	
Group/Organization Letters	3				1	1	2	
Form Letters								
<b>Hearings</b>								
MA								
RI								
CT								
NY								
NJ								
DE								
MD								x
VA								1

Biological Reference Points (Pg 53-54)	Option A: Status Quo - Reference Points can be Modified via a Management Document	Option B: Reference Points can be Modified via Board Action (i.e., Management Document Not Required)
<b>Written Comments</b>		
Individual Letters	2	
Group/Organization Letters	5	
Form Letters		
<b>Hearings</b>		
MA		
RI		no objection
CT		
NY		
NJ		
DE		
MD	1	1
VA		1

F Target (pg 54-55)	Option A: Status Quo	Option B: Managing to the Regional Target F	Sub-Option B1: No time requirement	Sub-Option B2: Board action within one year	Sub-Option B3: Board action within two years
<b>Written Comments</b>					
Individual Letters	2				
Group/Organization Letters	3	1	1	1	
Form Letters					
<b>Hearings</b>					
MA					
RI	1				
CT					
NY					
NJ					
DE					
MD		5		1	3
VA		1		x	

Probability of Achieving F Target (pg 55)	Option A: Status Quo	Option B: 50% Probability of Achieving F Target
<b>Written Comments</b>		
Individual Letters	2	
Group/Organization Letters	4	1
Form Letters		
<b>Hearings</b>		
MA		1
RI		x
CT		
NY		
NJ		
DE		
MD	2	
VA		1

F Rebuilding Schedule (pg 55-56)	Option A: Status Quo	Option B: Three Years	Option C: Five Years
<b>Written Comments</b>			
Individual Letters	2		
Group/Organization Letters	24	1	
Form Letters			
<b>Hearings</b>			
MA		x	
RI		1	
CT			
NY			
NJ			
DE			
MD			3
VA		1	

**Other Comments:** Overfishing should be ended immediately.

Stock Rebuilding Schedule (pg 56)	Option A: Status Quo (from Addendum IV)	Option B: Stock Rebuilding Schedule can be Developed via an Addendum	Option C: Stock Rebuilding Schedule can be Developed via an Addendum, NTE 10 years
<b>Written Comments</b>			
Individual Letters	2		
Group/Organization Letters	3	1	1
Form Letters			
<b>Hearings</b>			
MA		x	
RI			
CT			
NY			
NJ			
DE			
MD		3	
VA			1

Regional Management (pg 65-66)	Option A: Status Quo - Coastwide Management	Option B: Regional Management	Sub-Option B1: LIS line from Montauk Pt, NY to Watch Hill, RI	Sub-Option B2: LIS line from Orient Pt, NY to Watch Hill, RI
<b>Written Comments</b>				
Individual Letters	2	5	1	
Group/Organization Letters	3	2	1	
Form Letters				
<b>Hearings</b>				
MA		x		
RI		x		
CT	x		1	
NY	79			
NJ			2	
DE		x		
MD			10	
VA			1	

**Other Comments:**

- Defer action until a more reasonable approach can be determined to not split NY in the middle of the state.
- Favor the regional approach but do not favor an unenforceable regulation where a state is split. Favor regions but thinks NJ should be in a region with Delaware.
- No region should face such a large reduction as LIS (48-50%).

MARI Rec Management Measures	Option A: Status Quo	Option B: All Measures Consistent - 3 fish poss limit in Mar-May and Aug-Oct 14, 4 fish Oct 15-Dec 31	Option C: All measures consistent - 3 fish poss limit
<b>Written Comments</b>			
Individual Letters	4		
Group/Organization Letters	3		
Form Letters			
<b>Hearings</b>			
MA			
RI	x		
CT			
NY			
NJ			
DE			
MD			
VA			

**Other Comments:**

Propose 6 fish bag limit Sept-Dec and April-May, and 1 fish all other times of the year

LIS Rec Measures	Option A1: State Specific Reductions to Current Measures	Option B1: Regional 16", 1 Fish, Apr (CT), Oct-Dec (CT & NY)	Option B2: Regional 17", 2 Fish, Apr (CT), Aug (CT), Oct-Dec (CT & NY)	Option B3: Regional 16", 1 Fish, Oct-Nov (CT & NY)	Option C: Recreational Slot Limit 16-18"
<b>Written Comments</b>					
Individual Letters	3				
Group/Organization Letters					
Form Letters					
<b>Hearings</b>					
MA					
RI					
CT					
NY					
NJ					
DE					
MD					
VA					

**Other Comments:**

- Favor status quo measures.
- Believe that the data used as a basis for setting the allowable catch limit (ACL), bag limit and season is inaccurate.
- If implemented, it will lead to overly restrictive regulation that will have a negative effect on the local economy while not effectively protecting the stock.
- Provide measures to the for-hire fleet that are more generous than measures for private boats
- Protect fish during the spawning season.

- Dropping the bag to 4 fish will be very hard on the for-hire fleet any lower will be devastating. Separate the regulations for the for-hire fleet. Eliminate the spring and summer fishery in CT and shorten the fall in both states. Put in a slot limit of 16-22" to protect the large egg-bearing females.

LIS Commercial Measures	Option A1: State Specific Reductions to Current Measures	Option B1: Regional 16" min size, commercial quota	Option B2: Regional 16" min size, status quo	Option C: Commercial slot limit, 16-18"
<b>Written Comments</b>				
Individual Letters	3			
Group/Organization Letters				
Form Letters				
<b>Hearings</b>				
MA				
RI				
CT				
NY				
NJ				
DE				
MD				
VA				

**Other Comments:**

Restrict Commercial fishing to a daily possession limit equal to the recreational fishery. Restrict the type of gear Commercial fishermen may use, specifically rod and reel. Include closure for spawning. Ban the sale of live tautog. The Commercial Lobster fishery is allowed to take too many tautog as bycatch in their pots.

Close the commercial pot fishery especially in the spring. Possession limit should be similar to the recreational fishery and have options for spawning closures.

NYNJ Recreational Measures	Option A1: State-specific reductions to current measures	Option B1: 15" min, 4 fish bag	Option B2: 16" min, 4 or 6 bag limit	Option C1: Recreational slot limit 15-18", 4 fish bag limit
<b>Written Comments</b>				
Individual Letters	3			
Group/Organization Letters	2			
Form Letters				
<b>Hearings</b>				
MA				
RI				
CT				
NY				
NJ				do not favor
DE				
MD				
VA				

Other Comments:

- Opposed to option B2, would be disaster for rebuilding biomass at Barnegat Light.
- C1 is Okay, but ending March 31 would eliminate the shore angler. Against a slot limit and opposed to an August and September closure.
- Propose Bay versus ocean regulations (like striped bass).

NYNJ Commercial Measures	Option A1: State-specific reductions to current measures	Option B1: 15" min, 28 fish bag NYB, no bag in NJ	Option B2: 16" min, 31 fish bag NYB, no bag in NJ	Option B3: 15" min, 65,486 lb quota NYB, 23,529 lb quota NJ	Option C2: Commercial slot limit 15-18", 34 fish bag NYB, no bag NJ
<b>Written Comments</b>					
Individual Letters	3				
Group/Organization Letters	1				
Form Letters					
<b>Hearings</b>					
MA					
RI					
CT					
NY					
NJ					
DE					
MD					
VA					

Other Comments:

Possession limit should be similar to the recreational fishery and have options for spawning closures

DelMarVa Recreational Measures	Option A: Status Quo	Option B: Spwn Closure May & June; 4 fish bag all states, 15" min size DE, 16" VA & MD	Option C: Spwn Closure May & June; 5 fish bag DE Jul-Mar, 4 fish bag MD, 3 fish bag VA, 16" all states	Option D: Spwn Closure May & June; 4 fish bag & 16" min size all states
<b>Written Comments</b>				
Individual Letters	3			
Group/Organization Letters				
Form Letters				
<b>Hearings</b>				
MA				
RI				
CT				
NY				
NJ				
DE			x	
MD		x		favor a modified D
VA				1



<b>DelMarVa Commercial Measures</b>	<b>Option A: Status Quo</b>	<b>Option B: Modified rec measures for DE and MD implemented as com measures; VA remains status quo</b>
<b>Written Comments</b>		
Individual Letters	3	
Group/Organization Letters		
Form Letters		
<b>Hearings</b>		
MA		
RI		
CT		
NY		
NJ		
DE		
MD		
VA		1

<b>Commercial Quota</b>	<b>Option A: Status Quo</b>	<b>Option B: Commercial Quota Procedures</b>
<b>Written Comments</b>		
Individual Letters	3	
Group/Organization Letters	1	
Form Letters		
<b>Hearings</b>		
MA		
RI		2
CT		
NY		
NJ		
DE		
MD		x
VA		1

Commercial Tagging Program and Tag Application	Option A: Status Quo	Option B: Implement a Commercial Harvest Tagging Program	Option A: Harvester Application at Harvest or Upon Landing	Option B: Application by Dealer
<b>Written Comments</b>				
Individual Letters	5	3		
Group/Organization Letters	1	4	2	
Form Letters				
<b>Hearings</b>				
MA				x
RI		x	3	
CT				
NY	x			
NJ		x	7	
DE		x	x	
MD		x	x	
VA		2	2	

**Other Comments:**

Instead of putting the burden on the Commercial Fisherman to tag fish, do not allow recreational fishermen to land live tautog. They could keep them live for culling purposes while fishing but must kill all fish to be harvested before reaching the marina

RECEIVED

JUN 19 2017

ASMFC



State of Connecticut  
HOUSE OF REPRESENTATIVES  
STATE CAPITOL  
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE CHRISTINE CONLEY  
40TH ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING, ROOM 4009  
CAPITOL: (860) 240-8585  
TOLL FREE: (800) 842-8267  
FAX: (860) 240-0206  
E-MAIL: Christine.Conley@cga.ct.gov

June 15, 2017

Ashton Harp  
Fishery Management Plan Coordinator  
1050 North Highland St, Suite 200 A-N  
Arlington, VA 22201

VICE CHAIR  
PLANNING AND DEVELOPMENT COMMITTEE

MEMBER  
JUDICIARY COMMITTEE  
TRANSPORTATION COMMITTEE

Re: Tautog Amendment

Dear Mr. Ashton:

I write to ask that the Tautog Amendment 1 be more lenient than the current proposal. As the state representative from Groton, I represent party and charter boat owners whose livelihoods depend on the catch, and such a severe restriction of the Tautog catch, along with the current restrictions on fluke, seabass and striped bass, will hinder their ability to make a living.

I would like to suggest that ASMFC explore other options/suggestions to distinct charter and party boats as distinct from private boats in the amendment.

The captains of the Party and Charter Boats have offered the following suggestions which I urge you to consider. They have a stake in the continued health of the tautog fishery. They propose the following changes to the current management measures for charter and party boats in the LIS region:

1. Eliminate the spring (April 1 – April 30) and summer (July 1 – August 31) open seasons in Connecticut;
2. Shorten the open fall season to October 12 – December 1 for Connecticut and New York; and
3. Impose a possession limit of 4 fish and a slot limit of fish from 16" to 22" to protect large egg-bearing females.

Thank you very much for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Christine Conley".

Christine Conley  
State Representative



ANDREW P. RAIA  
Assemblyman 12<sup>th</sup> District

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JUL 24 2017

ASMFC

THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

MINORITY WHIP  
RANKING MINORITY MEMBER  
Committee on Health  
COMMITTEES  
Banks  
Environmental Conservation  
Housing  
Rules  
MINORITY REPRESENTATIVE  
Legislative Council on  
Health Care Financing

Ms. Ashton Harp  
ASMFC Fisheries Management Plan Coordinator  
1050 N Highland Street  
Arlington, VA 22201

July 16, 2017

Dear Ms. Harp:

I am writing you in regards to the Atlantic State Marine Fisheries Commissions Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog. Specifically, I am echoing the concerns of one of my constituents, Mr. Robert Berry, the owner of Hi-Hook Bait and Tackle Shop in Huntington, New York, regarding the significant economic impacts this proposal will have on the fishermen and tackle shop owners operating in direct proximity to the Long Island Sound.

Representing a legislative district that incorporates a large swath of this body of water, I understand the importance of maintaining a healthy, stable and sustainable ecosystem. As you know, the Long Island Sound has been used as a fishing ground for hundreds of years, providing residents with economic opportunities as well as fresh seafood. Based upon the 2015 Benchmark Stock Assessment and Peer Review Report, it has been determined that tautog have been overfished at alarming levels all along the mid-Atlantic seaboard. However, based upon the firsthand accounts of fishermen living in my district, they believe that the stocks of blackfish are much higher than the numbers in the study suggest.

Already experiencing burdensome levels of taxation and having to endure external factors beyond their control such as high fuel prices, bad weather and slow economic growth, adding additional regulations will most likely amplify the negative financial costs inflicted on Long Island's fishermen. As a result, I fear that individuals associated with the fishing, charter and party boat industries will be unfairly impacted by these proposed measures. Many individuals residing in my district have relied on the resources of the sea in order to make a living and provide for their families, and it is my hope that their concerns and experiences be taken into account before enacting any new regulations that will have a direct impact on them.

PLEASE REPLY TO:  Room 635, Legislative Office Building, Albany, New York 12248 • 518-455-5952, FAX: 518-455-5804  
 75 Woodbine Avenue, Northport, New York 11768 • 631-261-4151, FAX: 631-261-2992  
EMAIL: RA1AA@nyassembly.gov

Again, thank you for your attention regarding this matter, and if you require any further information from me please do not hesitate to contact my office directly.

Sincerely,

A handwritten signature in black ink that reads "Andrew P. Raia". The signature is written in a cursive style with a prominent flourish at the end of the name.

Andrew P. Raia  
Member of Assembly  
12<sup>th</sup> A.D.

## Toni Kerns

---

**From:** Barbara Evans <fishgrizzly@aol.com>  
**Sent:** Friday, July 14, 2017 4:53 PM  
**To:** Ashton Harp  
**Subject:** Tautog Draft Amendment 1

Hi Ashton. Carey Evans of the Charter boat Grizzly also Delaware's Recreational representative.

After a discussion with many other charter and head boat operators in the industry we would be in favor of option A.

Our biggest concern with all of the other options is losing the 11 days we have available to fish for tog in May. If another option would give us the flexibility to fish for tog those first 11 days we could live with the other changes. Losing the 11 days would be very hard on the industry as we would have to shift that fishing pressure to blackdrum which at this point is still light.

An extension of days till May 15 would be very beneficial to our industry in the state as well. May 15 seabass opens. Perhaps that could be accomplished thru losing some of the days in July from one of the other options. Taking the days from July and adding them to May also will lessen the enforcement burden as the shorebased fisherman are more burdensome for the enforcement agents.

Thank you for your consideration  
Carey Evans  
Owner/Operator Grizzly Sportfishing  
302 245-9776

PO Box 816  
Fairhaven, MA 02719  
June 6, 2017

Deputy Director Dan McKiernan  
Division of Marine Fisheries  
251 Causeway Street  
Boston, MA 02114

Dear Dan:

I read the study on tautog tagging conducted by NYSDEC. The investigators said that they spoke to fishermen about the way they handle the fish from catch to market when formulating the study. They held 21 tautog in a cage 3'x5'x30". Then tagged the fish and held 7 in a 6' diameter tank 20" deep. Most of the fish were less than 16 inches. This does not duplicate the way fish are handled here in Massachusetts.

Most fishermen hold their tautog in a mesh bag over the side of the boat. Some have a live well in the boat. The mesh bag that I use has a 12" diameter hoop on top with 3 feet of 2 inch mesh netting. I usually put 10 fish in a bag, because I have difficulty lifting more than 10 fish at a time. Some fishermen put as many as 20 fish in a bag (they may use bigger bags),

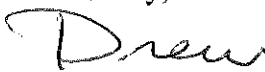
The most convenient time to tag is when the fish is caught and is lying on the deck. The fish would then be put in a mesh bag and placed over the side. As the fish are added they are rubbing gill to gill next to each other and when the tide is running they are forced to the bottom of the bag. The fish are kept in the bag and placed on deck or in a cooler when moving to a new fishing location or steaming into port. If it is a long steam the fisherman may stop every 20 minutes and dip the fish.

Some fishermen use live wells. These vary in size but typically are 3'x2' by 2' deep. The live wells provide more room but by the 40<sup>th</sup> fish the tautog are in close contact and rubbing against each other.

My concern is that these tags will not stay on the fish because of all the abrasion they are subjected to. In the study, they lost one tag even though the fish were in relatively spacious tanks. I think there will be tag loss in the fishermen's holding nets and live wells and also in the dealer's tanks.

Before requiring use of tags on live tautog, it would be beneficial if *Marine Fisheries* conducted their own study with the fish held in a more confined environment.

Sincerely,



Drew Kolek

**From:** Michael Pierdinock [mailto:cpfcharters@yahoo.com]  
**Sent:** Thursday, June 22, 2017 1:13 PM  
**To:** Ashton Harp <aharp@asmfc.org>  
**Cc:** Dan Mckiernan@state.ma.us <dan.mckiernan@state.ma.us>  
**Subject:** Comments to Draft Amendment 1 to the IFMP For Tautog

Dear Ashton:

The Massachusetts recreational and for-hire fleet is presently subject to black sea bass closures the end of August and fluke closures the middle of September that is not the case in Rhode Island where they are able to land black sea bass into the fall. This has resulted in anglers booking trips in Rhode Island and subsequent loss of business by the Massachusetts for-hire fleet.

The regional management approach may be a step in the right direction to create a level playing field as well as assist in enforcement but recent history of such an approach is concerning. The benefit of regional management is consistent bag limits in each state or region that assist in enforcement. Regional management also assists in the ability to buffer some of MRIP deficiencies at smaller regional scale (state by state) and it allows some consistencies between shared waters.

There can be significant variations in a particular fishery even on small geographic scales of 30 miles or less. We see those variations and the inability to set adequate measures to accommodate those variations in many regional fisheries such as black sea bass and fluke noted above. The historical progression observed once a regional approach is adopted is that states within that region will soon find that regional management does not provide a fair or reasonable opportunity to set regulations in their state to maximize their fishery. Such examples are evident with fluke in DE, NJ, NY and CT. Regional management can eliminate entire groups of fishermen either due to timing of start/end dates or from minimum size limits that do not fit the length frequency available to anglers in a particular part of a state.

The regional management recreational measures set forth in Table 16 of the Draft Amendment 1 to the IFMP For Tautog For Public Comment document does not provide measures that take into consideration the closures set forth above and typical times of the year that tautog are found in the Buzzards Bay and Vineyard Sound waters. As set forth above, this could be one of the flaws in a regional approach that the timing that tautog arrive in our waters may not be consistent with Rhode Island waters.

The recommended proposed recreational measures are as follows:

- 6 fish limit September through December plus April and May; and
- 1 fish limit the rest of the year.

The 6 fish limit September through December provides an opportunity to land tautog when black sea bass and fluke season is closed in Massachusetts waters. The April and May timeline provides an opportunity to land tautog when black sea bass and fluke are typically not present on our waters.



If you have any questions please email or give me a call. Please confirm receipt of this email.

