



# Marine Resources Advisory Council

Marine Resources Advisory Council  
January 17, 2017

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Chairman Frisk began the meeting at 2:05 p.m. After introductions by the Councilors present as well as James Gilmore, Director of NYS's DEC Marine Bureau, Mr. Frisk then went over the day's agenda.

### Announcements

Mr. Gilmore announced the Mid-Atlantic Fisheries Management Council will be looking to fill seats on the Council. New York holds four seats; however, they will be looking to fill two of them that are coming up for reconsideration. If anyone is interested, please send Mr. Gilmore an email ([james.gilmore@dec.ny.gov](mailto:james.gilmore@dec.ny.gov)). For a complete list of necessary qualifications and/or requirements, please go to [MAMFC.org](http://MAMFC.org)'s webpage. A Councilor is expected to attend 6 meetings a year from North Carolina to New York. The DEC is expected to submit 6 qualified individuals as candidates.

### Public Comments

Captain Steve Paterson who is a 50 ton licensed Master boat captain is disgruntled with all the rules and regulations. He realizes that the service he, as well as all the other charter boat businesses, provide Long Island is vital for Long Island's economy. He is sick and tired of the lack of accurate science the fluke industry receives and to use that "science" for quota and catch limits is ridiculous. NOAA must be held accountable to provide accurate and true readings. The methods used are antiquated and completely out of date; they use a rock-hopper gear type that completely skims over the smaller fish on the bottom. This alone tells you that their data is inconclusive because they are not covering the entire biomass of fish. Because of the inaccuracies, he would like to see the fishery remain status quo for 2017, perhaps change the bag limit from 5 to 4 and let the size limit remain 18". The season should remain from May 17<sup>th</sup> – September 21<sup>st</sup>. He also wanted to make 2 proposals: (1) Open up a 20-day Blackfish season running from April 11<sup>th</sup> – April 30<sup>th</sup> and (2) Extend the winter flounder season from April 1<sup>st</sup> to December 1<sup>st</sup> – make it an 8-month season. These proposals will be very helpful to get everyone fishing again in the spring.

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Mr. Joseph McBride, the legislative representative for the Montauk Boatmen and Captains Association (MBCA) feels the same as Steve Paterson. His organization believes that in order to preserve jobs on Long Island, there needs to be a 3-year status quo concerning the fluke quota until a comprehensive study can take place in 2017. They also request the following:

Sean Barrett

Michael Craig

Robert Danielson

John Davi, Jr.

Melissa Dearborn

Paul Farnham

Thomas Jordan

Hank Lackner

Joseph Paradiso

John Renaldo

Christopher Squeri

Charles Witek

Steve Witthuhn

Dean Yaxa

Michael Frisk  
Chairman

Kim Knoll  
Staff Assistant

- Cancellation of the Marine Monuments Program in the NE Canyons as they are not needed for protection of the environment
- No catch share programs until further studies have been made
- Allow possession of Sea Bass and other regulated species to be carried through the Transit Zone when possessed legally
- Provide funding for surveys and observers by using portions of Saltonstall-Kennedy receipts and also Wallop- Breaux receipts
- Design more accurate lobster surveys in both state and Federal waters
- Levy a small fee on imported fish to fund surveys and observers
- Reintroduce the Transit Bill for 2017
- Restructure commercial Striped Bass size to 26-38 inches.

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 John Schoenig Conservation Chairman for the Imperial Sportsman and Suffolk Seniors Club reiterated the need to discuss blackfish issues. Although it was conversed at the previous meeting, he feels that was just a preliminary discussion and would like it brought up again. His club is in favor of having a spring season as well as no possession of live blackfish. They must be euthanized if brought onboard a vessel, especially no live blackfish. At the last meeting it was discussed about possibly giving up 1 day in October and receiving 20 days in April instead; he has since spoken to a number of recreational people as well as for-hire people and most folks really seemed to like that idea. Because of the long process, we need to begin now, today, not at a future meeting. We can't keep kicking the can down the road, time is of the essence.

Councilor Danielson wants to talk about this under "other business" to get this started today even though we do not have a quorum. Mr. Gilmore said this will need to go through the Technical Committee first, who must endorse it and then it needs to be approved by ASMFC, from there we can go into rule making. To shorten the time period a little, we could do emergency rule-making.

