

NEW JERSEY MARINE FISHERIES COUNCIL
Stafford Township Municipal Building
Manahawkin, NJ
January 11, 2018

Council Attendees: James Alexis
Erling Berg
Eleanor Bochenek
Barney Hollinger
Sergio Radossi
Joseph Rizzo
Robert Rush
Joseph Zaborowski

Council Absentees: John Maxwell
Frances Puskas
Richard Herb (Acting Chairman)

Division of Fish and Wildlife Attendees:

Larry Herrighty, Director of Division of Fish and Wildlife
Jason Snellbaker, Captain, Bureau of Law Enforcement (BLE)
Jeff Brust, Research Scientist, Marine Fisheries Administration (MFA)
Russ Babb, Supervising Biologist, Bureau of Shellfisheries (BSF)
Heather Corbett, Principal Biologist, BMF
Mike Celestino, Research Scientist, MFA
Jeff Normant, Bureau of Shellfisheries, BSF
Peter Clark, Senior Biologist, BMF
Brian Neilan, Assistant Biologist, BMF
Scott Stueber, BMF
Jamie Darrow, BMF
Sherry Bennett, Marine Council Secretary
Sean Cianciulli, Deputy Chief, BLE
Cody Meyer, Conservation Police Officer, BLE
Allison Shepherd, Conservation Police Officer, BLE

Ms. Bennett read the compliance with the Sunshine Law. Notice of the Marine Fisheries Council (Council) meeting was filed with the Secretary of State on December 1, 2017 and was refiled on 1/3/2018. The January 4th, 2018 meeting was postponed and rescheduled for January 11, 2018 due to inclement weather. Mr. Radossi served as Acting Chairman in Mr. Herb's absence and began the meeting with the Pledge of Allegiance.

MOTION: The November 2, 2017 Council Meeting Minutes were approved. Made by Mr. Alexis, seconded by Mr. Berg. Motion passes, unanimously.

Audience Conduct

Mr. Radossi reminded the audience to take conversations outside or wait until the end of the meeting and to turn off all cell phones. Individuals wishing to make a public comment will need to sign up.

Meeting would conclude at 6:45pm to allow for the ASMFC Black Sea Bass Addendum XXX public hearing to begin at 7pm.

Law Enforcement

CO Captain Snellbaker presented the Council with an update of the Law Enforcement Report for October, November and December 2017, Handout #3. Highlights include:

- On Friday, 10/20/2017, CO's patrolling the Navesink River observed a vessel anchored near a popular clamming spot. This area of river is classified as "Conditionally Approved" and is not open to harvesting shellfish until 11/01/2017. The CO recognized the clammer and upon inspection found four mesh bags containing more than 2000 soft clams in total. This individual is an active participant in the clam depuration program, but on this day he was not working for the depuration plant. The appropriate summonses were issued. The case was scheduled to be heard in Highlands Borough on 11/21/2017, and on the subject's first appearance he failed to show up to court. A bench warrant was issued for his arrest.
- On Sunday, 11/5/2017, CO's responded to the Barnegat Light, Ocean County area for a complaint that was reported through our Operation Game Thief line. The complainant stated that two men were keeping undersized and over limit tautog. After a surveillance period, CO's inspected the men and issued a summonses after he found them in possession of more than a dozen illegal tautog.
- On Monday, 11/13/2017, CO's patrolled Point Pleasant Beach area when he observed a commercial fishing vessel that he was that unfamiliar with enter the Manasquan Inlet. The vessel, hailing from New York (NY), landed at Point Pleasant Packing CO, dock where CO's performed a commercial fisheries compliance inspection. Upon inspecting the vessel, CO's discovered the vessel had entered port and attempted to offload over 200 pounds of summer flounder in excess of the state's trip limit. Summonses were issued to the captain as well as the business that owns the vessel.