Thanks

**Capt. Mike Pierdinock**

**CPF Charters "Perseverance" - New Bedford**

Recreational Fishing Alliance - Massachusetts Chairman

Stellwagen Bank Charter Boat Association - Board of Directors

Massachusetts Marine Fisheries Advisory Commission - Vice Chairman

ICCAT Advisory Committee

NMFS - Atlantic Highly Migratory Species Advisory Panel

New England Fishery Management Council - Recreational Advisory Panel

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**From:** Michael Barnett [<mailto:mbarnett@optonline.net>]

**Sent:** Thursday, May 25, 2017 9:06 PM

**To:** Ashton Harp <[aharp@asmfc.org](mailto:aharp@asmfc.org)>

**Cc:** [Attic88@aol.com](mailto:Attic88@aol.com); [wsthatcher@verizon.net](mailto:wsthatcher@verizon.net); Danielson, Bob (DOT) <[bdanielson@dot.state.ny.us](mailto:bdanielson@dot.state.ny.us)>; [captpete43@optonline.net](mailto:captpete43@optonline.net); [csqueri@aol.com](mailto:csqueri@aol.com); GREG OCEAN EAGLE <[capteagle@optonline.net](mailto:capteagle@optonline.net)>; gilmore robert <[jigthis171@yahoo.com](mailto:jigthis171@yahoo.com)>; [jhutchinson@joinrfa.org](mailto:jhutchinson@joinrfa.org); JOHN MIHALE <[hugapuck@optonline.net](mailto:hugapuck@optonline.net)>; JOSEPH PARADISO <[captjoe19@optonline.net](mailto:captjoe19@optonline.net)>; Stuart Newman <[SNewman@salonmarrow.com](mailto:SNewman@salonmarrow.com)>; [reedriemer1@aol.com](mailto:reedriemer1@aol.com); robert sullivan <[rsulli11@optonline.net](mailto:rsulli11@optonline.net)>; Robert Andresen <[pooka1972@gmail.com](mailto:pooka1972@gmail.com)>; STEVE KEARNEY <[steve81867@hotmail.com](mailto:steve81867@hotmail.com)>; Steve Witthuhn <[ssofabed@aol.com](mailto:ssofabed@aol.com)>; Tom Schlichter <[outdoortom@optonline.net](mailto:outdoortom@optonline.net)>; [MTWBIGFISH@VERIZON.NET](mailto:MTWBIGFISH@VERIZON.NET); [Twoneefsh@aol.com](mailto:Twoneefsh@aol.com); GENE TRIPODO <[genetripodo@aol.com](mailto:genetripodo@aol.com)>; [Tarpon200@optonline.net](mailto:Tarpon200@optonline.net); [notimecharters@hotmail.com](mailto:notimecharters@hotmail.com)

**Subject:** Tautog commercial tagging program

Sir,

I've been made aware of the newly created tautog tagging program that was thought up by someone who obviously doesn't fish for Tautog for a living. The research, I've learned has been done on almost all juvenile fish under our commercial limit of 15". The tagging was done in the confines of a laboratory in Long Island. I beckon you to please accompany a commercial boat during our season in mostly harsh weather and try to attach a tag to a tog's gill plate (of all places) without injuring the fishes breathing apparatus (gills). As you well know a juvenile , or fish under 15" can possibly absorb the punishment it would take having a tag attached to it's gill plate, but a larger fish won't. As a hook, and line commercial fisherman we take a lot of precautions to keep the tautog in the best condition possible for live sale (slow retrieve reels, venting procedures) . I don't think that this tagging program you have come up with is going to work. Any damage done to a togs gills will ultimately kill the fish. Please rethink this for the sake of the people that feed their families with the help of commercial Tautog fishing.

Thankyou  
Capt Mike Barnett  
F/V CODFATHER

**From:** fisherman01@comcast.net [mailto:fisherman01@comcast.net]  
**Sent:** Thursday, March 23, 2017 2:21 PM  
**To:** Ashton Harp <aharp@asmfc.org>  
**Subject:** Re: tog meeting

Hi Ashton

Barnegat Light inlet is a phenomenal tog fishery. Last year from mid Sept till early Dec I caught over 2000 tog. For most of the season (ie sept till mid Nov) the tog are spread out the length of the jetty (Approx 1 mile) and back along the bulk head also approximately 1 mile. Sometime during mid Nov the tog begin to migrate toward the last 1/3 of the jetty. My records indicate the migration is influenced by the water temperature and day length. The tog typically stage there until the water temperature stays at 45 or below for several days. At this point the tog head offshore.

The "winter season" for NJ is when the regulation go from 1/ day to 6/day usually Nov 16th. Unfortunately this increase to 6 usually happens when the fish are migrating to the end of the jetty. So naturally most of the fisherman also migrate to the end of the jetty. The number a fisherman also increases at this time due to the increase 6 limit. So there are more fish concentrated in a smaller area and more fisherman. The perfect recipe for over harvesting. One quick anecdote. One year I caught 24 legal size tog Nov 16 and 18 legal tog the next.

I should note I didn't keep even my limit. I just love catching them.

Concerning the poaching issue, I unfortunately have not kept records similar to my catch records. I do know the poaching has decreased thanks to efforts by the NJ Conservation officers and other fisherman. My impression is that land poaching surpasses the illegal takings by boat. This is based on the amount of observe land poaching and the few number of boat fisherman targeting tog. I know not very scientific.

I look forward to providing any additional information and to the next meeting.

Pat

---

**From:** "Ashton Harp" <[aharp@asmfc.org](mailto:aharp@asmfc.org)>  
**To:** [fisherman01@comcast.net](mailto:fisherman01@comcast.net)  
**Sent:** Wednesday, March 22, 2017 3:40:54 PM  
**Subject:** RE: tog meeting

Hi Pat,

Thanks for joining the call and for the feedback. I really appreciate on-the-ground accounts of fishing effort.

Can you explain what you mean in this sentence: "During the "winter season" when the regulations go to 6 per day, the last third of the jetty concentrates the tog." Does this mean more people fish at the end of the jetty in the winter?

There have been discussions regarding different regulations for sound/bay versus the ocean, however I should note that enforcement officers do not prefer multiple regulations for one species in a state. Do you perceive the majority of poaching to happen by vessels or shore based anglers?

Ashton

**Ashton Harp**

Fishery Management Plan Coordinator  
Atlantic States Marine Fisheries Commission  
[www.asmfc.org](http://www.asmfc.org)

(703) 842-0740  
[aharp@asmfc.org](mailto:aharp@asmfc.org)

**From:** [fisherman01@comcast.net](mailto:fisherman01@comcast.net) [<mailto:fisherman01@comcast.net>]

**Sent:** Thursday, March 16, 2017 5:26 PM

**To:** Ashton Harp <[aharp@asmfc.org](mailto:aharp@asmfc.org)>

**Subject:** tog meeting

Hi Ms Harp

Thanks for the opportunity to observe the tautog meeting today. I was encouraged by the efforts to reduce the commercial harvest during prime spawning months.

I fish Barnegat Light jetty for tog almost everyday from the beginning of September till the water cools and the tog head offshore. For me catching is the primary reason for fishing not keeping. Following are some observations and ideas from my many hours on the jetty.

Poaching continues to be a major problem. The last 5 years the NJ Conservation officers have reduced the amount of poaching, but it continues to be a significant problem. Recently the fine was increased. Hopefully a corresponding reductions in poaching occurs.

During the "winter season" when the regulations go to 6 per day, the last third of the jetty concentrates the tog. Why not have lower limits for land based anglers during this time of the year?

An alternative to the above would be to set different regulations for the bay verses the ocean. Similar to the NJ regulation for stripers that is different foe bay and ocean.

I tries to keep this brief, but would gladly give more details.

Pat White

**From:** PATRICK WHITE [mailto:fisherman01@comcast.net]  
**Sent:** Thursday, July 06, 2017 1:35 PM  
**To:** Ashton Harp <aharp@asmfc.org>  
**Subject:** Tautog Draft Amendment

Hi Ashton

Before providing my comments about the Tautog Draft Amendment, I would like to describe the April tog fishery at Barnegat Light. An understanding of the fishery will help explain my responses to the various section of the draft.

In April, the tog begin migrating inshore when the ocean temperature reaches 45 degrees. This usually occurs around mid-April but as late as the beginning of May. Most years the last seven to ten days of April provide excellent tog fishing. Some years the tog arrive after the season is closed.

In the last letter I described how the tog are concentrated at the last section of the jetty for the November 16th season. During the spring migration the tog are concentrated at the base of the jetty by the lighthouse, due to the warmer bay water. The majority of the early arriving fish are of keeper size. I do not keep females but was still able to limit out most days in one hour. Only one fish which I kept during the April season was under 16 inches. The important factor is that during both seasons with higher limits the tog are concentrated in a relatively small area. This makes it easier to catch a limit and over fish them. Generally from July 17th to Nov 15 when the limit is 1, the tog are scattered throughout a larger area. Thus producing less opportunity to over fish them.

I realize my observations represent a specific tog fishery; however, I feel they are replicated throughout the New Jersey shore based fishery.

The following are comments about the specific sections of the amendment.

#### 1.5.2 and 1.5.2.2

I am confused by this section. Poaching is the primary deterrent to recovering the biomass. In the "commercial fishing" section, the reports describe the "black market for undersize, out-of-season or illegal quantities of tautog." A major problem is the recreational anglers that keeps shorts and illegal quantities. Some are probably sold, so are these recreational anglers considered to be commercial fisherman? I repeat poaching is the biggest obstacle to rebuilding the stock.

#### 2.3

Option G must be added to the 1996MFP. The conservation officers have made increased efforts to control poaching and the state increased the fine to \$100; but poaching continues to be a major obstacle for rebuilding the stock.

4.1 I vigorously support option B.

4.2.4.1

Table 26 - April 1-18 would virtually eliminate the early Barnegat Light tog fishery.

Table 27

B2

Changing the minimum size to 16 inches will only increase the amount of "short" fish harvested. I observed this with fluke. When the size was increased to 18 inches, I saw more undersized fish kept. Keeping the season open until May 31st would produce a slaughter in Barnegat Inlet. During May, the jetty is loaded with the big breeders.

Allowing 6 beginning Aug 31 would greatly increase the total tog catch. *B2 would be a complete disaster for rebuilding the tog biomass at Barnegat Light.*

C1

*Ending at March 31st would completely eliminate the shore angler.* I don't have a problem with a slot, but how would the party boat patrons react to it? Possibly adding one over 18 inches would help.

I agree with the analysis of over fished and over fishing. Although my number of fish caught and keepers have increased the last four years, the number of larger fish (over 19 inches) has decreased. I would like to offer some alternatives to achieve the goals of the report.

In my previous letter I presented the idea of different regulations for land based versus boat anglers or ocean versus bay anglers. I have discussed this with my local conservation officers. They currently enforce different regulations for striped bass in ocean and bay. They didn't foresee an problems doing the same with tog.

Since the jetty concentrates the fish during the April and November 16th seasons, I am proposing a decrease in shore based bay limits. April 1-30th shore based (or bay) 2 or 3 fish/day and reduce the boat to 3. For November 16th to December 31st, reduce shore based to three and reduce boats to four or five. July 17th to November 15th would remain at one. This maintain the basic seasons that fisherman are familiar with but reduce catch by lowering possession limits. I have several others ways of achieving the goal if you are interested.

In the future I would recommend adding the effects of spear fishing on tog. Tog are one of the easiest fish to spear. Many are killed and then measured. The dead undersized fish are just dumped. As the number of larger tog have decreased, the number of divers has increased. Although this is anecdotal, it is worth examining the effect of

spearing on tog populations. Many divers have trouble judging a 15" fish. How would react with a slot of 15-18"?

I tried to keep this as brief as possible, but would be willing to provide additional information about any of my comments.

Patrick White

Ps I should have started with how impressed I was by the Draft Amendment!!!!



July 11, 2017

Dear Ms. Harp,

I have been involved full time in the commercial fishing industry (hook and line) and the charter/headboat industry since 1990 in NYS, mainly in Peconic Bays, Gardiners Bay, LI Sound, BI Sound, and nearshore Atlantic Ocean—out to 30 nautical miles. I'd like to comment on the proposed blackfish regulations. If any of these proposals pass, commercial fishermen like myself will have their seven-month season cut by one and a half to two months. This will result in an approximate loss of income of roughly 20 percent. Would you like your salary to be cut by 20 percent? The 60 percent reduction in the recreational sector and 50 percent reduction in the commercial sector in 1993 was devastating. Those reductions were based on bad science and no study data. We cannot repeat that process.

There are more blackfish than ever, just as full-time fishermen have told you. I can easily catch my daily limit of 25 legal fish, as well as an additional 50 to 75 undersized fish that are released with zero mortality. I can fish in a different area each day of the week, five to seven miles apart, with one line in the water and one hook. Long Island Sound is not overfished, and it is impossible to overfish blackfish in a two-month window. Preservation of the commercial fishing industry in NYS should be of the utmost priority. If any reductions get passed without new study data, such as full-time fishermen's data (VTR), we will have no choice but to file suit. Commercial landings in NYS have remained constant over many years—the VTRs prove it.

The proposed reductions are based on bad data. The trawl studies are a joke because even full-time commercial draggers have a hard time catching blackfish among the rocks. The fish pot studies are a joke as well, because the woman (Sandra Doumas) conducting the study out of Mattituck and other parts of LI Sound was way off with her timing and location of gear. So both of these studies do not result in accurate data collection. As I said, real data can be obtained from those on the front lines—full-time fishermen.

Where is the commercial quota credit from the elimination in 2016 of the NYS landing license? Shouldn't the commercial sector get that quota? This is mainly a mid-December through February fishery. The recreational season is closed during those months. Again, where is that quota?

The proposed blackfish tagging regulations would accomplish nothing other than creating more work and headaches for the commercial fisherman. At the meeting on June 20, the DEC by their own admission stated that the problem is with the undersized live market, *not* with legal fish. At the meeting I attended, everyone was in agreement for no changes to the commercial or recreational sector.

Regarding notice of the meeting on June 20, 2017, why was there only one e-mail notification? Usually any public meetings are announced via postcard, because many commercial fishermen do not use e-mail. This negatively affected attendance at said meeting. Was this intentional?

Thank you for your consideration on this very serious matter.

Respectfully,

Captain Rob Spitzenberg  
100 Ton USCG Masters License  
NMFS Commercial Vessel Operator Permit  
516.770.4375 (mobile)  
captrfs@aol.com

**From:** Barry Temkin [mailto:barry.temkin@gmail.com]  
**Sent:** Friday, June 30, 2017 2:45 PM  
**To:** Robert Beal <Rbeal@asmfc.org>  
**Cc:** Ashton Harp <aharp@asmfc.org>  
**Subject:** Draft Amendment 1

Dear Mssrs. Beal and Harp:

I commend the Atlantic States Marine Fisheries Commission on its important work of protecting America's natural resources and fisheries. I am writing to lend my support to the ASMFC's proposed Draft Amendment 1, due to my concerns, and the concerns of my friends and family, about commercial overfishing of the Long Island Sound blackfish fisheries. I support and endorse the plan to limit the blackfish harvest for Long Island Sound fisheries.

I am a recreational fisher. I learned to fish with my late grandfather, and I have passed on to my young daughters a love of fishing. I am pleased to report that my daughters have surpassed me in fishing prowess. I can think of no better way to enjoy the beauty and bounty of nature. I support the good work of the ASMFC, and I urge you to restrict the overfishing by commercial fisheries so that my children will someday have the opportunity to pass on the love of fishing to the next generation.

Sincerely,  
Barry Temkin  
463 West Street  
New York, NY 10014  
[barry.temkin@gmail.com](mailto:barry.temkin@gmail.com)

**From:** Ilya Elkin [mailto:pennh2o@hotmail.com]

**Sent:** Thursday, June 29, 2017 10:47 AM

**To:** Ashton Harp <aharp@asmfc.org>

**Subject:** Tautog draft amendment

Hello Ashton, my name is Ilya Elkin and I am a commercial rod and reel fisherman from Brooklyn, NY. First thing I would like to do is apologize for the verbal beating you had to endure during the tautog DEC meeting last Tuesday. I definitely understand and agree with many of the things that were said during the meeting however it wasn't right how the message was delivered. I'd like to give my opinion on the new tautog regulations. I and almost all of the commercial guys I've spoken to are in favor of the NY Bight and NY Sound being divided into 2 separate regions. We do not want to take the NY Sound's harvest cut. As far as size and season, all of us are in favor of leaving it the way it is which is option A1: 15 inches, 25 fish, Jan 1-Feb 28 and April 14-Dec 31.

As far as the tags go, all the commercial guys I spoke to are strongly against the tags. A dead and bleed policy for the recreational guys is the way to go. Will save a ton of money and time as far as administrative costs go and will decrease poaching.

Please take our input very seriously. The tautog is by far the most important fish for rod and reel guys to make a living. Please choose option A1.

Thank you for your time.

Please respond to this email so I know you've read it

RECEIVED

06/27/2017

JUN 30 2017

ASHTON HARR

1050 NORTH HIGHLAND ~~AS~~SMFC

SUITE 200 A-N

ARLINGTON VA 22201

TAVI06 DRAFT  
AMENDMENT 1

DEAR ASHTON

ATTACHED ARE COPIES OF MY LETTERS TO YOU OF  
09/23/2015 AND 06/20/2015

SINCE I COULD NOT DISCUSS ALL OF THE ISSUES LISTED  
IN MY LETTER TO YOU OF 06/20/2017 AT LAST TUESDAY'S  
MEETING I AM FOLLOWING UP ON THOSE ISSUES AS WELL  
AS SEVERAL ADDITIONAL COMMENTS OBSERVATIONS AND  
SUGGESTIONS.

1- MANAGEMENT GOALS - PAGE 47 OF DRAFT AMENDMENT  
THE MANAGEMENT GOAL IS TO "CONSERVE THE RESOURCE"  
AND "MAINTAIN THE SOCIAL AND ECONOMIC BENEFITS OF  
RECREATIONAL AND COMMERCIAL UTILIZATION". THE STATEMENT  
SPEAKS FOR ITSELF.

2- ARTIFICIAL REEF DEVELOPMENT - PAGE 45 OF DRAFT  
SINCE ARTIFICIAL REEFS "CAN ENHANCE FISH HABITAT" AND



ALSO "INCREASE TOTAL BIOMASS IN A GIVEN AREA"  
THE ASMFC AND THE STATES HAVE TO WORK TOGETHER  
TO FIND SPONSORS WHO WOULD HELP FINANCE ARTIFICIAL  
REEF DEVELOPMENT.

3 - LOSS OF HABITAT DISSOLVED OXYGEN LEVELS  
MOVEMENT OF TATOG - PAGES 33 & 34 OF DRAFT  
IT IS PRETTY SIMPLE - IF YOUR HOME IS DESTROYED  
BEYOND REPAIR - YOU MOVE - IF YOU CANNOT BREATHE -  
YOU MOVE - IF THE WATER GETS TOO WARM -  
YOU MOVE. I BELIEVE THAT THE TATOG HAVE MOVED  
TO THE BRIDGES NEAR OUR ~~SOUTH~~ SOUTH SHORE INLETS  
WHERE WE HAVE GOOD TIDAL FLOWS AND COOLER WATER  
I WOULD ALSO MENTION THAT THERE IS AN ONGOING  
EFFORT TO ENHANCE THE STRUCTURAL SUPPORTS OF  
OUR SOUTH SHORE BRIDGES WITH ROCK AND THIS HAS  
INCREASED THE TATOG POPULATION AROUND THESE BRIDGES.