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 Mr. John Mihale stated that he received notification from NOAA (issued January 9<sup>th</sup>) that cod fish is closed commercially for vessels that have been issued a federal permit for northeast species. You cannot possess cod all along the east coast with the exception of 25 lbs in the Gulf of Maine. However, if someone with a foodfish license approached someone with their boat in the water they would be able to go commercial fishing in state waters within 3 miles and catch an unlimited number of cod fish. We need to find a way to stop this loophole. At the same time, the federal size limit for codfish is 19"; state size for codfish is 22", which creates its own set of problems. The simplest fix would be to find a way to have a limit in the state of NY for those that do not have a federal permit – 25 lbs and 22" - making an exception for someone who has a federal permit that they can abide by the federal permit. This would end this debate forever. Mr. Mihale would like to see this placed on a future agenda – hopefully April's.

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 Mr. James Schneider spoke regarding blackfish as having been a participant in the fishery for over 40 years. He stated that as far as the Northshore is concerned, there has never been a blackfish caught by hook and line before April 18<sup>th</sup> so an opening on April 11<sup>th</sup> is moot. You would catch the same number of blackfish if you sat in a parking lot with a hook and line. An opening date of April 20<sup>th</sup> would make more sense.

**Approval of November 15, 2016 Minutes**

This will be tabled until such time as we have a quorum.

### **Update on Black Sea Bass Management.**

John Maniscalco said there had been an assessment that went up for peer review and passed. Now the Science and Statistical Committee (SSC) will be reviewing the assessment and be setting the limits on January 25<sup>th</sup> – hopefully they will be adopted by the beginning of February. For the preliminary numbers you can go to the Mid-Atlantic Council website. Mr. Maniscalco anticipates the quota limit to go up but there really is no telling how the SSC will vote.

Bob Danielson wanted to know what limit has been proposed? Once again Mr. Maniscalco said that even though things are looking up, it's tricky because he isn't sure how the SSC will read the data. So do not count on the number going up and if it does, folks can be pleasantly surprised, do not have any expectations.

Councilor Jordan questioned what is the difference in the total population number from the prior assessment? Mr. Maniscalco said therein lies the problem because there isn't a prior assessment. In 2009 the assessment was never accepted.

Councilor Jordan questioned if anyone has made the point to the Technical Committee that because they were managing a fishery that was actually much larger than they were treating it, the expected result was that by-catch was unnecessarily treated as by-catch. That point needs to be made so we get the most recovery we can get with the new assessment.

Mr. Heins answered by saying he believes the reason they bumped up the estimate on the discard mortality is they finally realized the rate was much higher than they had anticipated. The problems we are seeing now are because they were unnecessarily restrictive.

Mr. Neal Delanoy said that discard varies greatly when you consider the different times of the year. In November and December there is very high discard due to bio-trauma. If every sea bass you threw back were going to die, what would be the point of throwing them back? Regulations should take that into account; the most important thing is to reduce waste – if we do that, we all benefit.

Mr. Gilmore reminded everyone that nothing has been decided yet. They are hoping for liberalization but in what amount, they are not sure and they don't want to get folks expectations up.

### **Update on Summer Flounder Management**

Mr. Gilmore began by saying there was an assessment completed in 2016 which shows a recruitment issue therefore a 30% reduction was recommended. In addition, MRIP data indicated over-harvesting so there were additional cuts. Because we had successfully implemented regional management 3 years ago, which is set to expire this year, the DEC has submitted an Addendum to continue regional management. The Addendum originally had 4 options of varying degrees of sharing the reductions; however, some of them simply would not work for NY. Mr. Maniscalco and Mr. Heins came up with a 5<sup>th</sup> option that provided more of a limited reduction instead of 30-40% from one state. Going with Option 5 would keep things pretty much status quo. Each state would have to go up one inch in size and drop their bag limit but at least it would be across the board.