- On Saturday, 10/21/2017, CO's were working multiple complaints in both the Point Pleasant canal and Shark River Inlet areas. The appropriate summonses were issued to six apprehended individuals with more than 25 undersized and overlimit tautog.
- On Wednesday, 11/15/2017, CO's on boat patrol in the Barnegat Bay just off Surf City, Ocean County noticed several buoys in the Inter Coastal Waterway (ICW) that appeared to be buoys marked for crab and conch pots. As officers approached two sailboats were transiting outside of the marked channel, which is extremely dangerous for such vessels. The officers pulled each of the buoys by hand and found a single conch pots at the end of each line. The associated fisherman was identified and issued summonses for setting gear in a marked channel.
- Mid-November, CO's performed a commercial fishing gear compliance patrol in southern NJ and apprehended a for-hire recreational fishing vessel in possession of multiple striped bass in the Exclusive Economic Zone where fishing for, possession and taking striped bass is federally prohibited. The case was referred to the National Marine Fisheries Service (NMFS) for appropriate enforcement action.
- Late October, during a boat patrol of Barnegat Inlet area, CO's apprehended a recreational fishing vessel that failed to maintain a highly migratory species on the required form in accordance with Federal regulations after an offshore fishing trip. The Barnegat Light based vessel was in possession of filleted Atlantic Tuna, swordfish and Dolphin Fish which are required to be kept in whole, headed and/or gutted form for officers to determine compliance with appropriate size and bag limits. The case was referred to the NMFS for appropriate enforcement action.
- On December 12, 2017, CO's apprehended two men whom caught, concealed and retained undersize striped bass along the surf on Monmouth Beach. A total of 10 striped bass were found buried in the sand near the fisherman's equipment and 2 found on person. Summonses for over limit, undersized, and interference with the duties of a CO's were issued.
- During the months of November and December, CO's in District 8 conducted multiple boat patrols to enforce the prohibition of striped bass fishing in federal waters. During the patrols, exceptionally large fleets of recreational vessels were encountered targeting striped bass from 4 to 12 miles inside Federal waters where it is unlawful to fish for, harvest and possess striped bass. Officers apprehended a total of 23 private recreational vessels and one Cape May based party boat in possession of striped bass well inside the closed area. In several of these incidents, dead striped bass were discarded into the water as the CO's approached and other vessels were non-compliant with NJ size and bag limit regulations. CO's processed and referred the cases to the NMFS for enforcement action. Penalty for possession of striped bass in Federal waters is \$500 per fish. Federal interference charges were also filed for individuals who discarded the dead fish.
- During the inspection of a retail market in Pleasantville, CO's found 85 black sea bass offered for sale which were well under the legal size limit of 11 inches. In addition, CO's

found fillets of one wild striped bass offered for sale. After a thorough investigation, CO's found evidence of several additional wild striped bass which were previously sold at the market. CO's determined the wild striped bass came from licensed commercial harvesters in NY. New Jersey (NJ) law prohibits the sale of any wild striped bass regardless of whether or not it was commercially harvested legally in another state. Appropriate summonses were issued.

- Captain Snellbaker introduced two new Conservation Police Officers Cody Meyer and Allison Shepard.
- Captain Snellbaker informed the Council of the transition the BLE is currently undergoing. Their name will become Conservation Police Officers (CPO's) instead of Conservation Officers (CO's). Officers will be yielding new patches to reflect this new change.

Legislative/Regulatory Report

Mr. Brust updated Council with the Legislative report. Four bills have been introduced:

- State Bill SR 2044 - Prohibits certain possession, sale, trade, distribution, or offering for sale of shark fins. NJDEP opposed this bill. DEP staff was present during the hearing and petitioned against the bill because MFA already has regulations in place that address shark finning. Mr. Brust indicated that SR 2044 passed both NJ houses anyway and is awaiting Governor's signature. Heard Governor was not going to veto the bill, but the bill could die within 36 hours if Governor fails to sign.
- Federal Bill HR 4726 – Rhode Island Fisherman's Fairness Act: To amend the Magnuson-Stevens Fishery Conservation and Management Act to add Rhode Island to the Mid-Atlantic Fishery Management Council. Introduced December 21, 2017. If passed this would grant dual membership for Rhode Island as they are already part of the New England Council.
- Federal Bill HR 4647 – Recovering America's Wildlife Act: To amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need, as determined by State fish and wildlife agencies, and for other purposes. Introduced December 14, 2017. The Blue Ribbon Panel presentation given to Council last year was about this bill.
- Federal Bills HR 200 et al - Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act: To amend the Magnuson-Stevens Fishery Conservation and Management Act to provide flexibility for fishery managers and stability for fishermen, and for other purposes. Introduced January 3, 2017, sent to House and Senate December 13, 2017 for consideration.