4 - TATOG FISHERY SURVEYS OBSERVATION OF  
COMMERCIAL TRIPS TAGGING PROGRAMS  
PAGES 61 62 63 64 OF DRAFT AMENDMENT

THERE ARE SEVERAL AREAS OF CONCERN THAT  
IMMEDIATELY STAND OUT TO ME:

A - NO LONG ISLAND SOUTH SHORE OCEAN SURVEYS  
OTHER THAN JAMAICA BAY - NO LONG ISLAND SOUTH SHORE  
BAY SURVEYS



B - OTHER THAN MA & RI - STATE OBSERVED COMMERCIAL TRIPS AVERAGES LESS THAN 5 PER YEAR OVER A 24 YEAR PERIOD. NEW YORK OBSERVED ONLY 59 COMMERCIAL TRIPS THAT CAUGHT TAVTOG IN THE SAME 24 YEAR PERIOD.

C - THERE IS NO INDICATION IN THE DRAFT OF ANY OBSERVATIONS MADE OF COMMERCIAL ROD & REEL TAVTOG TRIPS. NEW JERSEY HAS MONITORED RECREATIONAL PARTY/CHARTER BOAT AND COMMERCIAL FISHERIES. HONESTLY THE NUMBERS RESPECTFULLY DO NOT MAKE SENSE. 4000 TAVTOG %, 200 TRIPS = 20 FISH PER TRIP. REMEMBER ~~THIS~~ THIS IS THE TOTAL # OF FISH INCLUDING DISCARDS (SHORTS).

WHEN YOU INCLUDE THE RECREATIONAL FISHERY, (90% OF TOTAL TAVTOG LANDINGS) ROD & REEL FISHING ACCOUNTS FOR THE OVERWHELMING MAJORITY OF TAVTOG LANDINGS. WE NEED TO GREATLY INCREASE OUR STUDIES OF BOTH THE RECREATIONAL AND COMMERCIAL ROD & REEL TAVTOG FISHERY.

5 - ILLEGAL COMMERCIAL FISHERY - PAGE 36 OF DRAFT

THE ONLY LOGICAL DETERENT TO THE ILLEGAL COMMERCIAL TAVTOG FISHERY (MOSTLY BY UNLICENSED FISHERMEN) IS THE SEVERITY OF THE PENALTY.



WE NEED TO REDEFINE THE THRESHOLD AT WHICH THE FINE BECOMES 50-100 TIMES THE VALUE OF THE ILLEGAL HARVEST.

## 6 - TAGGING TRIAL

FIRSTLY SANDRA DUMAIS, JOHN MANISCALCO AND THE REST OF THE TEAM DID A GREAT JOB IN CONVEYING IN A VERY TRANSPARENT WAY - EXACTLY WHAT THEY DID.

HOWEVER I POLITELY AND RESPECTFULLY WISH TO POINT OUT THE PROBLEMS I HAVE WITH BOTH THE STUDY AND TAGGING OF TAUTOG.

A - PAGE 2 OF COMMERCIAL TAGGING TRIAL  
TWENTY ONE TAUTOG WERE COLLECTED ON 09/23/2016 AND 09/26/2016. THEY WERE PLACED IN A LIVE CANT OFF A DOCK IN MATTITUCK CREEK FOR 2-5 DAYS. ON 09/28/2016 THEY WERE TRANSPORTED TO FLAY POND MARINE LABORATORY WHILE MONITORING THE TEMPERATURE SALINITY AND DISSOLVED OXYGEN OF THE WATER SO - THEY CAUGHT THE FISH - HELD THEM FOR 2-5 DAYS IN A LIVE CANT - THEN TRANSPORTED THEM TO FLAY POND IN AN EXTREMELY CONTROLLED ENVIRONMENT AND TAGGED THEM IN THE LABORATORY.

THIS IS NOT THE REAL WORLD.



B - SECOND PROBLEM IS THE SIZE OF THE FISH  
SAMPLED AND THE FACT THAT THEY WERE ALL CAUGHT  
ONLY IN FISH POTS AND NONE BY NOD AND REEL

$$\underline{381 \text{ MM} \times .03937 = 14.99997''}$$

11 OF THE 21 FISH WERE LESS THAN 15 INCHES  
7 OF THE 15 FISH TAGGED WERE LESS THAN 15 INCHES

THE LARGEST FISH WAS 432 MM X .03937 17.00784''  
AND WEIGHED 3.201 POUNDS

THIS IS NOT THE REAL WORLD

C - IT IS EXTREMELY UNLIKELY THAT WE WILL BE  
ABLE TO PLACE THE APPLICATION INTO THE GILL OF A  
FRESH CAUGHT TAUTOG ON A ROCKING BOAT WHILE WE  
ARE FISHING AND NOT DAMAGE THE FISH. I CAN  
IMAGINE DAMAGING THE GILLS WHILE TRYING TO HOLD  
THE LIVE FISH AND SECURE THE TAG.

TAGGING OF LIVE BLACKFISH WILL NOT WORK IN THE  
REAL WORLD.

SOME FINAL THOUGHTS - EVERYTHING IN MY LETTER  
TO YOU OF 09/23/2015 IS STILL RELEVANT. KINDLY  
ME-SUBMIT ALL OF THE ENCLOSED DOCUMENTS FOR  
CONSIDERATION

MY SON MICHAEL MADE AN INTERESTING AND ASTUTE



OBSERVATION AT LAST TUESDAY ASMFL MEETING.  
HE SAID THAT WHEN YOU CATCH ONLY SHOW BLACKFISH  
YOU MOVE TO FIND BIGGER FISH. THUS THE DISCARDS  
ON THE VTAS DO NOT ACCURATELY REFLECT THE  
NUMBER OF SUB-LEGAL FISH IN THE POPULATION.

FINALLY DEL LAW ENFORCEMENT MENTIONED THE  
FOLLOWING AT LAST TUESDAY'S MEETING

- 1- NEW YORK HAS ELIMINATED THE BLACKFISH (TAUTOG)  
LOOHHOLE IN OUR LANDING LICENSE. THE LANDING  
LICENSE CAN NO LONGER BE USED TO LAND TAUTOG  
IN NEW YORK
- 2- FINES ARE TOO LOW FOR BLACKFISH VIOLATIONS.
- 3- BEST SOLUTION IS NO RECREATIONAL LIVE  
BLACKFISH. THIS WAS THE ORIGINAL INTENT OF  
NEW YORK'S COMMERCIAL DECAL.
- 4- DIFFICULT TO ENFORCE DIFFERENT RULES FOR  
LI SOUND REGION

MY RECOMMENDATION IS OPTION A STATUS QVO  
NO CHANGE TO EXISTING REGULATIONS

THANK YOU



John G. Mihale  
153 California Place North  
Island Park, NY 11558



RECEIVED

06/20/2017

JUN 30 2017

ASHTON HARP  
1050 NORTH HIGHLAND ST ASMFC  
SUITE 200 A-N  
ARLINGTON, VA 22201

TAUTOG DRAFT  
AMENDMENT 1

My RECOMMENDATION IS OPTION A STATUS QUO.  
MAINTAIN THE 1996 GOALS. I HAVE ENCLOSED A  
COPY OF MY LETTER TO ASHTON HARP OF 09/23/2015  
IN SUPPORT OF MY RECOMMENDATION. WE NEED TO BE  
PATIENT AND ALLOW THE CHANGES TO THE TAUTOG MANAGEMENT  
PLAN THAT BECAME EFFECTIVE JAN 1, 2012 SUFFICIENT  
TIME TO ACHIEVE THEIR DESIRED RESULTS.

AT TODAY'S MEETING I WOULD LIKE TO DISCUSS THE FOLLOWING  
ISSUES RAISED IN DRAFT AMENDMENT 1

- 1 - MANAGEMENT GOALS - PAGE 47 ATTACHED
- 2 - ARTIFICIAL REEF DEVELOPMENT - PAGE 45 ATTACHED
- 3 - LOSS OF HABITAT DISSOLVED OXYGEN LEVELS  
MOVEMENT OF TAUTOG PAGES 33 & 34 ATTACHED

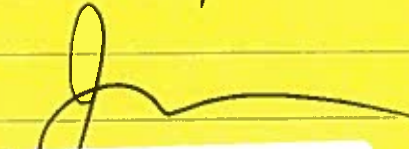
4 - TAVTOG FISHERY SURVEYS OBSERVATION OF  
COMMERCIAL TRIPS TAGGING PROGRAMS  
PAGES 61 62 63 64 ATTACHED.

5 - ILLEGAL COMMERCIAL FISHERY PAGE 36 ATTACHED

6 - TAGGING TRIAL

MY RECOMMENDATION IS OPTION A STATUS QVO  
MAINTAIN THE 1996 GOALS.

THANK YOU



John G. Mihale  
153 California Place North  
Island Park, NY 11558



RECEIVED

JUN 30 2017

09/23/2015

ASHTON HAMP  
ASMFC

ASMFC

1050 NORTH HIGHLAND ST.  
SUITE 200 A-N  
ARLINGTON VA 22201

TAUTOG PID

My RECOMMENDATION IS OPTION 1 STATUS QUO

THE FOLLOWING INFORMATION FROM THE ORIGINAL TAUTOG MANAGEMENT PLAN OF APRIL 1996 AND THE PID OF AUGUST 2015 EXPLAIN MY RATIONALE FOR THIS RECOMMENDATION.

- 1- THE ORIGINAL MANAGEMENT PLAN FOR TAUTOG OF APRIL 1996 WAS NOT FULLY IMPLEMENTED UNTIL JAN 1, 2012 ALTHOUGH ALL STATES HAD INCREASED THE MINIMUM SIZE LIMIT TO AT LEAST 14" BY 1996, (AS REQUIRED BY THE PLAN) THE IMPLEMENTATION OF THE REQUIRED FISHING MORTALITY TARGET OF  $F 0.15$  WAS NOT ACHIEVED UNTIL JAN 1, 2012 IN EFFECT THE FULLY COMPLIANT MANAGEMENT PLAN FOR TAUTOG HAS BEEN IN EFFECT FOR LESS THAN FOUR YEARS.

SOME OF THE FACTS PRESENTED TO US IN THE ORIGINAL TAUTOG MANAGEMENT PLAN OF APRIL 1996 ARE:

- A- FROM PAGE 5 "TAUTOG NORMALLY REACH SEXUAL MATURITY AT 3-4 YEARS OF AGE (7-12") ALTHOUGH THERE ARE SOME SEXUALLY MATURE



2 YEAR OLD FISH.

B - FROM PAGE 6 " IN RHODE ISLAND WATERS THE MEAN LENGTH OF A SEVEN YEAR OLD MALE WAS 14.1 INCHES WHILE A FEMALE WAS 13.2 INCHES"

C - ALSO FROM PAGE 6 " OPTIMUM SIZE FOR FEMALE EGG PRODUCTION HAS BEEN ESTIMATED AS 14-16 INCHES"

D - FROM PAGE 7 TABLE 1 TAVTOG LENGTH AT AGE RELATIONSHIP

4	YEAR	OLD	TAVTOG	IS	10.5"
5	"	"	"	IS	12.5"
6	"	"	"	IS	14"
7	"	"	"	IS	15.5"
8	"	"	"	IS	17"

2 - IT IS THEREFORE EXTREMELY UNLIKELY THAT ANY OF THE TAVTOG THAT HAVE COME INTO EXISTENCE SINCE JAN 1, 2012 HAVE COME CLOSE TO THE 15"-16" MINIMUM LEGAL SIZE LIMIT TO BE HARVESTED AND THE OPTIMUM SIZE FOR FEMALE EGG PRODUCTION (SEE C ABOVE).

IT SEEMS LIKELY THAT MOST OF THE TAVTOG THAT HAVE COME INTO EXISTENCE SINCE JANUARY 1, 2012, ARE JUST BEGINNING TO ENTER THE REPRODUCTIVE PHASE OF THEIR LIVES. "TAVTOG NORMALLY REACH SEXUAL MATURITY AT 3-4 YEARS OF AGE 7-12"



THIS SUGGESTS TO ME THAT WE HAVE NOT GIVEN APPENDUM VI SUFFICIENT TIME TO BEGIN TO INCREASE THE STOCK. WE NEED TO BE VIGILANT BUT WE ALSO NEED TO BE PATIENT.

3- EVEN IF THE COMMISSION DECIDES TO PROCEED WITH A REGIONAL APPROACH (WHICH I AM AGAINST) THEY SHOULD DO IT FOR THE RECREATIONAL FISHERY ONLY. IT WILL BE EXTREMELY DIFFICULT TO TRY TO COMBINE THE COMMERCIAL FISHERIES OF STATES WITH DIFFERENT SIZE POSSESSION AND OPEN SEASONS.

E.G. NEW YORKS COMMERCIAL FISHERY HAS A 327 DAY OPEN SEASON AND A MAXIMUM POSSESSION LIMIT OF 25 FISH. THE 25 FISH MAXIMUM POSSESSION LIMIT IS A STATE LAW WHICH CANNOT BE INCREASED BY THE NY STATE DEL

NEW JERSEY HAS AN 88 DAY OPEN SEASON AND SOME OF THE COMMERCIAL FISHERMEN HAVE NO LIMIT ON THE NUMBER OF TAUTOG THEY CAN HARVEST DURING THEIR OPEN SEASONS

AGAIN MY RECOMMENDATION IS OPTION 1 STATUS QUD

RESPECTFULLY



-----Original Message-----

From: Jcschoenig [mailto:wtfever@optonline.net]

Sent: Friday, April 28, 2017 10:14 PM

To: Ashton Harp <aharp@asmfc.org>

Subject: Tautog

My name is John S Schoenig and I am the Conservation Chairman for the Imperial Sportsmen and Suffolk Seniors fishing clubs. I actively attend all the meetings of the MRAC held at the DEC in New York.

I have on behalf of the two clubs have trying to get a spring Blackfish season in New York. We have not had one in 6years. At a recent meeting of MRAC they and the DEC agreed to actively support one.

However it had to be approved by the technical committee of the ASMFC and it was not on their agenda for May. The DEC told me that they will ask for it to be put on the September agenda.

In my request for a spring Blackfish season i furthered said that no one should have possession of Blackfish during the spawn, any Blackfish on a recreational boat had to be euthanized and i am in favor of Commercial tagging to stop Recreational sales. I am also in favor of a separate Long Island Sound Region. I would like to know the Demarcation location for the East End.

Also note that the ASMFC considers Blackfish to be a Recreational fish 🐟 however in New York our season is 3 months and Commercial is 11 months ( open during the spawn) Thank you for the opportunity to contact you during the public comment period.

-----Original Message-----

From: Rich [mailto:ram1218@yahoo.com]

Sent: Sunday, June 11, 2017 1:34 PM

To: Ashton Harp <aharp@asmfc.org>

Subject: Tautog mgmt.

Sir, instead of punishing recreational fishermen, how about banning pot fishing which fishes all year, 24/7, regardless of weather conditions, feeding patterns, tides etc. The mortality rate for blackfish is off the charts. In addition, here in Montauk, it is a common practice for commercial potters to keep cages or pens hidden in order to sell their catch at times beneficial to them. Rod and reels are not diminishing the stock, large scale potting, especially in the spring in shallow water on the breeding grounds. This is basic common sense! Fishermen are kept at the dock for a variety of reasons, pots always fish. To make matters worse, the pots are on the spots we blackfish, making it difficult to anchor and wiping out the blackfish resident populations!!!! Richard McGuire

Sent from my iPhone



RECEIVED

JUN 21 2017

To - John Gilmore - Director Marine division NYSDEC  
**ASMFC** John Maniscalco - Bureau Chief of marine Fisheries NYSDEC

From - Robert Berry - President  
Hi-Hook Bait & Tackle Inc.  
Huntington, N.Y. 11743

June 18<sup>th</sup>, 2017

I am writing to you in response to requests for comments to "Draft ammendment 1 to the Interstate Fishery management Plan for Tautog". Have all of you completely lost your minds, or have you been drinking the "Kool-Aid:

If your objective is to put all Tackle shops, Party Boats, and Charter Boats out of business, then Congratulations, YOU WILL SUCEED.

As a tackle shop owner, and fisherman myself, I couldn't disagree more with draft ammendment 1. You make references to studies, surveys, and graphs ( mostly from 1970-1995) that do not tell the FACTS of the current tautog fishery.

I can give you FACTS. Over 90% of blackfish anglers returning to my shop have reported catching and releasing more 7"- 15" blackfish over the past 5 years, than they have seen in their entire lifetime. I can give you PERSONAL EXPERIENCE. I have caught and released more 7"-15" blackfish in the past 5 years than I have seen in my entire lifetime.

The Draft Ammendment states(1.2.1.5) that Tautog reach sexual maturity at 3-4 years of age or approx. 7"-12", while maintaining that there is a drastic reduction in breeding stock. Well my FACTS DRASTICALLY DISAGREE WITH THIS STATEMENT. THERS IS AN ABUNDANCE NOT A REDUCTION.

Also note that your mortality figures are way off base. Tautog are one of the hardiest fish in the water. They take their prey in the pharyngeal teeth prior to swallowing, which results in a 99% lip hook rate. This is proven to be minimally traumatic to the fish. While I will agree that fish caught in more than 50ft. of water are subject to pressure changes that can cause mortality, the majority of tautog caught in deeper water are larger fish that are in the keeper range. Please also note that the majority of tautog fishing areas in Long Island are of depths less than 50ft.

Regarding (1.5.3.1) Recreational Fishery " There are no published or un-published studies as of 2016 that documents the economic impacts or economic value of the recreational Tautog fishery". I can publish one for you. IF YOU IMPLEMENT A 1 BAG FISH LIMIT ON TAUTOG YOU WILL PUT ALL TACKLE SHOPS, PARTY BOATS, AND CHARTER BOATS OUT OF BUSINESS.

We endure inclimate weather, high fuel prices, slow economies, high taxes, and size and bag regulations based on false studies and paper pushing numbers. If you want facts not fiction, survey the tackle shop owners, party boat owners, and charter boat owners. WE CAN GIVE YOU THE TRUE FACTS AND EXPERIENCES RELATED TO TAUTOG AND ALL FISH SPECIES.

While I am all for conservation and saving fish for our future generations, size and bag regulations MUST be decided by real numbers not false science.

JUN 21 2017

ASMFC

AS a taxpayer and business owner of Long Island I DEMAND THAT YOU LEAVE THE EXISTING TAUTOG REGULATIONS IN PLACE . While not ideal, they are bearable to remain in business. I REFUSE TO ALLOW YOU TO TAKE MONEY OUT OF MY POCKET, FOOD OFF OF MY FAMILY'S PLATE, AND FORCE ME OUT OF BUSINESS. A BUSINESS THAT I POUR MY BLOOD SWEAT AND TEARS, AS WELL AS OVER 90 HOURS PER WEEK TO MAINTAIN A LIVING.