## Alternative Approaches- Option 1

| STATE    | 2016 Projected Harvest | 2017 Harvest Target | Reduction (in Bold) | Example Size Limit | Example Possession Limit | Example Season (# of days) |
|----------|------------------------|---------------------|---------------------|--------------------|--------------------------|----------------------------|
| MA       | 56,642                 | 56,642              | 0%                  | 16"                | 5 fish                   | 125                        |
| RI       | 92,821                 | 83,985              | <b>-10%</b>         | 18"                | 4 fish                   | 118                        |
| CT       | 1,741,237              | 889,949             | <b>-49%</b>         | 18"                | 2 fish                   | 59                         |
| NY<br>NJ |                        |                     |                     |                    |                          |                            |
| DE       | 191,636                | 191,636             | 0%                  | 16"                | 4 fish                   | 365                        |
| MD<br>VA |                        |                     |                     |                    |                          |                            |
| NC       | 17,074                 | 17,074              | 0%                  | 15"                | 6 fish                   | 365                        |

## Alternative Approaches- Option 2

| STATE    | 2016 Projected Harvest | 2017 Harvest Target | Reduction (in Bold) | Example Size Limit | Example Possession Limit | Example Season (# of days) |
|----------|------------------------|---------------------|---------------------|--------------------|--------------------------|----------------------------|
| MA       | 56,642                 | 39,083              | <b>-31%</b>         | 17"                | 5 fish                   | 125                        |
| RI       | 92,821                 | 63,118              | <b>-34%</b>         | 19"                | 8 fish                   | 184                        |
| CT       | 1,741,237              | 976,284             | <b>-44%</b>         | 19"                | 3 fish                   | 96                         |
| NY<br>NJ |                        |                     |                     |                    |                          |                            |
| DE       | 191,636                | 140,087             | <b>-27%</b>         | 17"                | 4 fish                   | 365                        |
| MD<br>VA |                        |                     |                     |                    |                          |                            |
| NC       | 17,074                 | 12,427              | <b>-26%</b>         | 16"                | 6 fish                   | 365                        |

## Alternative Approaches- Option 3

| STATE    | 2016 Projected Harvest | 2017 Harvest Target | Reduction (in Bold) | Example Size Limit | Example Possession Limit | Example Season (# of days) |
|----------|------------------------|---------------------|---------------------|--------------------|--------------------------|----------------------------|
| MA       | 56,642                 | 39,649              | <b>-30%</b>         | 17"                | 5 fish                   | 134                        |
| RI       | 92,821                 | 53,348              | <b>-42%</b>         | 18"                | 4 fish                   | 88                         |
| CT       | 1,741,237              | 995,358             | <b>-43%</b>         | 19"                | 3 fish                   | 99                         |
| NY<br>NJ |                        |                     |                     |                    |                          |                            |
| DE       | 191,636                | 131,655             | <b>-31%</b>         | 17"                | 3 fish                   | 365                        |
| MD<br>VA |                        |                     |                     |                    |                          |                            |
| NC       | 17,074                 | 11,952              | <b>-30%</b>         | 16                 | 5 fish                   | 350                        |

## Alternative Approaches- Option 4

| STATE    | 2016 Projected Harvest | 2017 Harvest Target | Reduction (in Bold) | Example Size Limit | Example Possession Limit | Example Season (# of days) |
|----------|------------------------|---------------------|---------------------|--------------------|--------------------------|----------------------------|
| MA       | 56,642                 | 44,684              | <b>-30%</b>         | 17"                | 5 fish                   | 134                        |
| RI       | 92,821                 | 53,348              | <b>-42%</b>         | 19"                | 4 fish                   | 117                        |
| CT       | 1,741,237              | 987,491             | <b>-43%</b>         | 19"                | 3 fish                   | 99                         |
| NY<br>NJ |                        |                     |                     |                    |                          |                            |
| DE       | 191,636                | 131,655             | <b>-31%</b>         | 17"                | 3 fish                   | 365                        |
| MD<br>VA |                        |                     |                     |                    |                          |                            |
| NC       | 17,074                 | 11,952              | <b>-30%</b>         | 16"                | 6 fish                   | 350                        |

## Alternative Approaches- Option 5

| STATE                    | 2016 Projected Harvest | Example Size Limit | Example Possession Limit | Example Season (# of days) |
|--------------------------|------------------------|--------------------|--------------------------|----------------------------|
| MA                       | 56,642                 | 17"                | 4 fish                   | 125                        |
| RI                       | 92,821                 | 19"                | 4 fish                   | 245                        |
| CT<br>NY                 | 950,178                | 19"                | 3 fish                   | 128                        |
| NJ*                      | 782,142                | 19"                | 3 fish                   | 128                        |
| NJ/ DEL BAY<br>COLREGS** | 8,916                  | 18"                | 3 fish                   |                            |
| DE<br>MD<br>VA           | 191,636                | 17"                | 4 fish                   | 365                        |
| NC                       | 17,074                 | 15"                | 4 fish                   | 365                        |

Mr. Maniscalco reiterated that Option 5 is most similar to what we have this year. Mr. Maniscalco and Mr. Heins thought this option would be most consistent for statewide measures. No state would have a possession limit of more than 3 or 4 fish and every region goes up 1" in size. The only drawback with this option is that it will not meet the full 41% reduction called for.