In regards to HR4726, Mr. Berg commented that discussion about adding RI to MAFMC has been going on for years. He suggested NJ and VA should be on New England Fishery Management Council as well, since both states have strong fisheries in the New England regions.

Atlantic States Marine Fisheries Commission (ASMFC) Report

Ms. Corbett updated Council with the ASMFC Meeting held on November 13-14, 2017 in Baltimore, MD.

- **Atlantic Menhaden Management Board**

ASMFC approved Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. Atlantic Menhaden Board set total allowable catch (TAC) at 216,000 MT, for 2018 and 2019, an 8% increase from 2017. Due to reallocation of quota among states, New Jersey's allocation percentage decreased, but our quota for 2018 is still higher than last year. The Amendment maintains the management program's current single species biological reference points until the review and adoption of explicit ecological reference points as part as of the 2019 benchmark stock assessment process. It also addresses a suite of commercial management measures including allocation, quota transfers, quota rollovers, incidental catch, the episodic events set aside program, and the Chesapeake Bay reduction fishery cap. While the Board's action was not supported by the majority of public comment received, it is still a conservative management action. States must submit implementation plans to the Commission by January 1, 2018 for final implementation by April 15, 2018

- **Cobia**

ASMFC approved the Interstate Fishery Management Plan (FMP) for the Atlantic Migratory Group (AMG). The FMP complements many of the aspects of the South Atlantic Fishery Management Council's (SAFMC) cobia regulations for federal waters extending from Georgia through New York. The recreational fishery will be managed with a one fish bag limit and minimum size limit of 32" total length (TL) equivalent. Vessel limits will be determined once states set their seasonal restrictions, but may not exceed six fish per vessel. No closed season. Commercial fishery will maintain the current management measures as implemented through the SAFMC FMP, which is 2 fish limit per person, with a six fish maximum vessel limit and 37" TL. No closed season, but will close once the ACL is projected to be reached.

The FMP provided the opportunity for states to declare *de minimis* status for their recreational fishery if landings constitute less than 1% of the recreational Atlantic cobia harvest. States must submit implementation plans to the Commission by January 1, 2018 for Technical Committee (TC) review and Board approval at the February 2018 meeting. Approved plans must be implemented by April 1, 2018.

NJ's closest non *de minimis* state is Virginia, and they have not finalized their recreational fishery regulations. If NJ goes with VA, their fishery could change every year and NJ would have to abide by those changes.

MOTION: NJ to declare *de minimis* status for NJ's recreational cobia fishery and make NJ recreational cobia regulations equivalent to Virginia's recreational cobia regulations.

Adopting VA's recreational cobia regulations would give the NJ recreational fisherman the most fish NJ can catch in the cobia season. Motion made by Mr. Rush, seconded by Mr. Alexis. Motion passes unanimously.

Mid-Atlantic Fishery Management Council (MAFMC)

Mr. Brust presented Council with the MAFMC Meeting Summary, met December 11-14, 2017 in Annapolis, MD (Handout #4).

- **Squid Buffer Zone Framework**

MAFMC voted to discontinue development of a framework action that would have considered establishing a squid fishery buffer zone in waters south of Martha's Vineyard and Nantucket. The decision not to move forward with the Squid Buffer Zone Framework is intended to allow the effects of the recently-approved Squid Amendment to be realized prior to any additional action.

- **Chub Mackerel Amendment**

The Council received an overview of public comment. The amendment will consider potential catch limits, accountability measures, and other conservation and management measures required for chub mackerel to be managed as a stock in the Atlantic mackerel, squid, and butterfish FMP. MAFMC discussed data needs and reviewed a timeline for completion of the amendment.