Sincerely,



Robert Berry - President  
Hi-Hook Bait & Tackle Inc.  
631-683-4741

CC: Ashton Harp - FMP Coordinator  
Dr Spencer- Suffolk County Legislature  
Chad Luppinacci NYS Assembly  
Andrew Raia - NYS Assembly  
Carl Marcelino - NYS Senate

**From:** Steven E [mailto:[sgenyc@gmail.com](mailto:sgenyc@gmail.com)]

**Sent:** Tuesday, June 13, 2017 8:47 PM

**To:** Ashton Harp <[aharp@asmfc.org](mailto:aharp@asmfc.org)>

**Subject:** FMP for blackfish

Att: Mr. Ashton Harp

Mr. Harp:

I am a charter Captain in the Western Long Island Sound and have pulled anchor many times over the last 2 years only to find that I have been caught up in illegal blackfish traps. I have personally boarded a vessel that I witnessed pulling up a trap, obviously not by accident, released the fish, removed the keys from the boats ignition and summoned NYPD Harbor Patrol to the vessel. This crap has to stop now, and although my charter business will suffer the repercussions associated with harvest restrictions, I would welcome new regs in general and serious penalties for illegal trap fishing in particular. If I can be of any assistance to you or the objectives and goals for tog management in my area, I am happy to help.

Steve Ehrlich

(347)539-6163

**From:** steven foceri [mailto:steven.foceri@yahoo.com]  
**Sent:** Monday, June 12, 2017 11:50 AM  
**To:** Toni Kerns <Tkerns@asmfc.org>  
**Cc:** Ashton Harp <aharp@asmfc.org>  
**Subject:** Re: Blackfish regulation

Thank you for your response.

I was out this weekend and was checked by a DEC boat. However, he never boarded us, nor checked for licenses; they only asked us to hold up the fluke we caught.

I really need to stress the urgency especially in NY metro and Long Island areas that I fish in. I see hundreds of incidents of people fishing from the land and on the water every season. Please help protect the fishery from the poaching that is occurring.

Many of us are complaining about how there needs to be some sort of enforcement as the short fish that are poached are simply filleted by deckhands on the ride back on the party boats in our area. There needs to be some sort of amendment that prevents this, maybe some sort of regulation that prevents mates from filleting the fish while the boat is still out.

There also needs to be some sort of regular checks made in shore spots, on party boats and on the rental skiffs that are out there. Even if resources are limited there needs to be enforcement for these situations as they seem to be a "blind spot" that is being exploited and hastening the destruction of the fishery. Specifically, the boats out of City Island NY are major offenders in my area and really need to be checked on weekends if possible.

Both the patrons and crews of the party boats need to follow the same rules as the rest of us as Anglers. We all fish the same waters, and in seventeen seasons on the Western Sound I have seen countless incidents of poaching on these vessels, where a \$5 tip to a mate is the ticket to taking all the fish you want, regardless of the regulations.

Regulations are meaningless if no one enforcing them. The party boat fleets need to be checked. Please hear us as anglers and thank you for your time.

Very truly,  
Steven Foceri.

On Monday, June 12, 2017 11:19 AM, Toni Kerns <[Tkerns@asmfc.org](mailto:Tkerns@asmfc.org)> wrote:  
Thank you for your comments Mr. Foceri-

In addition to including your comments to the Management Board, I have also shared them with NY DEC and law enforcement. The draft addendum is proposing a commercial tagging program which we hope will help with illegal fishing and the black market for blackfish. I recognize this alone will not stop all illegal fishing. I encourage you to keep informing DEC when you see

illegal fishing occurring, with limited resources and personnel it is difficult for law enforcement to be everywhere, but getting tips for folks on the water help them to direct their efforts.

Thank you

Toni Kerns

**From:** steven foceri [<mailto:steven.foceri@yahoo.com>]  
**Sent:** Friday, June 9, 2017 2:27 PM  
**To:** Toni Kerns <[Tkerns@asmfc.org](mailto:Tkerns@asmfc.org)>  
**Subject:** Blackfish regulation

Hello Mr. Kerns,

If you guys actually enforced the regulations it would make the difference. There are 100's if not 1,000's of people fishing my the NY Metro area without licenses who take EVERY fish they catch. You need some boots on the ground to make a difference. Last season, at Montauk I watched as seven anglers took short striped bass from under the lighthouse. I called the DEC and reported it but no one ever even showed to check out the report after I waited for 3 hours.

Instead of punishing the people who follow the rules and cutting down our regulations PLEASE do something about the illegal fishing that continues to take place right beneath the nose of the DEC particularly checking the catch of the anglers on party boats as there is a disturbing trend for those anglers to keep short fish with no DEC or environmental officers checking on them.

Sincerely  
Steven

-----Original Message-----

From: THOMAS BURNS [mailto:tdgb@optonline.net]

Sent: Friday, June 23, 2017 8:54 AM

To: Ashton Harp <aharp@asmfc.org>

Subject: Tautog Draft Amendment 1

Mr. Harp,

I would like to share a quick story with you to shed more light on the devastation done to the Tautog fishery in long Island sound. For many years I fished in Shoreham NY for blackfish. It was easy to catch many fish on the rock piles in front of the power plant out to 35 feet of water. Approximately the year 2000 I noticed 50 or so "lobster" pots. The following year 100 pots, then the next year unable to count them.

You can guess the catch steadily went down for me. I did not fish there for a few years due to this. I went back one day around 2007 and fished for 3 hrs and caught only one short. Another boat 100 feet away had same result. He used his anchor winch to raise anchor and it got snagged on a "lobster" pot. When the pot came above water I could see numerous Tautog of various sizes in the pot. Angry at what I saw I started asking around and found out a commercial "fisherman" was tacking fish to the live market twice a day. I called DEC and he said there was nothing they could do he can take a "By-Catch" of 50 fish a day. Are you kidding me! he takes 100 fish a day at \$10 pound and those fish will live forever in those pots as you know they are very hardy. Now there are NO MORE TAUTOG in that area. Great job of fisheries management. This has been going at every rock pile I know of now. The end result is that now I am luck to catch a few small Tautog that swim through escape hole in trap. Devastating!

I would recommend banning the sale of live tautog. That is the only way the fishery will rebound. All the lobsterman switched to fish potting with a devastating effect.

Thank You

Thomas Burns

**From:** BILL [mailto:hntnfsh00@hotmail.com]  
**Sent:** Wednesday, June 07, 2017 9:56 PM  
**To:** Ashton Harp <aharp@asmfc.org>  
**Subject:** Tautog Draft Ammendment 1

My name is William Morrison. I am a member of the Huntington Anglers Club(over 100 members), Huntington NY.(PastPresident) [www.huntingtonanglers.com](http://www.huntingtonanglers.com) I am writing in response to the request for comments to "Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog"

Personal Experience: I have fished the Long Island Sound since the 70's. I specialize in shallow water "jig fishing" for Tautog and have given several presentations about it to other clubs for several years. I have been keeping accurate and detailed trip records for every trip since I bought my current boat(s) 25yrs ago. Without getting into details, except for a slight total catch drop off 2 years ago (2015) I have seen generally a static total catch for the last 5 years, with an increase in 2014 and 2016. For the last seven or eight years, I (and my crews)have caught and released approximately 400 to 600 Tautog EACH October on my boat. We have kept a few for meals but very rarely keep even a full limit, even when releasing "keeper"fish. I have also begun tagging released tautog the last 2 seasons and am hoping for returns on those.

Based upon this and several other club members experience and documented Tautog activity records, we believe that the data used as a basis for setting the allowable catch limit (ACL), bag limit and season is inaccurate. If implemented, it will lead to overly restrictive regulation that will have a negative effect on the local economy while not effectively protecting the stock. As conservationists, we agree for the need to regulate the fisheries, but to penalize the recreational angler is unconscionable. We also agree that Tautog should be protected during the spawning season.

#### Commercial fishing

We understand commercial fisherman have an extended season that includes the spawning period, and a guaranteed 25 fish daily bag limit.

#### Recommendation

Daily commercial possession limit should be reduced a similar percentage (%) as recreational anglers, with options for close spawning season(s), or other dates during the year.

Adopt a commercial tagging program commencing 2018

\*\*And Commercial fishing should be limited to Rod and Reel Only(pinhooking). No Potting should be allowed as a harvest method for Tautog. Pots are frequently used as "holding pens" for large numbers of fish, continue killing arbitrarily if lost or unattended, and are sometimes fished illegally "unmarked," with no buoys attached (and grappled later), to hide such fishing. This was done locally several years ago, resulting in "fishing out" a small local (formerly very productive) area. That season, 2015, after many years of great catches there, resulted in no tautog caught in immediate area by many of our clubs members. However, after said potting was found out, and much "noise" made against, it was discontinued and following year (2016) saw an instant rebound to the tautog fishery in that area!

It is our opinion until the live tautog market is made illegal, and the high prices paid for said fish are eliminated, enforcement will remain quite difficult!

#### Stock Assessment:

The 2016 Tautog season had shown something that has not been seen in the almost 20 years. With any number of our members fishing each day, trips produced anywhere from 20-40 fish in

the 10"-15" range, in the period of 60-90 minutes. There were some days that it was not possible to get past these Blackfish, as they devoured any bait presented instantly.

In reading the Draft Amendment it is noteworthy that a fact presented ( 1.2.1.5 Reproduction – Page 6) indicates that “Tautog normally reach sexual maturity at 3-4 years old ( 7"-12"). To maintain a position that there is a drastic reduction in breeding stock, in the presence of an overabundance of sexually mature fish is incomprehensible.

Mortality Rate:

The data in the draft clearly cannot be accurate in regards to the speculative mortality rate.

Ø The Tautog is known to be the hardiest of fish. They survive an incredible amount of time after capture. They are almost always found to be full of life whenever they are dressed for consumption. Even after spending many hours in a fisherman's bucket.

Ø Tautog caught and released in the Long Island Sound are generally caught in water less than 30' deep. This means that a fish is not subject to severe pressure change as this would be less than 1 ATM (Atmosphere)

o Current trend in Long Island Sound is to fish for Tog in 10'-15' of water. This represents a very small change in ATM to any fish released.

Ø Tautog are never hooked in the gut. As indicated in the Draft, prey is taken in the pharyngeal teeth prior to swallowing. From an angler's point of view, this means that almost all hooks are in the fish's lip. This is minimally traumatic to the fish.

Ø Released Tautog are always observed swimming back to the bottom upon release.

These observations are presented based upon a review of extensive experience and discussions with fellow anglers. While not members of the scientific community, in this situation, our observations are based on fact.

Conclusion:

The Proposals is overly restrictive, and not based upon relevant data. The effect of implementation on the economy and to an activity that we engage in is significant. The inability to engage in a vibrant fall fishery will result in devastating losses to Party Boats, Charter Boats, local Tackle Shops. All based upon questionable data, in our opinion.

We trust that the Technical Committee and Tautog Management Board will take our recommendations seriously.

Thank You for your time in reading this. I sincerely hope it will help share my, and many of my fellow club member's opinion on the future of Tautog management for the Long Island Sound.

Sincerely,

Bill Morrison, (President Emeritus) Huntington Angler's Club



**From:** Tom Routliffe [mailto:tom@routliffe.com]

**Sent:** Friday, July 07, 2017 11:37 AM

**To:** Ashton Harp <aharp@asmfc.org>

**Cc:** dmontifish@verizon..ne

**Subject:** TautogDraftAmendment 1

As an active Rhode Island outdoorsman and angler, I strongly support policies which regionalize fishing regulations which group Rhode Island and Massachusetts in the same regional area. Coast-wise regulations would disadvantage Rhode Island anglers who have conducted responsible and conservation-based fishing practices. REGIONALIZED REGULATIONS are what voting Rhode Island anglers want.

Thanks

Tom R

## Toni Kerns

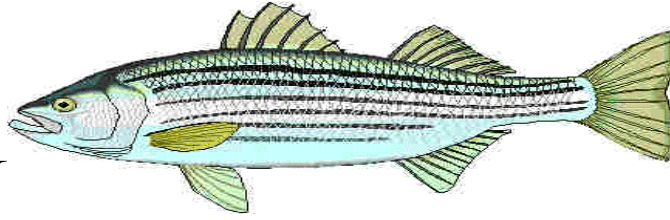
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**From:** Richie P <seabassdude@msn.com>  
**Sent:** Thursday, July 13, 2017 7:35 PM  
**To:** Ashton Harp  
**Subject:** Tautog Draft Amendment I) Public Comment

Hi, my name is Rich Puchalski. I've been a commercial waterman in Va. on the Eastern Shore going on 22 years now, and prior to that, a waterman in Staten Island, N.Y. for another 13 years. Have fished for blackfish(tog) for all of that time. I was one of the comm. fisherman that got into the live market when it first started in New York. I moved to the Eastern Shore of Va. to get away from constant burden of regulations that were set upon the commercial side for the blackfish fishery back then. Moved here in 1995, and have watched, especially in the last few years some recreational fishermen coming from other states, fishing for tog and keeping past their limit, which is 3 fish per person in Va. and keeping them live. And here is my argument about the major problem in the fishery of the black market of live fish. I have been to meetings when I lived up north and always pushed for a stop to recreational anglers keeping blackfish live. While your fishing for them, out on the boat is one thing. If you want cull out the small fish during the trip, that's fine. But there is no need for a recreational boat to keep any blackfish alive past pulling their boat up on to their trailer, leaving the marina and going who knows where with the live fish. Why does more of a burden have go to the comm. fishermen. Especially, if this tagging of fish comes to pass. I am not in favor of any type of tagging of my fish.

VMRC here in Va. has been very helpful in keeping the blackfish fishery going in the right direction. From Jack Travelstad to Joe Cimino, and a few others, they have fought for the few of us that do this type of hook and line fishing. And also, cudos to VMRC law enforcement, because they always have their hands full. They can't be everywhere. So please take into consideration my statement and thank you for this opportunity. Rich Puchalski

Sent from [Outlook](#)



# GATEWAY STRIPER CLUB, INC.

**June 30, 2017**

**Emailed to: aharp@asmfc.org**

Ashton Harp, Fishery Management Plan Coordinator  
Atlantic States Marine Fisheries Commission  
1050 North Highland Street, Suite 200 A-N  
Arlington, VA 22203

RE: *Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog for Public Comment* (the “Draft Amendment”).

Dear Ms. Harp:

Thank you for this opportunity to comment on *Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog for Public Comment* (the “Draft Amendment”). I have observed a very notable decline in the number of tautog available and so the quality of the tautog fishery, and urge the Atlantic States Marine Fisheries Commission (“ASMFC”) to take meaningful action to begin the rebuilding of local tautog stocks.

ASMFC has managed tautog very poorly. In 1996, in its first *Fishery Management Plan for Tautog*, it determined that  $F_{\text{threshold}}=0.15$ . However, over the past two decades, ASMFC’s Tautog Management Board (the “Management Board”) has consistently lacked the political will to impose regulations that would constrain fishing mortality to that level. Instead, it has concentrated on the short-term social and economic impacts of management decisions, and in an effort to minimize such impact, adopted management measures that were increasingly burdensome, but never restrictive enough to effect a recovery of most local stocks.

Such emphasis on the short term has severely degraded the long-term health of the tautog resource, the tautog fishery and the businesses that engage in such fishery.

The Draft Amendment provides the Management Board with a new approach to tautog management, new biological reference points and a new opportunity to correct past mistakes.

The Draft Amendment acknowledges that “Recovering fish stocks that have been depleted was extremely important to 81% of tautog anglers.” Such overwhelming support for recovering fish stocks provides clear direction to the Management Board: It

must do whatever is necessary to rebuild local stocks, focusing exclusively on their long-term health and ignoring the temptation to impose inadequate management measures out of concern for their short-term effects.

## SECTION 2.2: GOALS

Option B, the Revised Goal Statement, should be adopted.

The 1996 goals constitute a laundry list of biological, social and economic considerations that can, as a practical matter, confuse the management process and hamper the recovery of the tautog resource. The Revised Goal Statement, on the other hand, concentrates on the biological aspects of the fishery and the management approach best calculated to rebuild local stocks.

If such rebuilding is accomplished, the social and economic benefits will necessarily ensue.

## SECTION 2.3: OBJECTIVES

Option H, which combines Options B-G, should be adopted

The 1996 objectives are in need of revision. Some are vague, some are redundant and none make a clear statement of the need to restore tautog to a biological benchmark. Option H remedies such problems, as it would include Options B, D and H, which eliminate redundancy; Option F, which recognizes the need for defined biological benchmarks and Options C and G, which recognize the contemporary challenges of adopting regional management and combating the illegal harvest and sale of tautog.

## SECTION 2.5: BIOLOGICAL REFERENCE POINTS

Option B, which allows new reference points to be adopted without the need for a management document, should be incorporated into the management plan

Tautog, and all other species, should be managed in accord with the best available science. That best available science is most often presented in the form of a peer-reviewed stock assessment.

Once such peer-reviewed stock assessment has been received, its recommendations should be adopted as quickly as possible, for the benefit of both the fish and the fishermen who depend on a healthy resource.

There is no practical need to wait until a management document, with its associated public hearing process and inevitable delays, in order to put an assessment's recommendation in place. The assessment itself would have been prepared by trained, experienced fisheries professionals. Recognized fisheries science experts would have served on the peer review panel. And the Management Board would only adopt the new reference points upon the recommendation of the fishery management professionals of

the Tautog Management Board or Stock Assessment Subcommittee. The Management Board and the public should be able to rest assured that any recommended change in reference points that survived the three-tiered scrutiny of such panels of fishery scientists should adopted.

Creating a management document and going through the public comment process adds nothing to tautog management other than considerable costs in time, money and human resources.

Few if any of the people who will comment on the proposed change in reference points will be fishery scientists actually qualified to endorse or criticize the change. Instead, any comments will be based on whether the proposed change will lead to increased harvests, in which case the proposed new reference points are deemed to be good, or to increased restrictions, in which case such reference points will inevitably be deemed to be bad, without any regard for their scientific merit.

Public hearings are valuable processes when used for their proper purpose, which is to obtain input on social or economic issues such as allocation, gear restrictions or alternative sets of management measures which can each meet the intended biological goal. However, when purely scientific issues are presented, qualified scientists should decide on the appropriate actions.

## SECTION 2.7: MAINTENANCE OF STOCK STRUCTURE

### Subsection 2.7.1: Fishing Mortality (F) Target

Option B, Managing to the Regional Target F, should be adopted, along with Sub-Option B2, which would require the Management Board to act within one year should overfishing occur in any region; any measures adopted must have at least a 50% chance of success

As noted in the Draft Amendment, tautog do not engage in extensive migrations. The *Tautog Regional Stock Assessment Desk Review Report* advises that there appears to be “some structuring in the coastal population based on limited migration of adults.” Thus, It only makes sense to manage local stocks separately and adopt biological reference points appropriate to each of them. While retaining a single  $F_{\text{threshold}}=0.15$  would seem to be a more conservative approach, such approach would neither guard against problems within local stocks nor reflect the best available science.