Mr. Gilmore added that they will essentially be challenging MRIP data because the harvest estimates have been pretty consistent whereas MRIP data has been all over the place and are not believed to be correct. Councilor Danielson wanted to know if there's been any feedback about going with Option 5 – has anyone heard if people are in favor of it? Mr. Maniscalco said on the technical level, the committee is as tired of the process as New York is. The Technical Committee will be meeting in the beginning of February and since Mr. Maniscalco is on the committee, he will do his best to try and promote Option 5, he is optimistic that the committee will judge the options on their merits and will see the benefit to Option 5.

Mr. Heins thinks many want option 5 to succeed; however, the key is to get the Technical Committee's support.

Mr. Danielson would like the Councilors to be notified once a decision has been made.

Councilor Paradiso sees all the options as a band aid. He feels the real problem comes at a Federal level - using data from trawl surveys to create management models is completely wrong. Trawl surveys should be replaced with a chain sweep method that precisely target blackfish in order to receive the most accurate information. He believes option 5 is the only one we can live with. Councilor Squeri said we are still basing things on 18 year old statistics. Whether people want to believe in the science or not - science is science as math is math. If you put bad numbers in, you're going to get bad numbers out which is exactly what is happening. We find ourselves in the same spot every year and it's not like the fish aren't there – the fish are being caught. We need to expedite collecting our own data. We don't have control and we need to take it back. Mr. Gilmore agreed, he said we need to fix the allocation before we can fix anything else.

Mr. Danielson questioned using rockhopper gear. What other surveys are being done using this type of gear and how do they affect the overall stock assessment both on a yearly and benchmark assessment process.

Mr. Maniscalco said rockhopper gear is not the optimal choice for catching summer flounder. That's not to say it doesn't catch some flounder but it's not the best choice. There are about 13 or 14 entities that feed into the

assessment and no matter what the gear, they are all saying the same thing – the stock is declining. He doesn't think staying status quo will put us where we need to be in a few years.

Dr. Frisk said the assessment uses a variety of gear; however, the most important aspect for a scientist is consistency – using the same gear and same format when collecting the data time and time again. What should be noted is the distributional shift of Summer Flounder, they appear to have shifted northward. The science for this particular species is viewed as good, people may disagree with the numbers but he believes that many in the fishing community see similar trends. He is frustrated with allocation process; they're basing New York's allocation based on outdated numbers. Mr. Squeri said trust in the system get stymied because what people personally experience are not being truly reflected and he gave the example of a few years back when you had rain for 22/23 out of 30 days yet New York was said to have over-fished. When the numbers do not reflect what is out there the system loses its credibility. As a councilor he second guesses everything he hears at this table because certain things do not make sense. Mr. Paradiso wanted to know how they can trust the science when every year they are expected to cut back yet it's never enough. Ten years ago we were told to take a cut and we'd have more fluke than we would know what to do with – what happened to that scenario? How can we have faith in the science when it's clearly not working – we're going to be regulated right out of the fishery.

Mr. Danielson said one thing everyone can agree with is that MRIP is faulty. Harvest numbers do not match up. I understand this is a Federal problem but we need to fix this before everyone is out of business.

Mr. Witek said the quality of the data for MRIP has improved, we must remember it's an evolving process. The National Academy of Science stated just last week that substantial progress has been made as far as MRIP data is concerned. A large part of the problem is that we use MRIP wrong. It's meant to be used on a coastwide basis. When you begin to break it down by state you lose accuracy and when you break it down by state + wave, you lose even more. When you break it down by state+wave+sector, it's pretty much morass. Beyond that, we have the new effort survey coming through. This new survey will show more recreational effort. This will be more counterintuitive because it will show the stock is healthier than believed because it's surviving with all the additional fish being taken. It will also turn the recreational/commercial allocation on its head because the recs are taking more than we thought but it certainly will justify looking at allocations all over again. There are many reasons we are in a state of flux but we have systemic change coming.