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

The Council and Board reviewed recent performance of the recreational summer flounder fishery, scup and black sea bass fisheries, as well as staff, Monitoring Committee, and advisory panel (AP) recommendations for 2018 recreational management measures.

Summer Flounder:

- Recommended continued use of conservation equivalency to achieve, but not exceed, the 2018 summer flounder recreational harvest limit (RHL) of 4.42 million pounds, an increase of about 17% over 2017 RHL.
- Approved a set of non-preferred coastwide measures that are written into the federal regulations but waived in favor of state regulations once conservation equivalency is approved by NMFS.
- These measures for 2018: 4-fish possession limit, a 19" total length minimum size, and an open season of May 15 – September 15. If a state or region does not adopt measures with conservation equivalency guidelines a default measure of 2-fish possession limit, 20" total length minimum size, and open season of July 1- August 31 was approved.

Scup:

- To achieve the RHL of 7.37 million pounds in 2018, the MAFMC and Board agreed to maintain status quo recreational management measures in federal waters. These include 9” total length minimum size, 50-fish possession limit, and a year-round open season.
- Task the TC to look into liberalizing state measures to since harvest has been below the RHL during the past several years. NJ will look into liberalizing seasons to better match the federal season. Proposals are due by January 12, 2018.

Black Sea Bass:

- The MAFMC and Board are considering the removal of September 22 – October 21 federal water closure while retaining a 15-fish possession limit and 12.5” minimum size, but tabled decision until February meetings.
- The MAFMC and Board also discussed the implementation of the February 1-28, 2018 recreational black sea bass fishery. In October it was agreed to distribute this allocation to the states based on each state’s historical black sea bass catch during Wave 1 fishery. States that decide to participate in the 2018 fishery will need to submit a memo to the MAFMC and Board by January 15, 2018 that outlines adjustments to their 2018 management measure in the rest of the year to account for their Wave 1 allocation.
- The Board reviewed and approved Draft Addendum XXX for public comment. This addendum proposes alternative approaches for establishing management measure in state waters. The addendum considers regional alignments and allocation options based on exploitable biomass and historical harvest. The public meeting will be held following tonight’s Council meeting.
- The MAFMC and Board reviewed a black sea bass amendment initiated in 2015 to address a variety of commercial and recreational issues. MAFMC delayed moving forward with the amendment due to positive results of the 2016 benchmark and development of other management actions. Instead, a framework/addendum was initiated to address a number of recreational management issues: (1) consider implementing a conservation equivalency management program similar to that used with summer flounder; (2) allow for summer flounder, scup and black sea bass transit provision in federal waters around Block Island similar to the provision allowed for striped bass; (3) consider possible implementation of slot limits in federal waters for summer flounder and black sea bass. The framework may be ready for implementation for the 2019 recreational fishing seasons.

- **Bluefish Amendment**

MAFMC and ASMFC Bluefish Board discussed initiating an amendment to review and possibly revise the allocation between the commercial and recreational fisheries and the commercial allocation to the states. The MAFMC and Board approved a motion to initiate the amendment without any specific requirements regarding the timing of scoping.

- **Ecosystem Approach to Fisheries Management Risk Assessment**

MAFMC completed and approved an initial EAFM-based risk assessment. A risk element is defined as an aspect that may threaten the biological, economic, or social objectives of any MAFMC fishery or FMP. MAFMC intends to use the risk assessment as a planning tool to prioritize future work plans and as a research planning tool.

- **Risk Policy Framework**

The purpose of the Omnibus Risk Policy Framework is to provide a review of the Acceptable Biological Catch (ABC) control rule framework and MAFMC Risk Policy and to recommend any necessary changes. Recommended that no changes be made to the current risk policy and the ABC control rule framework. The MAFMC considered the status quo recommendation but postponed final action until the February 2018 meeting. In the interim, it was suggested the policy evaluation be submitted to external peer review, such as another regional council's Scientific and Statistical Committee.