ASMFC acknowledges that “Catchability and slow growth rate make tautog highly susceptible to overfishing and slow to rebuild.” Thus, should overfishing occur, the Management Board must act quickly to impose measures that will cause such overharvest to end as promptly as practicable, for adopting a new management document always takes time, and even under Sub-option B2, when managers would act within one year of learning that overfishing occurred, “Alternative management measures must be implemented by the second year.”<sup>1</sup> Thus, even the shortest-possible response time would allow overfishing to continue, unabated, for at least two years.

The measures needed to curtail such overfishing would undoubtedly meet with severe vocal resistance, resistance which is often strong enough to tempt managers to put off remedial measures indefinitely, and never address the problem. This is a particularly relevant point in the case of tautog, where the Management Board failed to adopt adequate regulations for more than 20 years. Thus, Sub-option B-1, status quo, is clearly unacceptable. There is also little reason to adopt Sub-option B-3, which would give the Management Board an additional year to act. Once a problem is identified, it needs to be fixed quickly; otherwise, the problem will only cause the health of the stock to deteriorate further, and require more stringent management measures when the recovery eventually begins.

Once the Management Board acts, it must act effectively. Thus, Option B, which would require management measures to have at least a 50% probability of achieving F target. As the history of tautog management has already demonstrated, twenty years of half-measures has only led to a depleted stock. Even under the Option B standard, management measures with a 50% chance of failure would be deemed adequate; to accept a standard lower than that would just be another demonstration of why ASMFC has failed to fully recover a single fish stock in the past twenty years, while federal managers, who have been bound by a 50% minimum standard since 2000,<sup>2</sup> have seen far more success.

#### Subsection 2.7.2: F Reduction Schedule

Option B, which would require F to be reduced to target within three years, is the most preferable option presented

Overfishing should not be tolerated. It leads to stock depletion, which in turn causes long-term hardship for fishermen and fishing-related businesses that depend on the depleted resource. As noted in the Draft Amendment, tautog do not recover quickly when overfished.

The Draft Amendment lacks an option that would require overfishing to be ended within a single year, which would have been the preferable course. However, of the options available, Option B, which ends overfishing within 3 years, is preferable.

Option A, which would perpetuate the status quo, and the past 20 years of failed management, is not an acceptable option, while Option C would merely allow overfishing to continue for five years, making recovery that much more difficult.

#### Subsection 2.7.4: Stock Rebuilding Schedule

Option C, which would require the Management Board to initiate an addendum that would rebuild the stock within 10 years, should be adopted

Once again, it becomes necessary to point out that 81% of tautog anglers support rebuilt fish stocks, and to point out that, with a species as slow to recover as tautog, the sooner decisive action is taken, the less onerous the recovery will ultimately be.

It is always tempting to drag out recovery plans, and so be able to minimize the restrictions placed on the fishing community. However, such incremental recovery rarely yields results; the effects of management measures become ever more difficult to predict as recovery dates are pushed out into the future, and there is always a temptation to do less than necessary in order to avoid public discontent.

10-year rebuilding deadlines have proven effective on the federal level, and have resulted in a level of management success that ASMFC hasn't come close to emulating, for they require managers to take decisive and meaningful action that produces measurable and timely results. The tautog resource, and the tautog fishery, would be far healthier today had a 10-year rebuilding deadline been in place in 1996.

#### Section 4.1: REGIONAL BOUNDARIES

Tautog would benefit from a regional management approach; however, the four proposed regions divide the waters of New York into two separate regions, which is not workable from a law enforcement perspective; a more practical regional proposal should be considered, for action at ASMFC's Annual Meeting

As noted earlier in these comments, the available data suggests that there are life history differences between tautog in different regions, and thus that a regional approach is desirable.

Unfortunately, any management approach, and most particularly a management approach that puts different regulations in place for different management regions, can only be effective if such regulations are both enforced and enforceable. Thus, while Option B provides for regional management, by splitting New York's waters into two regions, it creates a situation in which regulations will be largely unenforceable off the eastern end of Long Island, where much of the state's tautog fishery is prosecuted.

Boats from ports on the North Fork of Long Island, and to a lesser extent in Montauk, would frequently cross jurisdictional boundaries as they travel to and from fishing grounds in Long Island Sound. Given the realities of marine law enforcement, where at-sea boardings are occasional, at best, that situation means that such boats will most likely be fishing under more liberal New York Bight regulations even when in Long Island Sound, knowing that apprehension is unlikely, which will render the enforcement, and the ultimate effectiveness, of Long Island Sound regulations problematic at best and thus frustrate the intent of the Draft Amendment with respect to Long Island Sound.

The Management Board should defer action on this aspect of the Draft Amendment, propose a more practical regional approach for public comment, and take final action on this issue at ASMFC's Annual Meeting.

Because the proposed management regions cannot be practically enforced, I will not comment on proposed bag limits, size limits and seasons for the regions as currently constituted.

#### SECTION 4.4: COMMERCIAL HARVEST TAGGING PROGRAM

Option B, which creates a commercial fish-tagging program, should be adopted

As noted in the Draft Addendum, illegal harvest and sale is a serious problem in the tautog fishery. There is an extensive live market that is more than willing to purchase illegally-harvested fish, and there are far too many fishermen willing to supply it. Tautog can be sold to some outlets in large numbers, while local shops and restaurants are willing to purchase smaller quantities of fish.

It is difficult for law enforcement officers to be in position to apprehend persons involved in illegal fish sales at the time that such sale is taking place, and once a tautog enters the stream of commerce, it is currently a practical impossibility to determine its source.

A tagging program will go a long way to alleviate the illegal sale of tautog, as it would render illegal, untagged fish obvious to law enforcement officers when they engage in market patrols, and thus make illegal buyers, more vulnerable to penalties, less likely to engage in the illegal market.

##### Subsection 4.4.2: Tag application

Option A, requiring fishermen to tag all tautog prior to offloading, should be adopted

As noted above, illegal tautog are sold in a variety of markets. Requiring tags to be attached by fishermen, before offloading, would prevent fishermen from exceeding daily trip limits or other quotas, from selling excess fish into minor markets that are unlikely to receive much law enforcement scrutiny. Experience with illegal harvest tied to the Mid-Atlantic Fishery Management Council's research set-aside program<sup>3</sup> demonstrates that even larger dealers will cooperate with fishermen to conceal and market fish landed in contravention of the law.

Requiring tautog to be tagged before landing gives law enforcement the greatest opportunity to detect illegality before the fish enter the stream of commerce.

#### **CONCLUSIONS**

In summary, it is important that the Management Board act quickly and decisively to begin the rebuilding of local tautog stocks.

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With respect to particular proposals, I urge the Management Board to adopt the following measures:

- With respect to Section 2.2, Goals, Option B, the Revised Goals;
- With respect to Section 2.3, Objectives, Option H, which includes Options B-G;
- With respect to Section 2.5, Biological Reference Points, Option B, which permits adoption of new reference points without the need for a management document;
- With respect to Section 2.7.1, Fishing Mortality (F) Target, Option B, a regional mortality target; Sub-option B2, which requires Management Board action within one year after overfishing occurs; and un-numbered Option B, which would require measures to have at least a 50% probability of achieving F target;
- With respect to Section 2.7.2, F Reduction Schedule, Option B, three year achievement of F target;
- With respect to Section 2.7.4, Stock Rebuilding Schedule, Option C, requiring an addendum that would rebuild the stock within 10 years;
- With respect to Section 4.1, Regional Boundaries, I ask that the Management Board reconsider the options, to prevent splitting New York into two different management regions and creating an untenable law enforcement problem;
- With respect to Section 4.4, Commercial Harvest Tagging Program, Option B, which would require commercial tagging; and
- With respect to Section 4.4.3, Tag Application, Option A, which would require tags to be affixed prior to offloading.

Thank you for considering my views on these matters.

Sincerely,

Gene Ander  
Gateway Striper Club (Chairman of Conservation Committee)

cc.

James Gilmore – NY State Dept. of Environmental Conservation  
Division of Marine Resources (Vice-Chair), James.Gilmore@dec.ny.gov

Ed Rapp, Gateway Striper Club, Inc. (President)

Ron Turbin, Gateway Striper Club, Inc. (Member), Coastal Conservation  
Association- NY (Conservation Representative)



To: John Gilmore - Director Marine Division NYSDEC  
John Maniscalco NYDEC, Director Finfish  
From: Anthony Vernola, President, Huntington Anglers Club, Huntington NY 11740

June 6, 2017

My name is Anthony Vernola. I am the President of the Huntington Anglers Club, Huntington NY. [www.huntingtonanglers.com](http://www.huntingtonanglers.com) I am writing in response to the request for comments to "Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog"

**Personal Experience:** I have fished the Long Island Sound since 1978. I have held a US Coast Guard Operator Certificate since 1972. I am also a member of The Professional Association of Dive Instructors, having logged many dives in the Long Island Sound.

#### **The Huntington Anglers Club**

Chartered in 1948, currently has more than 100 active members that engage in recreational sport fishing. The focus for our club is fishing and conservation in the Long Island Sound from Manhasset Bay to Port Jefferson, extending north to the Connecticut shoreline.

Based upon several club members experience and documented Tautog activity records, we believe that the data used as a basis for setting the allowable catch limit (ACL), bag limit and season is inaccurate. If implemented, it will lead to overly restrictive regulation that will have a negative effect on the local economy while not effectively protecting the stock. As conservationists, we agree for the need to regulate the fisheries, but to penalize the recreational angler is unconscionable. We also agree that Tautog should be protected during the spawning season.

#### **Commercial fishing**

We understand commercial fisherman have an extended season that includes the spawning period, and a guaranteed 25 fish daily bag limit.

#### **Recommendation**

Daily commercial possession limit should be reduced a similar percentage (%) as recreational anglers, with options for close spawning season(s), or other dates during the year.

Adopt a commercial tagging program commencing 2018

#### **Stock Assessment:**

The 2016 Tautog season had shown something that has not been seen in the almost 20 years. With any number of our members fishing each day, trips produced anywhere from 20-40 fish in the 10"-15" range, in the period of 60-90 minutes. There were some days that it was not possible to get past these Blackfish, as they devoured any bait presented instantly.

In reading the Draft Amendment it is noteworthy that a fact presented ( 1.2.1.5 Reproduction – Page 6) indicates that “*Tautog normally reach sexual maturity at 3-4 years old ( 7”-12”)*. To maintain a position that there is a drastic reduction in breeding stock, in the presence of an **overabundance** of sexually mature fish is incomprehensible.

**Mortality Rate:**

The data in the draft clearly cannot be accurate in regards to the speculative mortality rate.

- The Tautog is known to be the hardiest of fish. They survive an incredible amount of time after capture. They are almost always found to be full of life whenever they are dressed for consumption. Even after spending many hours in a fisherman’s bucket.
- Tautog caught and released in the Long Island Sound are generally caught in water less than 30’ deep. This means that a fish is not subject to severe pressure change as this would be less than 1 ATM (Atmosphere)
  - Current trend in Long Island Sound is to fish for Tog in 10’-15’ of water. This represents a very small change in ATM to any fish released.
- Tautog are never hooked in the gut. As indicated in the Draft, prey is taken in the pharyngeal teeth prior to swallowing. From an angler’s point of view, this means that almost all hooks are in the fish’s lip. This is minimally traumatic to the fish.
- Released Tautog are always observed swimming back to the bottom upon release.

These observations are presented based upon a review of extensive experience and discussions with fellow anglers. While not members of the scientific community, in this situation, our observations are based on **fact**.

**Conclusion:**

The Proposal is overly restrictive, and not based upon relevant data. The effect of implementation on the economy and to an activity that we engage in is significant. The inability to engage in a vibrant fall fishery will result in devastating losses to Party Boats, Charter Boats, local Tackle Shops. All based upon questionable data, in our opinion.

We trust that the Technical Committee and Tautog Management Board will take our recommendations seriously.

Respectfully,

Anthony Vernola  
President  
Huntington Anglers Club  
Vmonk914@aol.com

**Jersey Coast Anglers Association**  
**Working for Marine Recreational Anglers**

1594 Lakewood Road, Unit 13, Toms River, NJ 08755

TEL.: 732-506-6565 - FAX: 732-506-6975



7/11/17

ASMFC  
Ashton Harp  
1050 North Highland St.  
Suite 200 A-N  
Arlington, Va. 22201

Ashton,

The Jersey Coast Anglers Association appreciates the opportunity to comment on Draft Amendment 1 to the Interstate Management Plan for Tautog. JCAA believes that it makes sense to manage tautog on a regional basis as stated in section 4.2, since they predominantly migrate east and west rather than north and south. However, we strongly favor state-by-state measures with conservation equivalency as stated in section 4.2.4.1 and shown in table 26. We trust that the New Jersey Marine Fisheries Council will establish regulations that will properly protect the species but at the same time do what is best for the majority of our fishermen.

Additionally, in section 4.4 we favor option B which would necessitate a commercial harvest program. We also favor option A of section 4.4.3 which would require commercially permitted fishermen to tag tautog at the time of harvest or prior to offloading. This must be done to help control the widespread sale of tautog especially in the live fish market.

Lastly, we sympathize with the proposed Connecticut/New York region which is looking at a 48-50% cut in their harvest. We would not like that at all if it was proposed for our region. We believe the science used is questionable and if cuts must be made, they should be phased in gradually. We also hope that better science will be developed and used for management decisions in order to keep our stocks at sustainable levels.

Respectfully submitted,  
John Toth

President, JCAA



**From:** npboa@sbcglobal.net [mailto:npboa@sbcglobal.net]  
**Sent:** Thursday, June 15, 2017 5:34 PM  
**To:** Ashton Harp <aharp@asmfc.org>  
**Subject:** Proposed Black Fish Regulations

Hello Ashton,

Below you will find copied a letter to you that I am sure you are about to see many times over. The letter is so well written, researched and to the point that there is no way to improve upon it. For that reason I am copying it to you in its entirety as the official comments of National Party Boat Owners Alliance in regard to the present proposed Black Fish regulations. It is our suggestion that you carefully read the alternative that is being presented, think about the damage to an already hurting industry that your current proposal will do, then take the advice from our members and adopt the alternative.

Thanks for listening,  
Capt. Brad Glas  
Pres. National Party Boat Owners Alliance.

June 13, 2017

Ashton Harp  
Fishery Management Plan Coordinator  
1050 North Highland St, Suite 200 A-N  
Arlington, VA 22201

Via email: [aharp@asmfc.org](mailto:aharp@asmfc.org)

Re: Tautog Draft Amendment 1

Dear Ashton,

After careful review of Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog, I write to offer the following comments as a longtime charter boat owner and operator in the Long Island Sound region. The charter and party boat community shares with ASMFC a vested interest in ensuring a healthy tautog stock that can be harvested in a sustainable manner. I offer these comments in the hope that ASMFC will make essential changes to the Draft Amendment – changes that will protect the fishery and our industry in equal measure.

As currently envisioned by ASMFC, the Draft Amendment seeks to reduce the commercial and recreational harvest for the LIS region by a minimum of 47.2%. It does so by prescribing recreational regulations that make no distinction between party / charter boats and private boats, ignoring the fact that for the last three years, the former has accounted for just over one-tenth of total LIS tautog landings. During that time, charter and party boats represented only 11.5% of the Connecticut tautog harvest, and 13.1% of the combined Connecticut and New York harvest by numbers of fish. To regulate party / charter boats and private boats in the same way is to disregard the disparate impact each has on the fishery. That approach is ineffectual to the extent that it imposes drastic cuts on a group that is responsible for just a fraction of the overall harvest. Such cuts further fail to consider not just the thousands of jobs created and supported by the industry, but also the dollars we and our customers inject into local economies.

Over the past few decades the charter and party boat industry has felt the effects of an unrelenting progression of ever-tightening regulations. Reductions to every key fishery – striped bass down to 1 fish per person, fluke to 3 fish per person, and continuing cuts to seabass – have left our industry reeling. The shock wave of those regulations continues to reverberate throughout the LIS region.

Tautog regulations in particular have evolved from 25 fish at 12” to 10 fish at 14” to 4 fish at 14”, then 15”, and finally to 4 fish at 16”. Four fish per person leaves us with the bare minimum for a viable trip that has a hope of enticing customers. Allowing fewer than 4 fish per person will all but end blackfishing for charter and party boats. Losing those trips would shorten the 25-week prime of our season by 6 weeks – a reduction of nearly 25%. By doing so, Draft Amendment 1 will cripple a group that accounts for only 13.1% of total LIS tautog landings.

We implore ASMFC to craft tautog regulations that treat charter and party boats as distinct from private boats. Rhode Island has done so for several years to great success.

Of course all parties with a stake in the continued health of the tautog fishery must contribute to the overall reduction of the harvest and we certainly do not consider ourselves immune from the required cuts.

We propose the following changes to the current management measures for charter and party boats in the LIS region:

1. Eliminate the spring (April 1 – April 30) and summer (July 1 – August 31) open seasons in Connecticut;
2. Shorten the open fall season to October 12 – December 1 for Connecticut and New York; and
3. Impose a possession limit of 4 fish and a slot limit of fish from 16” to 22” to protect large egg-bearing females.

We appreciate ASMFC’s effort to solicit public comments regarding Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog. Please consider revising the Draft Amendment to include regulations for charter and party boats that recognize the contributions we make to our communities and the relatively small impact we have on the tautog fishery.

Sincerely,



# NEW JERSEY COUNCIL OF DIVING CLUBS

32 Stratford Road  
Tinton Falls, NJ 07724-3143  
www.scubanj.org



COMMENT - REVISED

Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

7/10/17

Ashton Harp  
Atlantic States Marine Fisheries Commission  
1050 North Highland St, Suite 200 A-N  
Arlington, VA 22201

Dear Ashton Harp:

The New Jersey Council of Diving Clubs (NJCDC) is an organization of 14 sport diving clubs in New Jersey and nearby states. The sport diver/spearfisherman can actually observe Tautog in their natural environment off the jetties, natural rock bottom, wrecks and artificial reefs along the Jersey coast and sees things that others don't. Tautog is one of the 3 most important fish (tautog, fluke, & sea bass) that sport divers take in this area. All states from Mass to Florida allow spearfishing. The NJCDC has concerns about certain wording in this Draft Amendment 1.

Regarding Objectives (2.3) , the NJCDC would mention the following:

1. We are against Option C, D, and H or forcing management measures to be compatible with NY state because NY tries to push the open season into late fall and early winter when the Tautog move offshore and the water cools. Most sport diving/spearfishing is done during the summer and early fall and as a result the sport diver/spearfishermen would be excluded. And so would those hook and line fishermen that fish the surf, jetties and inlets.
2. Regarding Option E, the NJCDC agrees that hard habitat is important. Spearfishermen and fishery scientists can attest to the importance of jetties and inlets as habitat for Tautog during the warmer months. Unfortunately the craze for sand replenishment since Hurricane Sandy has caused the ends of some jetties to go from 10 feet deep to 3 feet destroying critical habitat for Tautog. NJ has done a good job of creating artificial reefs habitat, but Tautog can only be taken from boats on the reefs.
3. The NJCDC agrees with Option F with emphasis on ecological and socio-economic impacts.
4. The NJCDC agrees with Option G to minimize the factors contributing to illegal harvest.