Councilor Dearborn appreciates how Mr. Maniscalco and Mr. Heins are thinking outside the box to come up with another option and she thought for all their effort she wants to support Option 5; however, after really thinking about it, she has a problem accepting "reasonable access". She still feels that there is something else that can work for NY.

Mr. Paradiso said he (and others) cannot run their business on the hopes of an evolving process – they are being regulated right out of the fishery. We need to see change NOW!

Mr. Marc Hoffman said the spawning stock biomass actually went up in 2011, 2012, 2013, 2014, in 2015, there was a drop off in catch and spawning stock biomass in 2016 the estimated catches are back up. He wonders where the spawning stock biomass is currently? He continued - according to Rob O' Riley, the low numbers from 2015 are what has instigated this large cut. We cannot manage a fishery based on a one-time aberration.

Mr. Delanoy said we need to keep in mind that what happens in one fishery has a direct impact on another. Case in point, last year the sea bass fishery did not open until the end of June so all the effort went to fluke. Hopefully, with the sea bass regulations easing, some of the pressure that went to fluke will lessen.

Mr. McBride thought it would be prudent to write to Congressman Lee Zeldin, let him know your plight and try to get him in your corner. He has been sympathetic to the east end fishermen. Find out who your representative is and contact him/her.

Mr. Gilmore told everyone in attendance that if this is your industry, your business, there are 2 websites that you should make yourself familiar with – ASMFC.org and MAFMC.org. The websites contain calendars that not only list upcoming meetings but relays valuable information as well.

**Presentation by Greg Matzat and Greg Lampman from NYSERDA – New York State Offshore Wind Master Plan**

Mr. Lampman from the New York State Energy Research Development Authority explained that this is a non-regulatory state agency. Their job is to advance energy efficiency and renewable energy that helps the economy and protects the environment. The area Mr. Lampman works in is Environmental Research and they're responsible for collecting data and use science to inform policy. His group also focuses on renewable energy and its impact on the environment. One of their ambitions is to advance renewable energy goals that have the least impact on the people as well as the environment for New York.

Offshore wind is critical to meeting the goal outlined in the Governor's Clean Energy Standard to meet 50 percent of New York's electricity needs with renewable sources by 2030.

Creating power on the east end makes sense because most power for New York State is created in the North and the West and must travel across the state to reach us. Being able to co-locate energy production with energy load and not have to worry about transmission issues is really valuable. The resource is good, the load is good and unlike terrestrial wind, offshore wind blows during peak energy consumption. This will also help to create jobs. For a complete look at the blueprint, please go to: [www.nyserda.nu.gove/offshore](http://www.nyserda.nu.gove/offshore).

They will need to do site identification – they would like to know where the turbines would have the least amount of conflicts. Other areas to be worked out include leasing strategies as well as timing of the development. Although this will be taking place in Federal waters they are seeking input from stakeholders to find out a number of details in order to minimize impact on the fisheries. They will compile information they receive from fishermen (recreational and commercial), state and federal agencies, NGO's, environmentalists and coastal communities; this will be a collaboration with many different agencies.

This will encompass approximately 280 square nautical miles. They realize that certain fishing gear will not work within the wind farm vicinity but that is why they need feedback from the user groups. They want to work with people, not exclude them. They welcome data but they are interested in perceptual views as well.

This is not something that will be rushed into. They want this project to run as smoothly as possible so it will move forward in stages.

Mr. Matzat spoke next; he said the specific location is the most important factor right now. This wind farm will be using 8 megawatt turbines and the layout should be worked out that will have the least impact on user groups. They can be arranged in perfect rows or staggered – the physical layout will use approximately 80,000 acres which will bring in about 800 megawatts; however, the Governor's goal is 3 times that amount. They need another 237,000 acres. For visual and technical reasons they need to find additional sites that are more than 12-15 nautical miles offshore but in less than 200 feet of water. They desperately want to hear from user groups so they can find the places that will make the most people happy. This will be due by the end of the year, and they hope to work side by side with user groups, they consider themselves New York's advocates.