- **2018 Implementation Plan**

MAFMC reviewed and approved the 2018 Implementation Plan for 2018. The implementation plan list activities and priorities for the coming year and is linked to the MAFMC strategic plan, on the website for review.

Next meeting February 13-15, 2018, Raleigh, NC

Marine Fisheries Bureau Report – Mr. Brust

- State has acquired \$1.2 million appropriation to MFA, but cannot hire, due to a hiring freeze; however, we are able move some salary money to cover operational costs.
- Interviews have taken place for the MF Administrator, and a provisional offer has been made, but this position is also held up by the hiring freeze.
- Marine Fisheries and Shellfisheries have interviewed candidates to fill the vacant Bureau Chief positions. Russ Babb accepted SF Chief position, as he has been serving as acting SF BC for some time. A MF Chief has not been selected and is on hold due to the hiring freeze.

- Three new biologist trainees have been hired and started in November. Two research scientist 3s have been selected. One has a start date in early February, and the other is awaiting a start date.
- Green Bank School has been purchased, but building will have to undergo substantial retrofitting to convert it to office and lab space. It will likely be at least a year before fisheries will officially move in.
- NJ did go over the 2017 commercial black sea bass limit by about 63 thousand pounds, but obtained a quota transfer from DE for 50 thousand pounds. NJ will need to pay back the remaining overage (approx. 13,000 pounds) during the 2018 season.

Shellfish Council Reports

Mr. Babb updated Council that the BSF will be re-adopting without change the Oyster Management Rules for Delaware Bay.

Committee Reports –

- **Executive Committee Report**

Mr. Radossi read the Executive Committee Meeting report in Mr. Herb's absence (Handout #5). The NJ Marine Fisheries Council Executive Committee met on November 21, 2017 at the Nacote Creek Law Enforcement Building.

The meeting started with Acting Chairman Herb providing an update of a meeting he and Councilman Alexis has with Senator Van Drew regarding the new \$1.2 M state appropriation to Marine Fisheries Administration. Council members expressed concerns they have with MFA operations, and the lack of approval to use the newly appropriated funding. Senator Van Drew was very attentive and shared the Council's concerns, stating that he would contact the Governor's office to encourage approval of the MFA spending plan for the new funding.

The rest of the meeting was spent reviewing Council procedures and guidelines for committee advisor appointments and new applications for advisory positions. The following is a summary of major decisions made during the meeting.

The advisor list by species from July 2016 was considered the most accurate and up to date. No records could be found of when advisors were added to these committees, so July 2016 will be considered the start date for their 3 year term.

Any advisor who is issued a marine fisheries conviction of violation will be removed from their advisory position, and will be ineligible to serve as an advisor for five years from the date of the conviction of violation. New applicants who have received a violation in the last five years will be ineligible until five years from the date of the conviction of violation.

Following a three year term, advisors will need to reapply to remain an advisor. There will be no automatic renewal.

Geographic distribution of advisors for a given committee should be considered when evaluating applications.

VOTE TO APPROVE NEW GUIDELINES

Report stands as a motion and is seconded. Dr. Bochenek said that Convictions of Violations to Council members are missing from the meeting summary. Dr. Bochenek requests this be added into the meeting summary. Council members, Mr. Rush, Mr. Rizzo, and Mr. Zaborowski expressed concern with excluding advisors and applicants with convictions, and requested additional time to review the wording in the Executive Committee Report. All expressed possible wrong wording, missing information and convictions of violations too harsh.

Public comment Mr. Nowalsky asked what the process is for a closed session by Council. Mr. Hollinger said Council may have a closed Executive Committee Session to review and discuss the matters at hand, however a closed session cannot approve anything. All approvals of motions are always made at a Council meetings with public in attendance.

MOTION to table the Executive Committee report regarding Council procedures and guidelines for committee advisor appointments and new applications for advisory positions to allow for further review and discussion by Council and Executive Committee members. Motion made by Mr. Rizzo, seconded by Mr. Rush. Motion passes unanimously.

- **Commercial Black Sea Bass and Summer Flounder Committee Report**

Mr. Berg read the Commercial Black Sea Bass and Summer Flounder Committee Report (Handout #6).