Regarding Biological Reference Points (2.5), The NJCDC prefers Option A (Status Quo) or modification by Management Document. One of the problems is that the most recent stock assessment is often wrong and stock assessments have a habit of going up and down from year to year. Taking drastic action based on the most recent stock assessment has caused serious problems in the recreational fishery. Modification of the management document slows the process down and often allows another stock assessment as back up. Putting too much faith in and rushing a very imperfect fishery science is a mistake without common sense backup.

Regarding 2.7.1 Fishing Mortality (F) the NJCDC would be in favor of Sub-Option B1 or no time requirement. This will allow the maximum flexibility for the Board and the public. Regarding codifying level of risk for the TC, Option A would allow the maximum flexibility. Regarding 2.7.2 or Reduction Schedule if F is exceeded, Option A or no time frame would allow the Board the maximum flexibility. Regarding 2.7.4 or Stock Rebuilding Schedule, I would prefer Option B or a stock rebuilding schedule can be developed via an Addendum.

Regarding 4.1 or Regional Boundaries, the NJCDC believes that Regional Management may be the right approach for Tautog. However, we have reservations about matching NJ with New York and would rather have been combined with Delaware. New York has serious pollution problems out of NY City, a large illegal fishery for Tautog, serious Tautog problems for Long Island Sound, and combining NJ with NY really limits the season for NJ. On the one option the Amendment allowed regarding Long Island Sound, the NJCDC prefers Sub-Option B1 that does not add portions of Long Island Sound to the NJ-NY Bight Management Area. However, no region, including LI Sound, should be facing a 48% to 50% reduction as that will destroy the recreational Tautog fishery there and is far too drastic.

Regarding 4.2 or Regional Management Measures, the NJCDC is absolutely opposed to proposed regional management measures in 4.2.4.1 or the NJ-NYB on at least two major issues. The first issue is that most recreational sport diving and spearfishing is done during the summer months and early fall. The NJCDC is not opposing a June and July closure during the peak spawning season. But we do want to keep August and September open even if only one fish. Previous NJ rules specifically allowed one fish during the late summer months to allow sport divers and hook and line fishermen from the shore (jetty jockeys, inlet and surf fishermen) to take Tautog before that species move offshore when the water cools. Perhaps one Tautog in August and September even at 16 inches or above would be a good compromise. Notice the proposed recreational DelMarVa rules that include July 1 to Dec 31 (almost all the summer). The NJCDC supports Conservation Equivalency, but does not want the Tautog season the same as NY. That late season really only allows Tautog to be taken by boat or party boat as an offshore fishery.

The other big issue for sport divers and spearfishermen relates to a statement on p 78 (NJ-NYB region chose a 15-18 inch slot...). The problem with a small slot is that the spearfisherman has to safe side by taking fish considerably larger than the minimum size limit to insure a legal fish. With a slot, the spearfishermen not only must take larger fish, but also has to safe side downward from the maximum, which is next to impossible with such a small slot.

Of the proposed management options on page 79, the least objectionable is a NJ state-specific management option as found in Table 26 A1 and not NYB. But the NJCDC wants all or most of August open for Tautog. No Slot Limit! If there is a regional working group, make sure a sport diver or spearfishermen is represented on it.

Why does the proposed commercial rules for NJ-NYB include taking Tautog during the June and July peak spawning season under State-specific Reduction (p 80) when the proposed recreational rules protect the spawning season? The NJCDC supports the proposed Commercial Harvest Tagging Program (4.4, Option B) to reduce the illegal fishery in Tautog.

Respectfully,

Jack Fullmer, Legislative Committee

# **North Fork Captains Association**

**PO Box 129 Peconic N.Y. 11958**

Ms. Ashton Harp

FMP Coordinator

1050 N. Highland St. Suite A-N

Arlington Va.

Dear Ms. Harp,

I am writing on behalf of the North Fork Captains Association. We are an organization of professional mariners on the East End of Long Island N.Y.

After careful review by our membership Of Amendment 1 of the Fisheries Management Plan for Tautog we absolutely oppose and do not support this document. We also find the regional management plan as outlined in this document to be particularly abhorrent and devastating to us.

The concept of splitting Long Island into North Shore rules and South Shore rule would create an enforcement nightmare as we have been told many times. Clearly this disparity would be ruinous and likely fatal to the LI Sound party/charter boat fleet.

We continue to absorb draconian reductions and cannot take more. We know that Party/Charter boats are taking a relatively small percentage of the tautog. We have already gone from 14" to 16" and from 10 fish to 4 fish and no longer have a spring season. How many reductions can we endure and expect to survive? People need to make a living and support their families. This plan will not do it !

There are areas that need to be addressed and controlled as we all well know . The very illegal live market is rampant. There is considerable illegal potting going on by poachers. Clearly there needs to be more enforcement although we recognize the difficulties. It is obviously easier to regulate the law-abiding fishermen to compensate for the law- breakers

Captain Robert W. Busby Jr -President NFCA



New York Fishing Tackle Trade Association  
P.O. Box 3210  
Patchogue, NY 11772  
nyftta@gmail.com

July 14, 2017

Ashton Harp  
FMP Coordinator,  
1050 N. Highland St., Suite A-N  
Arlington, VA 22201

RE: Public Comments for Tautog Draft Amendment 1

Dear Ms. Harp

The New York Fishing Tackle Trade Association (NYFTTA) represents retail and wholesale bait and tackle dealers in the New York Marine district. The livelihood of our members, our industry, depends upon healthy stocks of many species of fish. Our mission is not just to promote the sport of fishing, but also to do our part in conserving resources for the future. Conserving resources for the future is not just managing the fishery from a conservation or regulatory approach, but also accounting for the socioeconomic impact of such regulations and maintaining fair and equitable access.

After review of Amendment 1 to the Interstate Fisheries Management Plan for Tautog and speaking with several stakeholders in the industry both recreational and commercial, the New York Fishing Tackle Trade Association officially opposes and does not support this amendment. We particularly oppose regional management for Tautog as it is outlined in this draft amendment.

The point of regional management of a particular stock is to mitigate the burden of any harsh reductions to any one state or region. Regionalization, as it is proposed in this amendment, contradicts this and disproportionately places the burden one region and a state due to what many believe to be an unnecessary and invalid stock assessment. The way in which the regions are defined in this amendment pose unsolvable enforcement issues in New York's marine district. Splitting our north and south shores, placing them into two separate regions with such vast differences in regulations, along with shared bodies of water on our east end, make enforcing these regulations impossible.

The 2015 stock assessment shows that recruitment is up along the coast. Stakeholders in the industry, both recreational and commercial, are seeing a rather large population of fish in the 12-15 inch range. We strongly believe that we have not given the current management plan enough time to work to achieve the last proposed F-target and SSB-target. Due to the fact that Tautog are not Federally managed and do not fall legally under the rebuilding time constraints of the Magnuson-Stevens Act, the New York Fishing Tackle Trade Association, requests and supports "**No Change**" in Tautog management as to allow the current management plan time to reach its goals.

Respectfully Submitted by,

Melissa Dearborn  
Vice President, NYFTTA



## NEW YORK SPORTFISHING FEDERATION

324 South Service Rd., Suite 302, Melville, NY 11747

[www.nysf.org](http://www.nysf.org)

Ashton Harp  
FMP Coordinator,  
1050 N. Highland St., Suite A-N  
Arlington, VA 22201

Dear Ms. Harp,

After careful review of Amendment 1 to the Interstate Fisheries Management Plan for Tautog and speaking in length with several stakeholders in the industry both recreational and commercial, the New York Sportfishing Federation officially opposes and does not support this amendment. We particularly oppose regional management for Tautog as it is outlined in this draft amendment.

The point of regional management of a particular stock is to mitigate the burden of any harsh reductions to any one state or region. Regionalization, as it is proposed in this amendment, contradicts this and punishes one region and a state due to what many believe to be an unnecessary and invalid stock assessment.

How the regions are defined in this amendment pose unsolvable enforcement issues in New York's marine district. Splitting our north and south shores, placing them into two separate regions with such vast differences in regulations, along with shared bodies of water on our east end, make enforcing these regulations impossible.

The 2015 stock assessments show that recruitment is up along the coast. Stakeholders in the industry, both recreational and commercial, are seeing a rather large population of fish in the 12-15 inch range. Biological fact that Tautog are slow growing, we strongly believe that we have not given the current management plan enough time to work to achieve the last proposed F-target and SSB-target.

Due to the fact that Tautog are not Federally managed and do not fall legally under the rebuilding time constraints of the Magnuson-Stevens Act, the New York Sportfishing Federation requests and supports "**No Change**" in Tautog management as to allow the current management plan time to reach its goals.

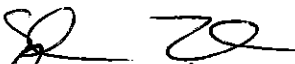

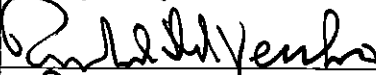

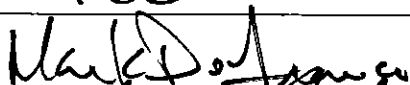
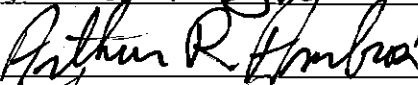


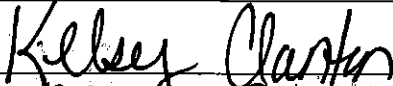
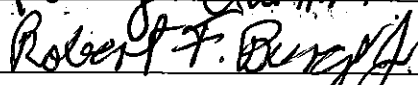
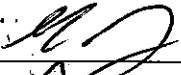
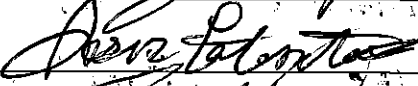

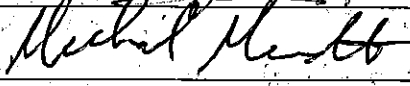

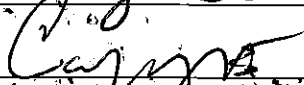
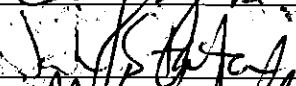
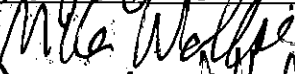
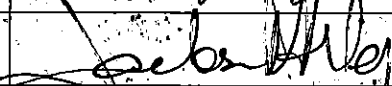
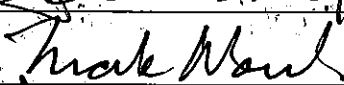
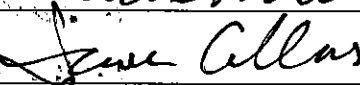
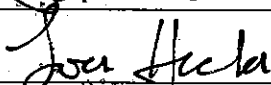
Sincerely,

Capt. Joe Paradiso  
President-New York Sportfishing Federation  
New York State Marine Resource Advisory Council

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<b>Petition summary and background</b>	ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.
<b>Action petitioned for</b>	We, the undersigned, are concerned citizens who urge ASMFC to revise Draft Amendment 1 to include unique management measures for charter and party boats in the Long Island Sound region that are more generous than measures for private boats.

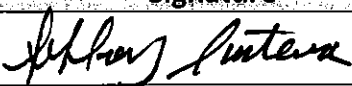



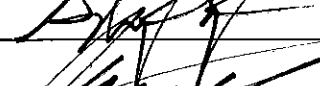




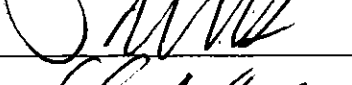
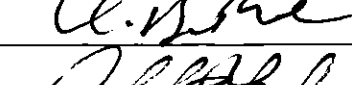
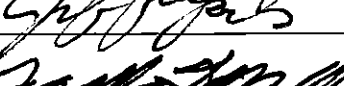


Printed Name	Signature	Date
Steffan Danz	<i>Steffan Danz</i>	6-17-17
Tom Miner	<i>Tom Miner</i>	6-17-17
George M. Lassek	<i>George M. Lassek</i>	6-17-17
Bill Cooke	<i>Bill Cooke</i>	6-17-17
Nick Vincenzo	<i>Nick Vincenzo</i>	6-17-17
Matt Basigallo	<i>Matt Basigallo</i>	6-17-17
Pete Cote	<i>Pete Cote</i>	6-17-17
Don Jennings	<i>Don Jennings</i>	6/17/17
Jerry McKee	<i>Jerry McKee</i>	6/17/17
Timothy A. Roach	<i>Timothy A. Roach</i>	6/17/17
Richard H. Powell	<i>Richard H. Powell</i>	6/17/17
Andy Fusco	<i>Andy Fusco</i>	6/17/17
Mike Fusco	<i>Mike Fusco</i>	6-17-17
Dwight Calkins	<i>Dwight Calkins</i>	6-17-17

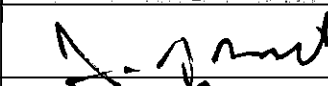


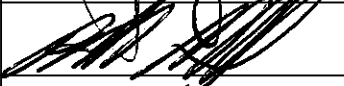
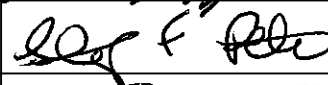

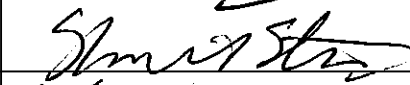

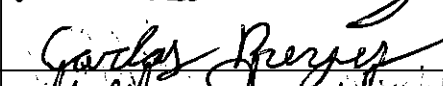
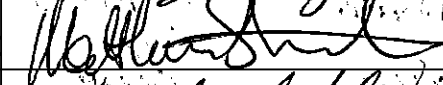
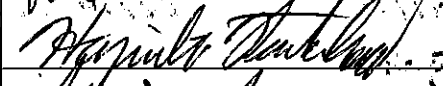





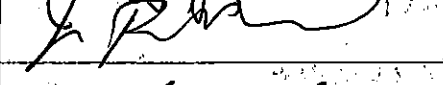



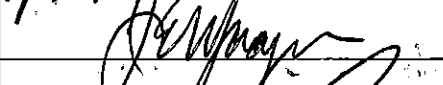
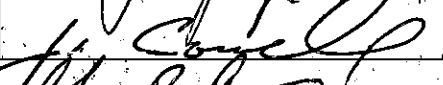
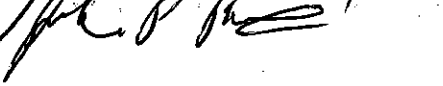
Printed Name	Signature	Date
Stephen Zwart		6/24
Scott Adamson		6/25
Rochard Del Vecchia		6/25
EFF Clanton		6/25
Mark DeFranco		6/25
Art Ambrosi		6/25
Laurie Perrone		6/25
Mulenie Stokes		6/25
Kelsey Clanton		6/25
ROBERT BURGER JR		6/26
Mike Salkauskas		6/26
Jason Patemosto		6/26
GENA WASYNCZON		6/26
MIKE MEREDITH		6/26
Greg Boutot		6/26
CARLO MONTAGANO		6/26
Jenna Stanton		6/26
MIKE WALL		6/26/17
Jessica Whaley		6/26/17
Mark Ward		6/26/17
Jane Collins		6/26/17
Luis Hecla		6/26/17



## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<b>Petition summary and background</b>	ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.
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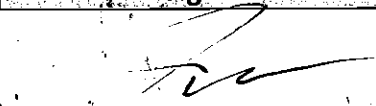
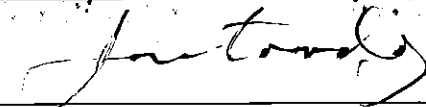


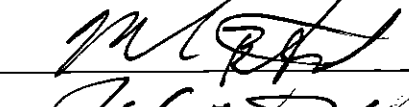
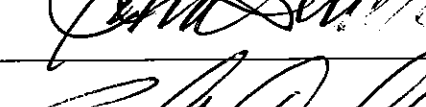
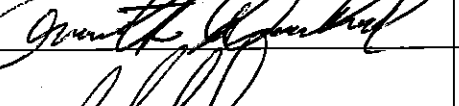
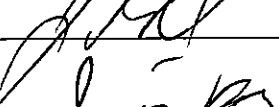

Printed Name	Signature	Date
Jeffrey Santana		6-16-17
Emory Allaire		6-16-17
JOSEPH Myers		6/16/17
Patrick McCarthy		6/16/17
Gene Segaline Sr		6/16/17
Gene Segaline III		6/16/17
Rolando Crisostomo		6/18/17
KEN GALLUP		6/20/17
Ralph Hedenberg		6/20/17
Jason Mitchell		6/20/17
Bill Aston		6/20/17
Chris Burwill		6/20/17
Jeff York		6/20/17
Frank Gonzalez		6/20/17


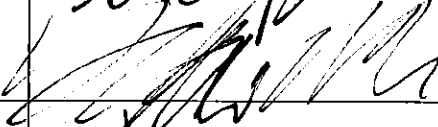


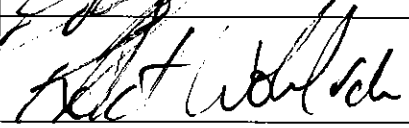


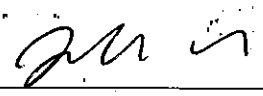
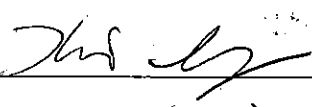

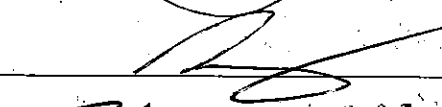
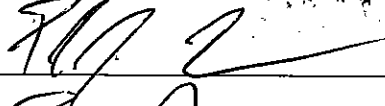

Printed Name	Signature	Date
Jim Bernetic		6/20/17
John Bernetic		6/20/17
Tyler Somme		6/20/17
Paul Pritchard		6/21/17
Stephen Peterson		6/21/17
Curran Sustrzen		6/21/17
Kenneth Starks		6-21-17
Derek Moy		6-21-17
Carlos Reyes		6-21-17
MATTHEW STREETER		6-21-17
Hamilton Pritchard		6/21/17
Castlin Dilonzo		6/21/17
PAUL HUME		6-22-17
Brian Olesnevik		6/20/17
James Maulucci		6-23-17
BRYAN BRIGGS		6/23/17
JOSH PICKETT		6/23/17
MARK MAU LUCCI		6-23-17
JOHN MAU LUCCI		6-23-17
JERR CLEMENS		6-23-17
JIM MAGDON		6-23-17
Jim Covill		6-23-17
John Rookette		6/27/17



## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<b>Petition summary and background</b>	ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.
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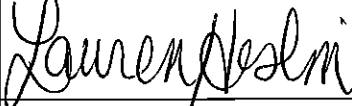
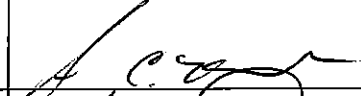


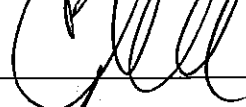

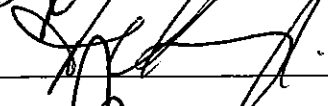
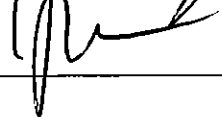
Printed Name	Signature	Date
JOHN MEOLA		6/15/17
JOSE D. TORRADO JR		6/15/17
Kevin Kaarlsen		6/15/17
SHAWN STALTER		6-15-17
MARK BANTA SR		6-15-17
JOHN SMITH		6-15-17
Tim Debeck		6-15-17
Joe Griebel		6/15/17
Jairo Vasquez		6-15-17