Councilor Danielson wanted to know the benefit to the taxpayer for having the windfarm in our waters. Will our bills be lower? Initially this will create jobs and hopefully consumer rates will go down eventually.

Councilor Jordan asked if there is a historical database for VMS information? This would be a great way of showing where effort actually is. Chairman Frisk said he would be happy to send him a link.



Mr. John German said he did not understand why this has been put on the agenda. This is a federal issue and should not be up for discussion at an MRAC meeting. The Council and Chairman disagreed, they thought this has a direct bearing on Long Island's fishermen and the fishing stocks.

Ms. Nancy Solomon, Director of Long Island Traditions said she was asked to speak for several fishermen who couldn't make it to the meeting. One is Bonnie Brady, who is the Director of Long Island Commercial Fishing Association, is completely against windmills. She feels the pile driving will kill anything that lives in the area where the construction takes place and it will disorient whales and other marine mammals who depend on hearing as their form of communication. The construction may destroy benthic habitat, kill larvae and young fish and create sedimentation. Could possibly displace and destroy fish migration because of the electromagnetic frequencies that are generated. May destroy much of the ocean environment and tax the entire fishery in the state. Could possibly hamper helicopter rescue missions, should they need to reach a boat in distress. She worries that this will delay maintenance and refurbishment of the power grids out east which is so desperately needed.

Mr. Dick Greycheck who is a retired commercial fisherman and used to fish on the Southshore of Long Island asked Ms. Solomon to bring up his concerns for the scallop industry and the squid spawning ground that may suffer as well.

A recreational fisherman in the audience said he had been asked to participate in a Deepwater meeting and he had been promised reports of previous studies performed regarding fish and as an avid duck hunter, he is interested in bird studies as well. To date, he has never received anything. Ms. Hice-Dunton said they would be happy to supply him those reports.

Many worry that everyone will say that people will be able to fish in and around the wind farm areas but once they're completed, things will change and they won't be allowed to fish – what guarantee do they have?

In closing, the representatives from NYSEDA said the most helpful thing for their group would be if they could have one representative from each of the fishing groups to meet with them to see what is the best way to move forward.

### Other Business

The Blackfish proposal that was brought up earlier in the meeting is now being revisited. Mr. Maniscalco reiterated, a day of fishing in October is equal to approximately 20 days in April and a day in Wave 6 (November/December) would be worth 6 days in April. Moving forward with this, the next step would be to get a written analysis that shows this to be true, and approval by the ASMFC Technical Committee. What worries him is this endeavor could possibly run into the month of May when the fish will be spawning, and it's important that they be protected. It had been mentioned that fishing in April might not be great but he really doesn't think we should be looking at May. Because we do not have a quorum today this cannot be voted on; however, Chairman Frisk wants to hear thoughts and comments from the Council. All comments will be forwarded to the DEC. Mr. Maniscalco said another concern is trying to get data for the month of May, he is going to have to go back a number of years and it really will be hard to come up with proper quota numbers.

Mr. Danielson questioned when is the timing of peak spawning? He doesn't want to interfere with spawning but thought perhaps to just include at least the first weekend in May.

Mr. Witek questioned the new schedule for the ASMFC amendment for tautog? Mr. Gilmore said nothing will be finalized until 2018. Mr. Witek said it needs to be realized that when you speak of spawning fish, you also must take into account when they aggregate on the spawning areas – they will be more vulnerable for harvest in those areas and whether you kill them when they spawn or 3 weeks earlier, they still will not be spawning. Councilor Paradiso said water temperature will also play a role. We should look at days from April 20<sup>th</sup> to possibly Mother's Day as the 20 days. How would this particular scenario affect the 1:20 ratio if we do consider going into May? Mr. Maniscalco repeated that because he will not have the data to work with, he really

couldn't say. Mr. Paradiso thinks we need to come up with hard numbers to submit and Mr. Danielson wonders if we use Connecticut's data?

Councilor Dearborn cautioned that if we do need to close two days, this year it won't be a problem; however, in 2018 it will have the opening on Sunday of Columbus Day weekend. To her, this would be like losing an entire weekend.

Mr. Jordan back in the 80's and early 90's Mother's Day was the height of fishing so if Mother's Day falls in the middle of the month, how much fishing can you hope to do in the spring if you don't want to get into the spawning season.