- **Summer Flounder**

The purpose of this meeting was to review the 2017 commercial summer flounder fishery, and discuss trip limit modifications to the 2018 fishery.

NJDFW staff provided advisors with current 2017 summer flounder commercial fishery landings. Additionally, advisors were presented with the preliminary 2018 commercial summer flounder quota for NJ. The preliminary quota for NJ is 1,108,867 pounds, a 17.14% increase from the 2017 quota. This increase is a result of the ASMFC and MAFMC's decision to maintain their previously approved multi-year specification. Based upon this preliminary quota for the summer flounder commercial fishery, the Committee's preferred trip limits for the 2018 commercial fishing year are as follows: Season 1 (January – February): 750 pounds two times per 2-week period, or 1,500 pounds one time per 2-week period. Season 2 (March – April): 400 pounds two times a week, or 800 pounds one time a week. Season 3 (May-June): 250 pounds six times a week, or 500 pounds three

times a week. Season 4 (July – August): 250 pounds six times a week, or 500 pounds three times a week. Season 5 (September- October): 500 pounds two times a week, or 1,000 pounds one time a week. Season 6 (November-December): 500 pounds two times a week, or 1,000 pounds one time a week.

The committee recommends the commercial trip limits for the 2018 commercial summer flounder fishing year as provided in this report.

- **Black Sea Bass**

The purpose of this meeting was to review the 2017 commercial black sea bass fishery, and discuss trip limit modifications to the 2018 fishery.

NJDFW staff provided advisors with current 2017 black sea bass commercial fishery landings. Additionally, advisors were presented with the preliminary 2018 commercial black sea bass quota for NJ. The preliminary quota for NJ is 704,000 pounds, a 14.57% decrease from the 2017 quota. This quota was an expected decrease based upon the results of the ASMFC's 2016 black sea bass Benchmark Stock Assessment. Based upon this preliminary quota for the black sea bass commercial fishery, the Committee's preferred trip limits for the 2018 commercial fishing year are as follows: Season 1 (January-February): 500 pounds three times per two-week period, 750 pounds two times per two-week period, or 1,500 pounds one time per two-week period,

Season 2 (March – April): 500 pounds three times per two-week period, 750 pounds two times per two-week period, or 1,500 pounds one time per two-week period. Season 3 (May-June): 500 pounds four times a week, 1,000 pounds two times a week. Season 4 (July – August): 500 pounds four times a week, 1,000 pounds two times a week. Season 5 (September – October): 500 pounds four times a week, 1,000 pounds two times a week. Season 6 (November-December): 500 pounds four times a week, 1,000 pounds two times a week, or 2,000 pounds one time a week.

Advisors expressed their concerns on the timeliness of directed fishery closures because of late dealer's reports. The committee agreed that changing reporting requirements from weekly to daily reporting may alleviate some of the directed season overages that are deducted from the bycatch quotas.

The Committee recommends the commercial trip limits for the 2018 commercial black sea bass fishing year as provided in this report.

The Committee recommends that NJDFW staff explore the process necessary to require daily dealer reporting for black sea bass and summer flounder commercial fisheries.

Reports stands as motions and are seconded.

Summer Flounder:

- Discussion to amend motion for summer flounder to include options that support the hook and line fishery that was accidentally left out of committee report. No public comment.
- **MOTION to amend summer flounder to add in trip limit option of 250 pounds, 4 times a week for Season 5 (September-October). Motion made by Mr. Berg, seconded Mr. Hollinger.**
- Discussion and Public comment on amended motion, none. **Amended motion passes unanimously.**
- **MOTION The committee recommends the commercial trip limits for the 2018 commercial summer flounder fishing year as provided in the report and amended by the previous motion. Motion passes unanimously.**

Black Sea Bass:

- Council discussion and public comment, none.
- **MOTION The committee recommends the commercial trip limits for the 2018 commercial black sea bass fishing year as provided in this report, and explore the process necessary to require daily dealer reporting for black sea and summer flounder commercial fisheries. Motion passes unanimously.**

Recreational Black Sea Bass Committee Report

Mr. Radossi read the Recreational Black Sea Bass Committee Report in Mr. Herb's absence (Handout #7).