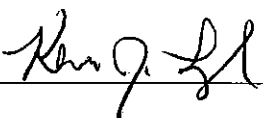
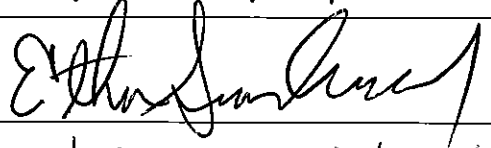
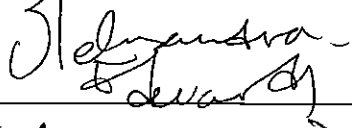
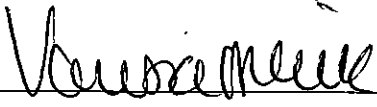
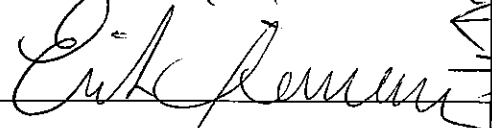


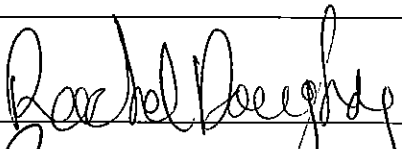
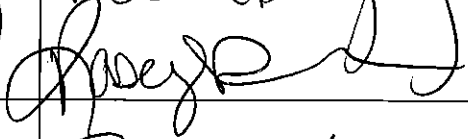
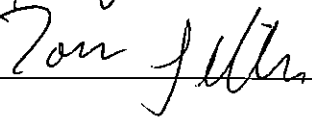
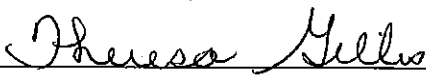
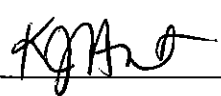
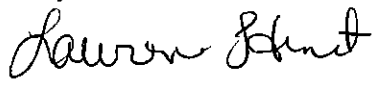
Printed Name	Signature	Date
DOM CHIEFFALO		6/23/17
Rich Melycher		6/23/17
James Maroon		6/23/17
Rob Jones		6/23/17
ROBERT WOHLRAB		6/23/17
Karl John		6/24/17
MAX FILMORE		6/24/17
Jeff Gilbert		6/24/17
Kevin Supary		6/24/17
Andre Dovaing		6-24-17
Rob Gilbert		6/24/17
Pete Towne		6/24/17
Levi Jackson		6/24/17

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## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<b>Petition summary and background</b>	ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.
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Printed Name	Signature	Date
JOSEPH P WESSELLI		6/15/17
Lauren Heslin		6/15/17
<del>Mr. Hernandez</del>	<del></del>	6.15.17
KERRY PENNOLLA		6-15-17
Joseph Toste		6/15/17
Chris obrey		6-15-17
STEVE EMERICH		6-15-17
DON KENNAUGH		6-15-17
Tom Koepf		6/15/17

Printed Name	Signature	Date
KEVIN LYNCH		6-15-17
	Ethan Sunderland	6-15-17
Oleksandra Edwards		6/15/17
Vanessa McGowan		6/15/17
	ERIK Jimenez	6/15/17
HAROLD KENNEY		6/15/17
STEVE KEELER		6/15/17
Rachel Dougherty		6/15/17
Kasey Donovan		6/15/17
Tom Gillis		6-15-17
Theresa Gillis		6-15-17
Kimberly Hunt		6-15-17
Lauren Hunt		6-15-17

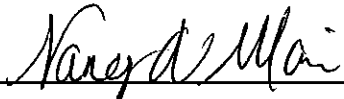
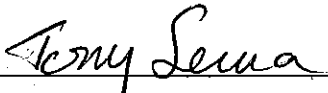

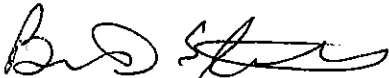

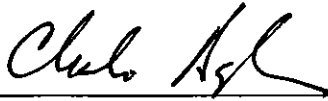
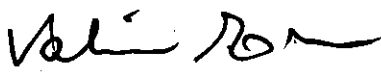
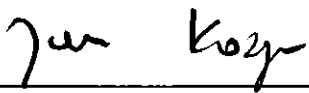
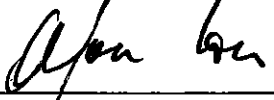
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Printed Name	Signature	Date
MICHAEL Joy	<i>Michael Joy</i>	06-14-17
GEORGE STORZ	<i>George Storz</i>	06-14-17
Joy Borrello	<i>Joy Borrello</i>	6-14-17
Peter Lawrence	<i>Peter Lawrence</i>	6-14-17
Mikhail M. Montchin	<i>Mikhail M. Montchin</i>	6-14-17
Darryl Allen	<i>Darryl Allen</i>	6-14-17
Mark DeSantes	<i>Mark DeSantes</i>	6-14-17
JON BLANCHETTE	<i>Jon Blanchette</i>	6-14-17
BARRY Federico	<i>Barry Federico</i>	6-14-17

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

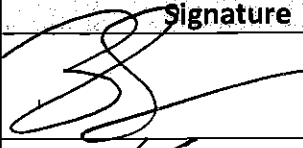

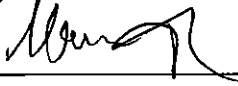

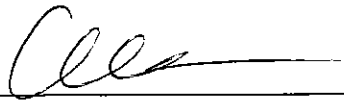
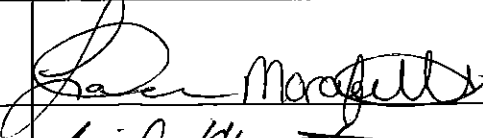
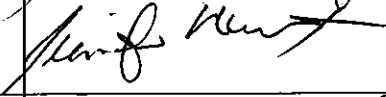
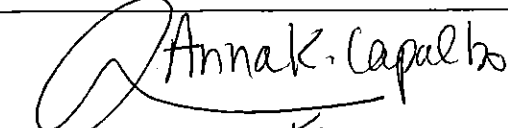
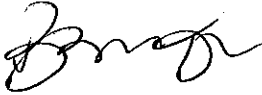
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Printed Name	Signature	Date
Nancy Main		6-15-17
Tom Seria		6-15-17
MIKE FORTE		6-17-17
	Bruce Starkweath	6-17-17
C Thomas Philbrick		6-18-2017
CHARLIE AGUEDA		6-18-2017
VALERIU EMILIAN		6-18-2017
JAN KOZYRA		6-18-2017
ALFONSO CORREA		6-18-2017



## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

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Printed Name	Signature	Date
BRIAN SHANNON		6/22/17
KRISTEN PEDERSEN		22 June 2017
Mary Tabor		6/20/17
Kate Leandro		6/22/17
Candice Carroll-Beebe		6/22/17
Romina DeGiacomo	Romina DeGiacomo	6/22/17
Lodawn Morabille		6-22-17
Jennifer Hunt		6/23/17
Diane M Quir	Diane M Quir	6/23/17
Anna K. Capalbo		6/23/17
Bonnie Kay		6/23/17

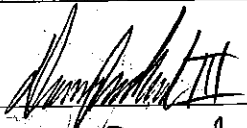
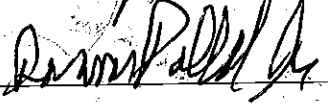

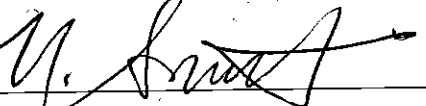

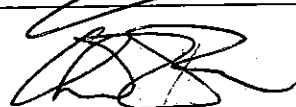
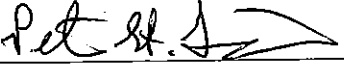
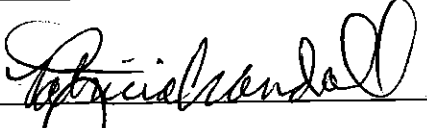

Printed Name	Signature	Date
George Main	<i>George Main</i>	6-24-17
David Campbell	<i>David Campbell</i>	6-24/2017
<del>Joe</del> Main	Tiger Main	6-21-17
Denise Potvin	<i>Denise Potvin</i>	6-24-17






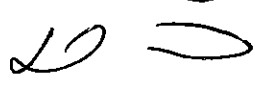
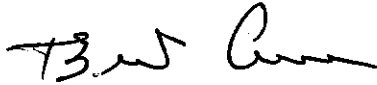
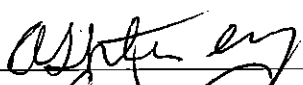

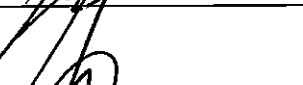

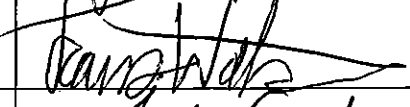

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<b>Petition summary and background</b>	ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.
<b>Action petitioned for</b>	We, the undersigned, are concerned citizens who urge ASMFC to revise Draft Amendment 1 to include unique management measures for charter and party boats in the Long Island Sound region that are more generous than measures for private boats.

Printed Name	Signature	Date
Donner Pollard III		6/23/17
Donner Pollard Jr		6/24/17
Steven Schmetzer		6/24/17
	Nixon Smith	6/24/17
	Dan Kraeme	6/24/17
	CHRISTIAN FOSTER	6/29/17
St Germain, Peter		6/24/17
Crandall, Tat		6/25/17
John Turise		6/25/17

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

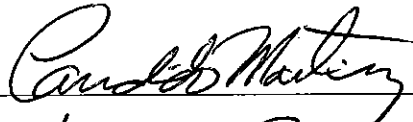

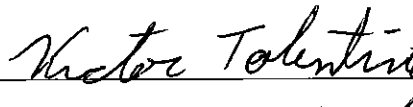
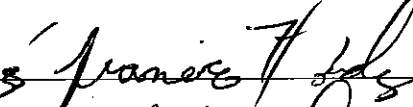
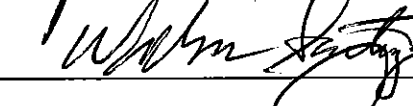




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Printed Name	Signature	Date
Mike Conroy		6/24/17
Don AKur		6-24/17
Bob CAPN		6-24/17
Ashton		6-24/17
Scott Barkel		6/24/17
Jeremy Barkel		6/24/17
Robin Watson		6/24/17
Travis Watson		6/24/17
Thomas MUSTIS		6-24-17



## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<b>Petition summary and background</b>	ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.
<b>Action petitioned for</b>	We, the undersigned, are concerned citizens who urge ASMFC to revise Draft Amendment 1 to include unique management measures for charter and party boats in the Long Island Sound region that are more generous than measures for private boats.

Printed Name	Signature	Date
Candido Martinez		6/26/2017
MIKE TARTAR		6/26/17
VICTOR Tolentino		6/26/17
Francisco Hernandez		6/26/17
Wilson Santiago		6/26/17
Mason Moriarty		6-26-17
NORMAN MORIARTY		6/26/17
LONNELL BEECHUM		6-26-17
Heather Harris		6-26-17







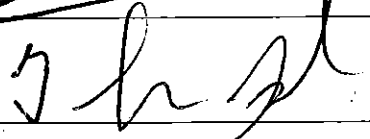
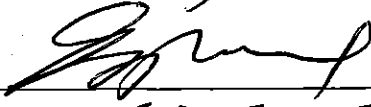

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

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Printed Name	Signature	Date
Ronald W. Alexander	Ronald W. Alexander	
Lou Clayton	Lou Clayton	6/26/17
Willie Gant	Willie Gant	6/26/17
Vincent Graves	Vincent Graves	6-26-17
Philip Lawrence	Philip Lawrence	6-26-17
Jason Vee	Jason Vee	6-26-17
Fred Wall	Fred Wall	6-26-17
Ramon Porez	Ramon Porez	
TOMAS WRIGHT	Tomas Wright	6-26-17

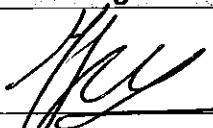
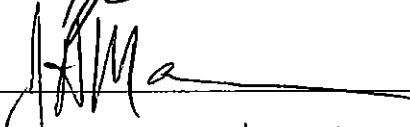


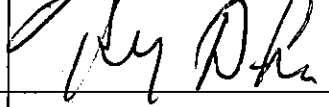
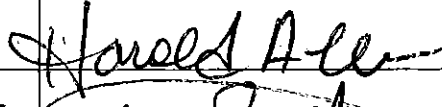
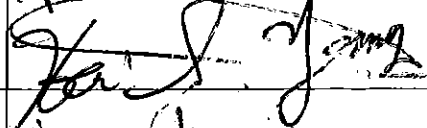
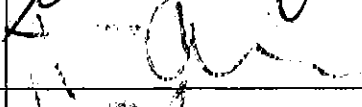

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<b>Petition summary and background</b>	ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.
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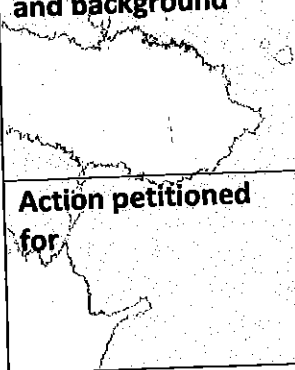
Printed Name	Signature	Date
Todd Saville		06/29/17
Barbara McQuilkin		6/24/17
Carol Dubourg		6/24/17
Michael Tyler		6/24/17
Adon Burrill		6/24/17
Jon Crane		6/29/17
Thomas Ashel		6/24/17
Gene Perreault		6-24-17
Matthew Mehar		6/24/17




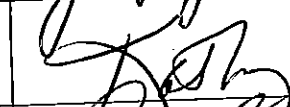

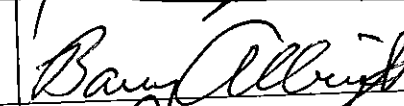
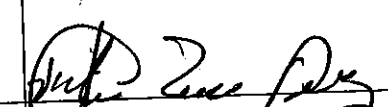

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<b>Petition summary and background</b>	ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.
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Printed Name	Signature	Date
ED LOPEZ		6-23-17
Jr Mancinone		6-23-17
BOB McNeill		6-23-17
JOHN BROOKS		6-23-17
Henry DeLoce		6-23-17
HAROLD ALLEN		6-23-17
HAI S. YANG		6-23-17
Trisha Arena		6-23-17
Steve Dusko		6-23-17

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog

<p><b>Petition summary and background</b></p> 	<p>ASMFC has proposed Draft Amendment 1, which seeks to dramatically reduce the tautog harvest for the LIS region. It does so by prescribing regulations that make no distinction between party / charter boats and private boats, despite the fact that party / charter boats represent just 13.1% of the overall LIS tautog harvest.</p>
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Printed Name	Signature	Date
Claude Adams		6/21/17
Glen Plette		6/23/17
Joe Albright		6/23/17
Kathy Dowd		6/23/17
Peter Lopez		6/23/17
Bary Albright		6/23/17
Robert Parson	Robert Parson	6/23/17
Victor Lane King		6/23/2017
Carlos Costa		6/23/17

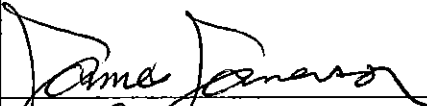
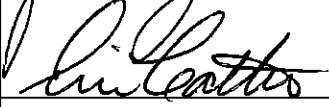

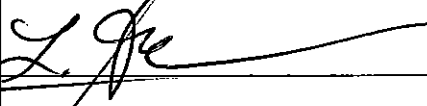
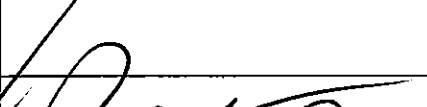

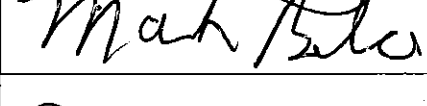
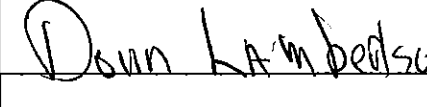
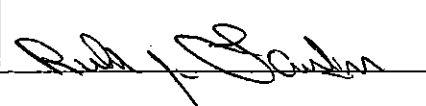
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Printed Name	Signature	Date
<i>Heidi M. Yu</i>	<i>[Signature]</i>	6/22/17
<del>William W. Bullock</del>		
William Bullock	William Bullock	6/22/17
Christian Roman	<i>[Signature]</i>	6/22/17
BRIAN E BEARD	<i>[Signature]</i>	"
Timothy Buckley	<i>[Signature]</i>	6/22/17
DONALD DUMAY	<i>[Signature]</i>	6/22/17
Tony Bruno	<i>[Signature]</i>	6/22/17
Joe Bells	<i>[Signature]</i>	6/22/17

## Petition to Revise Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog


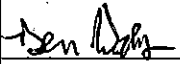
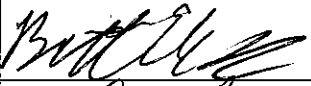
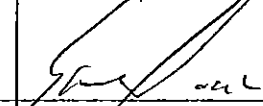
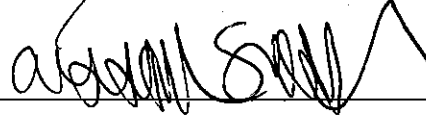


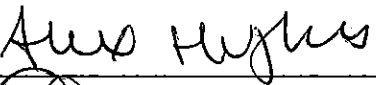
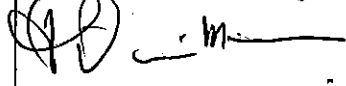
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Printed Name	Signature	Date
JAMES JAMERSON		6/22/17
ERIC CATTLE		6/22/17
PAUL PASSAS		6/22/17
<del>Eric Cattle</del>	<del></del>	<del>6/22/17</del>
<del>Paul Passas</del>	<del></del>	<del>6-22-17</del>
Paul Chaplinsky		6-22-17
MARK BELINA		6-22-17
Don Lambertson		6-22-17
Richard Lambertson		6-22-17



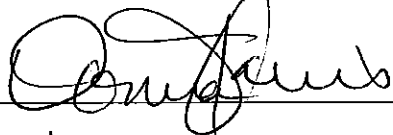
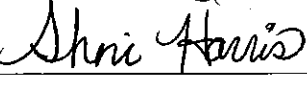
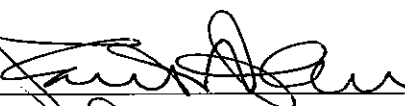
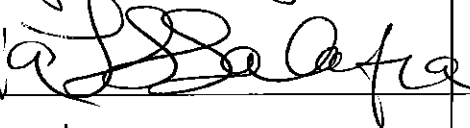
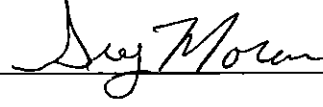
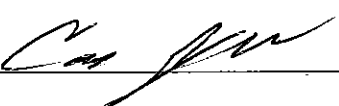
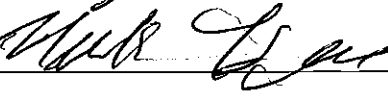