Mr. Danielson said he would be interested to see how the numbers work out – what will be the possible impact on both the spring and fall season.

Mr. Witek said we will be getting new regulations in a year or two and right now blackfish are considered overfished. Constantly changing regulations is not the right way to go.

Ms. Dearborn said, if one day gave you 20 days and if April and May are considered equal what about going with Tuesday, April 18<sup>th</sup> – Sunday May 7<sup>th</sup> for 1 or 2 days in October.

Mr. Danielson said that would be for this year but when the 2018 regs come out, this will be revisited.

| This was thought by most of the Council to be a good compromise.

Mr. Neal Delanoy, speaking on behalf of the Captree Boatman's Association, said the worst thing you can do is have a mid-season closure. If you're going to have a spring season, it should end on May 16<sup>th</sup> because the fluke season opens on the 18<sup>th</sup>. Change the bag limit from 5 to 2, just don't close the season.

Mr. Mihale said it's a noble effort to prevent you from catching fish before they spawn but you have to remember they can't take a fish that is less than 16" and in the ASMFC Management Plan, it states that a 13" fish is the optimum spawning size. So, what needs to be realized is these fish are sexual mature when they are 3 years of age and approximately 10". They do not reach 14" until they are about 7 years of age. These fish cannot be removed until they are 16" so those fish will have multiple opportunities to spawn. He is in favor of a spring season.

Ms. Dearborn considered what Mr. Delanoy said and agrees with dropping the bag limit to 2 fish if it will get the spring season open. She feels that since there might not be much confidence in the data, this might bring more comfort.

Mr. Maniscalco said that going down to 2 fish will certainly be more conservative.

Mr. Schoenig said he will rely on the experts to know the best day to begin and the bag limit size too. He feels the most important point is for this to be approved quickly before the fishing season is upon us. Let's get our spring blackfish season back again.

Mr. James Schneider says the earliest he has ever caught a blackfish is April 18<sup>th</sup> because the fish are coming out of dormancy. He would be happy with April 18<sup>th</sup> – May 7<sup>th</sup>.

Mr. Richard Jensen would also go with April 18<sup>th</sup> – May 7<sup>th</sup>.

Mr. Paradiso would like the DEC to go to the ASMFC and ask for a season April 18<sup>th</sup> – May 7<sup>th</sup> with a bag limit of 2 fish so we only have to give 1 up to 2 days in October. Mr. Witthuhn would like to have the opening until May 16<sup>th</sup>.

The most important point is not to lose more than 2 days in the fall. However, the spring season dates and bag limits need to be worked out, it's okay – everyone just wants to be able to fish in the spring.

Mr. Witek wants to put this on hold until the regulations come out from the ASMFC for the 2018 season.

Mr. Jordan does not agree with that. He does not want to see people lose 20 days in the spring. Even if next year looks bleak, at least we got 20 days this year. No one knows what the future will hold.

If everyone agrees to accept the risk, then let's move forward with a spring season.

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March's Council meeting will now be taking place on March 21<sup>st</sup> instead of the 14<sup>th</sup>. It will be at 2:00 p.m. at the DEC Offices.  
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#### MRAC Calendar Dates for 2017

January 17<sup>th</sup>  
March 21<sup>st</sup>  
April 18<sup>th</sup> – (legislative meeting)  
May 16<sup>th</sup>  
July 18<sup>th</sup> – 6:00 p.m. \*\*  
Sept. 12<sup>th</sup>  
Nov 14<sup>th</sup>

All meetings will take place at 2:00 p.m. at the DEC Offices – 205 Belle Mead Road, East Setauket unless otherwise noted.\*\*

For agenda items and any pertinent graphs, charts or data, please check the Council's web page prior to a meeting. <http://you.stonybrook.edu/mrac/meetings/>

For further information about the Marine Resources Advisory Council or items covered in this bulletin, to make arrangements for addressing the Council on an agenda item or submitting written comments on an agenda item, or to suggest an agenda item, contact: Chairman, Michael Frisk, Marine Resources Advisory Council ([michael.frisk@stonybrook.edu](mailto:michael.frisk@stonybrook.edu)); phone 631/632-8656; Staff Assistant, [kim.knoll@stonybrook.edu](mailto:kim.knoll@stonybrook.edu)