- A meeting of the NJ Marine Fisheries Council's Black Sea Bass Committee was held at the Nacote Creek Field Office on December 18, 2017 to discuss a possible option for New Jersey's 2018 recreational black sea bass fishery.

At their October 2017 meeting, the ASMFC black sea bass management board approved a motion to allow states the ability to participate in a wave 1 fishery to include February 1-February 28, with a 15 fish possession limit and a 12.5 inch size limit. States participating in the wave 1 fishery would be required to account for the projected wave 1 harvest during the remaining season of the same year and be required to account for any overage past the target allocation in following years.

The NJ Marine Fisheries Council's Black Sea Bass Committee discussed this option for NJ. Dialogue surrounding the debate included the desire and need to have more days open for a given year, the extremely high biomass of black sea bass, and the subsequent availability for anglers to harvest black sea bass during the February period. Due to the requirements of the Board motion, particularly the need to remove up to 4 days during the

rest of the season and the possibility of reducing further in following years for potential over harvest in February, the Committee unanimously opted not to participate in the wave 1 February fishery for 2018.

The Committee Report stands as a **MOTION** and is seconded.

Discussion on the motion: Council had discussion on the history and why they felt it was necessary to opt out of the wave 1 fishery for 2018. Council expressed concern over the potential to over harvest in 2018 with addition of February season, and the potential it would reduce further in the following years. Mr. Rush as well as public comment from Mr. Nowalsky both suggested that the Council should write a letter to ASMFC and NOAA explaining their disappointment in the data points particularly wave 5, and how they were much higher than anticipated.

MOTION Council to write a letter to ASMFC and MAMFC and GARFO thanking them for the hard work they do, but Council is disappointed and questions the accuracy of the data points especially in Wave 5. Council looks forward to a response and hearing how this can be addressed in the future. Motion made by Mr. Rush, seconded by Mr. Radossi. Motion passes unanimously.

Regulatory Actions – Mr. Brust

Presented Council with Draft Notice of Administrative Change, (DNOAC), regarding modifications of Commercial Cobia Possession Limit, Recreational Cobia Minimum Size and Possession Limit, and Commercial Black Sea Bass and Commercial Summer Flounder Trip Limits. (Handout #8).

- Council discussion thought it was best to eliminate all cobia at this time, until VA finalizes their recreational cobia fishery, thus not holding up the process to modify the black sea bass and summer trip limits.

MOTION Amend the DNOAC eliminating all cobia for now, until VA finalizes their cobia recreational fishery, and add the amended Commercial Summer Flounder trip limits for the hook and line fishery in wave 5. Motion made by Mr. Rush, seconded by Dr. Bochenek. Motion passes unanimously.

Old Business

- Committee Meetings:
 - Tautog, in the next week or two of January
 - Summer flounder and black sea bass after ASMFC February meeting
- Mr. Rush asked if Council was in agreement with the time change in Marine Fisheries Council meetings and setting future meetings to be held at 5 pm. Council members agreed.

New Business

Mr. Brust brought Council's attention to 2018 Marine Fisheries Council Meetings (Handout #9). Meetings will now be held at **5 pm** at the Atlantic County Library/Galloway Township, NJ unless otherwise noted.

Council expressed an interest in moving the March 8 meeting to later in March to allow for rulings from ASMFC and MAFMC. Mr. Brust agreed as long as a location can be found. Right now the location for March 8 meeting to be held at the Stafford Township Municipal Building* in Manahawkin, NJ.

Other Council Meeting Dates as follows: May 3, July 12, September 6, and November 8*

Public Comment – No Public Comment

Meeting adjourned. Next Meeting is scheduled for March 8, 2018, Stafford Municipal Building, Manahawkin, NJ. **NOTE: Council members asked for the meeting date to be pushed back later into the month, if a room can be obtained. Refer to the Departments website for confirmed meeting dates. Moving forward in 2018 the meeting times have been changed to start at 5:00 pm.**