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Printed Name	Signature	Date
Matt Chamberlin		6-21-17
Ben Weeles		6/21/17
Brett Ellis		6/21/17
Ethan Cook		6/21/17
Austyn Salarvia		6/21/17
Heidi Worthington		6-21-17
Randy Harris		6-21-17
Alex Hughes		6/22/17
Pamela S. ...		6-22-17


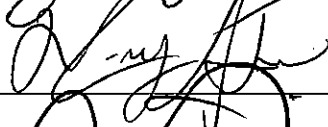

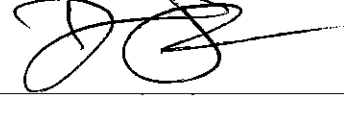
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Printed Name	Signature	Date
Donna Harris		6/26/17
Sheri Harris		6/26/17
Faith Allen		6/26/17
Laura Salafia		6/26/17
Greg Moran		6-26-17
Carl Jack		6/26/17
MAXIS H'CC		6/28/17
Rinoa Rivera		6/28/17
Greg Dubrule		6/26/17

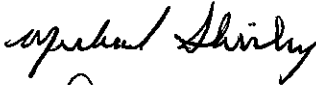
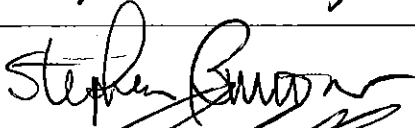
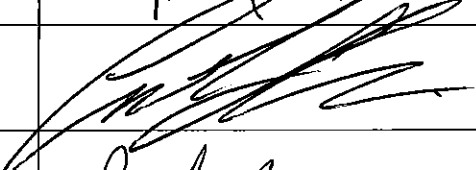

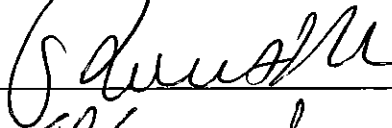
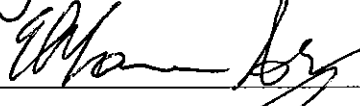

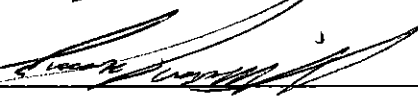

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Printed Name	Signature	Date
Bill Gannon		6/26/17
Henry Juca		6/26/17
Anthony Avitabile		6/26/17
Junq; Ding		6/26/17



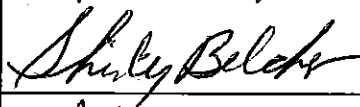

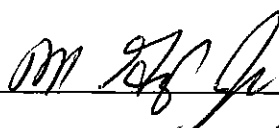

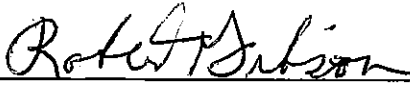
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Printed Name	Signature	Date
MICHAEL SHIALEY		6-26-17
Stephen Burrow		6-26-17
Amanda Carneiro		6/26/17
Paul Brockman		6/26/17
Robert Ash		6/26/17
Ethan Ash		6/26/17
Jeffrey Rigoletti		6-27-17
James Rigoletti		6-27-17
Jeremy Gannon		6/26/17




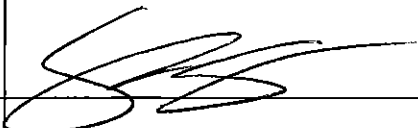


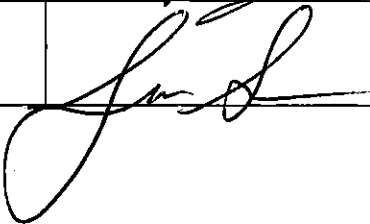
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Printed Name	Signature	Date
JOHN MACKIEWICZ		06/26/17
Lewis A Rawles		06/25/17
Shirley Belcher		06/26/17
JEFF ARSON		6/26/17
MIKE GRIP JR		6/26/17
JERRY THIBODEAU		6/26/17
ROBERT GIBSON		6/26/17


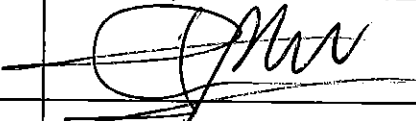
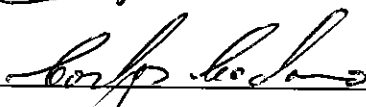
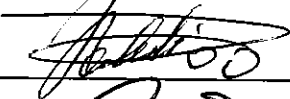

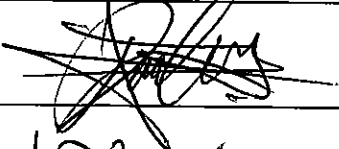
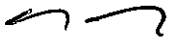
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Printed Name	Signature	Date
William Stankus		6-25-17
Jamey Velozis		6-25-17
Seth Megargle		06/25/17
Joe Devine	JOE DEVINE	06/25/17
SEAN SMITH		06/25/17
Parker Clark	Parker Clark	6/25/17
Jim Engelmann		6-25-17
Ryan Botseas		6-25-17
Jim Smith		6-25-17

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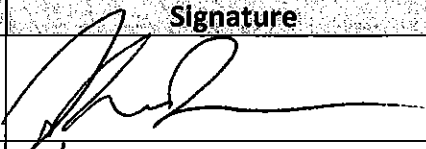
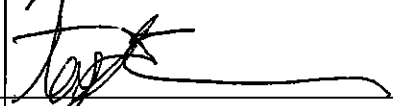

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Printed Name	Signature	Date
Mike Salkauskas		6/25/17
Diego Lozada		6/25/17
Carlos Lora		6/25/17
Prokudio Lora		6/25/17
Roger Salinas		6/25/17
Rene Coronel		6/25/17
V Palaski	V Palaski	6/25/17
h FL	Anthony Salek	6/25/17
	Raymond Qian	6-25-17



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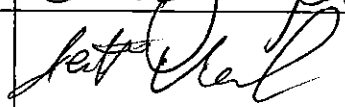


Printed Name	Signature	Date
Luke Wiggins		7/20
Taylor Vallas		7/20
Albert Bove		7/20
FRANCIS BOVE	Francis Bove	7/20
EDWARD PUNZALAN	Ed Punzalan	7/20
Melissa Wiggins	Melissa Wiggins	7/20
Michelle Punzalan	Michelle Punzalan	7/20
Samantha Boxley	Samantha Boxley	7/20
Marlene Wiggins	Marlene Wiggins	7/20

2

Printed Name	Signature	Date
Meghan Grabowski	Meghan Grabowski	7/20
Richard Franklin	Rick Franklin	7/20
Sam Punzalan	Sam Punzalan	7/20
NIKKI COOK	NIKKI COOK	7/20
Allie Gilbert	Allie Gilbert	7/20
Oean Gilbert	Oliver Gilbert	7/20
Roxanne Punzalan	Roxanne Punzalan	7/20
Rebecca Taylor	Rebecca Taylor	7/20
Zach Scovish	Zach Scovish	7/20
Sarah Labreque	Sarah Labreque	7/20
Cattyn Hughes	Cattyn Hughes	7/20
Peter Lighten	Peter Lighten	7/20
Erin Hughes	Erin Hughes	7/20

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Printed Name	Signature	Date
JOSEPH A. WYSOCKI		6-26-2017
KAREN J. WYSOCKI		6-26-2017
JEFF VIOLA		6-26-17
Boent nosta		6-26-17
Hunter Crumer		6-26-17

This form letter was also submitted by Captains Jay Salvatore, Pete Joram and Preston Glass.

# Black Hawk

Captain Greg Dubrule  
PO Box 46  
Niantic, CT 06357  
860-448-3662  
BlackHawkFishing@gmail.com



June 21, 2017

Ashton Harp  
Fishery Management Plan Coordinator  
1050 North Highland St, Suite 200 A-N  
Arlington, VA 22201

Via email: [aharp@asmfc.org](mailto:aharp@asmfc.org)

Re: Tautog Draft Amendment 1

Dear Ashton,

After careful review of Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog, I write to offer the following comments as a longtime charter & party boat owner and operator in the Long Island Sound region. The charter and party boat community shares with ASMFC a vested interest in ensuring a healthy tautog stock that can be harvested in a sustainable manner. I offer these comments in the hope that ASMFC will make essential changes to the Draft Amendment – changes that will protect the fishery and our industry in equal measure.

As currently envisioned by ASMFC, the Draft Amendment seeks to reduce the commercial and recreational harvest for the LIS region by a minimum of 47.2%. It does so by prescribing recreational regulations that make no distinction between party / charter boats and private boats, ignoring the fact that for the last three years, the former has accounted for just over one-tenth of total LIS tautog landings. During that time, charter and party boats represented only 11.5% of the Connecticut tautog harvest, and 13.1% of the combined Connecticut and New York harvest by numbers of fish.<sup>1</sup> To regulate party / charter boats and private boats in the same way is to disregard the disparate impact each has on the fishery. That approach is ineffectual to the extent that it imposes drastic cuts on a group that is responsible for just a fraction of the overall harvest. Such cuts further fail to consider not just the thousands of jobs created and supported by the industry, but also the dollars we and our customers inject into local economies.

Over the past few decades the charter and party boat industry has felt the effects of an unrelenting progression of ever-tightening regulations. Reductions to every key fishery – striped bass down to 1 fish per person, fluke to 3 fish per person, and continuing cuts to seabass – have left our industry reeling. The shock wave of those regulations continues to reverberate throughout the LIS region.

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<sup>1</sup> From 2014 – 2016, party and charter boats made up 11.5% of the Connecticut tautog harvest by numbers of fish. Shore fishermen accounted for roughly 1% and private boats were responsible for the balance, roughly 87.5% of the harvest. The breakdown by fishing mode is very similar for New York. Source: personal communication from the National Marine Fisheries Service, Fisheries Statistics Division, June 13, 2017.

This form letter was also submitted by Captains Jay Salvatore, Pete Joram and Preston Glass.

Tautog regulations in particular have evolved from 25 fish at 12" to 10 fish at 14" to 4 fish at 14", then 15", and finally to 4 fish at 16". Four fish per person leaves us with the bare minimum for a viable trip that has a hope of enticing customers. Allowing fewer than 4 fish per person will all but end blackfishing for charter and party boats. Losing those trips would shorten the 25-week prime of our season by 6 weeks – a reduction of nearly 25%. By doing so, Draft Amendment 1 will cripple a group that accounts for only 13.1% of total LIS tautog landings.

We implore ASMFC to craft tautog regulations that treat charter and party boats as distinct from private boats. Rhode Island has done so for several years to great success.

Of course all parties with a stake in the continued health of the tautog fishery must contribute to the overall reduction of the harvest and we certainly do not consider ourselves immune from the required cuts.

We propose the following changes to the current management measures for charter and party boats in the LIS region:

1. Eliminate the spring (April 1 – April 30) and summer (July 1 – August 31) open seasons in Connecticut;
2. Shorten the open fall season to October 12 – December 1 for Connecticut and New York; and
3. Impose a possession limit of 4 fish and a slot limit of fish from 16" to 22" to protect large egg-bearing females.

We appreciate ASMFC's effort to solicit public comments regarding Draft Amendment 1 to the Interstate Fishery Management Plan for Tautog. Please consider revising the Draft Amendment to include regulations for charter and party boats that recognize the contributions we make to our communities and the relatively small impact we have on the tautog fishery.

Sincerely,

*Greg Dubrulle*

Captain Greg Dubrulle  
Black Hawk, Niantic, Connecticut

CC. David Simpson  
Director, CT DEEP Marine Fisheries Division  
Via email [david.simpson@ct.gov](mailto:david.simpson@ct.gov)

This comment was also submitted by Peter Grillo and Rob Usinger.

**From:** Michael Friedman [mailto:mifriedmans@gmail.com]

**Sent:** Wednesday, June 28, 2017 2:12 PM

**To:** Ashton Harp <aharp@asmfc.org>

**Subject:** Tog draft amendment

Dear Mr. Harp, concerning the recent hearing on June 20th, please indulge my views. The blackfishery is in a terrible state and the most stringent measures should be undertaken to rehabilitate the fishery. In the past my friends and I would do one or two charters a year for blackfish. Last year after 2 charters it was clear the fishery has been decimated. We fish out of Long Island but can no longer justify the charters, as the fish are not there. This fish grows slow. Close the crazy commercial pot fishery and please consider at least a temporary closure of the recreational fishery. I'd like my children to at least see a tog some day. Your attention is greatly appreciated.

Regards,

Michael Friedman

# **TAUTOG: Summary of Management Options in Draft Amendment 1**

## **2.2 Goals (pg. 48-49)**

*Option A. Status Quo. Maintain the 1996 Goals*

*Option B. Revised Goal Statement*

## **2.3 Objectives (pg. 49-51)**

*Option A. Status Quo: Maintain the 1996 Objectives*

*Options B-H: Modified Objectives*

## **2.5 Biological Reference Points (pg. 53-54)**

*Option A. Status Quo - Reference Points can be modified via a Management Document*

*Option B. Reference Points can be modified via Board Action (i.e., Management Document Not Required)*

### **2.7.1 Fishing Mortality (F) Target (pg. 54-55)**

*Option A. Status Quo*

*Option B. Managing to the Regional F Target*

*Sub-Option B1: No Time Requirement*

*Sub-Option B2: Board Action within One Year*

*Sub-Option B3: Board Action within Two Years*

### **Probability of Achieving F Target (pg. 55)**

*Option A. Status Quo*

*Option B. 50% Probability of Achieving F Target*

*Option C. 70% Probability of Achieving F Target*

### **2.7.2 F Reduction Schedule (pg. 55-56)**

*Option A: Status Quo*

*Option B: Three Years*

*Option C: Five Years*

### **2.7.4 Stock Rebuilding Schedule (pg. 56)**

*Option A: Status Quo*

*Option B. A Stock Rebuilding Schedule can be developed via an Addendum*

*Option C. A Stock Rebuilding Schedule can be developed via an Addendum, Not to Exceed 10 Years*



## **4.0 Management Program Implementation**

### **4.1 Regional Boundaries (pg. 65-66)**

*Option A. Status Quo – Coastwide Management*

*Option B. Regional Management (Four Regions)*

#### **Long Island Sound Boundaries (pg. 69)**

*Sub-Option B1: LIS Boundaries, Montauk Point, NY to Watch Hill, RI*

*Sub-Option B2: LIS Boundaries, Orient, NY to Watch Hill, RI*

### **4.2.2 MASSACHUSETTS-RHODE ISLAND (starting on pg. 72)**

#### **4.2.2.1 MARI Recreational Management Measures (pg. 73)**

*Option A. Status Quo*

*Option B. All measures consistent (16", 3 & 4 fish)*

*Option C. All measures consistent (16", 3 fish)*

### **4.2.3 LONG ISLAND SOUND (starting on pg. 74)**

#### **4.2.3.1 LIS Recreational Management Measures (pg. 75-76)**

##### **50% Probability of Achieving F Target (47.2% or more harvest reduction)**

*Option A1. Status Quo; state-specific reduction*

*Option B1. Consistent Minimum Size (16") and Possession Limit (1)*

*Option B2. Consistent Minimum Size (17") and Possession Limit (2)*

*Option B3. All Measures Consistent (16", 1 fish)*

##### **70% Probability of Achieving F Target (52.6% or more harvest reduction)**

*Option A2. Status Quo; state-specific reduction*

*Option B4. Consistent Minimum Size (16") and Possession Limit (1)*

*Option B5. Consistent Minimum Size (17") and Possession Limit (3 & 1 fish)*

*Option B6. All Measures Consistent (16.5", 1 fish)*

#### **4.2.3.2 LIS Commercial Management Measures (pg. 77-78)**

##### **50% Probability of Achieving F Target (47.2% or more harvest reduction)**

*Option A1. Status Quo*

*Option B1. Regional Quota*

##### **70% Probability of Achieving F Target (52.6% or more harvest reduction)**

*Option A2. Status Quo*

*Option B2. Consistent Minimum Size (16")*

*Option B3. Commercial Quotas*

#### **4.2.3.3 LIS Slot Limit for the recreational and commercial fisheries (pg. 78-79)**

*Option C. 16-18" Slot Limit*

#### **4.2.4 NEW JERSEY - NEW YORK BIGHT (starting on pg. 80)**

##### **4.2.4.1 NJ-NYB Recreational Management Measures (pg. 81-82)**

##### **50% Probability of Achieving F Target (2% or more harvest reduction)**

*Option A1. Status Quo*

*Option B1. Consistent Minimum Size (15") and Possession Limit (4)*

*Option B2. Consistent Minimum Size (16")*

*C1. Slot Limit (15-18") with Consistent Possession Limits (4)*

##### **70% Probability of Achieving F Target (11% or more harvest reduction)**

*Option A2. Status Quo*

*Option B3. Consistent Minimum Size (15") and Possession Limit (3)*

*Option B4. Consistent Minimum Size (16") and Possession Limit (4)*

*Option B5. All Measures Consistent*

*Option C2: Slot Limit (15-18") with Consistent Possession Limits (4)*

*Option C3: Slot Limit (15-18") with All Measures Consistent*

#### **4.2.4.2 NJ-NYB Commercial Management Measures (pg. 83-84)**

##### **50% Probability of Achieving F Target (2% or more harvest reduction)**

*Option A1. Status Quo*

*Option B1. Consistent Minimum Size (15")*

*Option B2. Consistent Minimum Size (16")*

*Option B3. Commercial Quotas*

*Option C4: Slot Limit (15-18")*

##### **70% Probability of Achieving F Target (11% or more harvest reduction)**

*Option A2. Status Quo*

*Option B4. Consistent Minimum Size (15")*

*Option B5. Consistent Minimum Size (16")*

*Option B6. Commercial Quotas*

*Option C5: Slot Limit (15-18")*

#### **4.2.5 DELAWARE - MARYLAND – VIRGINIA (starting on pg. 84)**

##### **4.2.5.1. DelMarVa Recreational Management Measures (pg. 86)**

*Option A. Status Quo*

*Option B. Consistent Possession Limit (4) and Seasons*

*Option C. Consistent Minimum Size (16")*

*Option D. All Measures Consistent (16" and 4 fish)*

##### **4.2.5.2 DelMarVa Commercial Management Measures (pg. 86)**

*Option A. Status Quo*

*Option B. Adopt recreational measures as commercial measures for DE and MD*

#### **4.3 Commercial Quota (pg. 87-88)**

*Option A. Status Quo*

*Option B. Commercial Quota Procedures*

#### **4.4 Commercial Harvest Tagging Program (pg. 88-91)**

*Option A. Status Quo*

*Option B. Implement a Commercial Harvest Tagging Program*

##### **4.4.3 Tag Application (pg. 89-90)**

*Option A. Harvester Application at Harvest or Upon Landing*

*Option B. Application by Dealer*

#### **4.6 Spawning Closures (pg. 91)**

*Option A. Status Quo*

*Option B. Regional Spawning Closures*

##### **4.11.2 Management Program Equivalency (pg. 93)**

*Option A. Any management measures can be adjusted under Conservation Equivalency*

*Option B. Any management measures, except the spawning closures, can be adjusted under Conservation Equivalency*