

April 4, 2018

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Mr. Mike Luisi, Chairman

Mid-Atlantic Fisheries Management Council

Mr. Anthony DeLernia, Commissioner for NY

Mid-Atlantic Fisheries Management Council

Jeffery Brust, Commissioner for NJ

Mid-Atlantic Fisheries Management Council

Dr. Chris Moore, Executive Director

Mid-Atlantic Fisheries Management Council

Jason T. Didden, Fisheries Management Specialist

Mid-Atlantic Fisheries Management Council

RE: Blueline Tile Fishery Amendment 6 Final Rule

Dear Gentlemen:

The National Marine Fisheries Service issued their final rule for blueline tilefish on 11/15/17, and fully approved everything that the MAFMC recommended, included splitting the recreational sector.

Congratulations on the Council's achievement to establish a new fishery given little historical data. This was an important effort for the conservation and management of a new species for the Council, and demonstrates the Council's ability to do this for other species as well.

Perhaps the biggest single Council action to protect blueline tilefish was the establishment of seasonal closures during the late fall and winter. However, golden tilefish do not have similar season closures, and I am concerned that there could be substantial blueline discards on golden tilefish trips outside of the blueline tilefish seasons.

As I have commented before, the splitting of the recreational sector and imposing a 3 fish limit on private boats while party boats get 7 fish is not an "equitable" reduction as claimed by NMFs in their formal response to the "numerous" public comments against this.

As a private boat owner and a volunteer participant in the blueline Delphi process, I believe that when the party boat interests saw my catch data, they lobbied the Council to split the sector and set an unreasonable trip limit of 3 fish to severely limit the access to private boats in an attempt to get more customers for their boats. So I freely contributed my data, and now I am being punished for it.

Another disappointment to date is the failure of NMFs to establish the separate tilefish permit as called for in Amendment 6. NMFs was able to quickly establish a new shark endorsement on their HMS permit for 2018, which required watching a video and taking a short test, with no additional cost to the applicant.

This same endorsement process could have also been used for tilefish in 2018 if the Council had decided to go with HMS instead of a separate non-HMS permit.

Almost all private boats that fish as far offshore as tilefish habitat also target tunas and sharks and must have HMS permits for that. If there had been a tilefish endorsement in place for 2018, the fleet of private boats that had intentions of targeting tilefish would have been quantified, and the names and addresses of all those private boat owners would be in a data base for catch and effort surveys.

Not counting the 3 fish bag limit, I support the 2018 staff recommended tilefish specifications for both species as reasonable approaches. This also includes the Tilefish Monitoring Committee's deliberation on the continued use of the recreational Delphi process as the best available for recreational catch estimates.

NOAA did execute the full and legal public comment process on Amendment 6, and I want to make sure you are aware of their response to comments, which I post below.

Again, I commend the Council's efforts to establish and work at protecting a new fishery given little historical data. Hopefully with the passage of time the split recreational sector specifications for blueline tilefish will eventually become truly equitable.

Respectfully,



Fred Akers, private recreational boat owner and tilefish fisherman from NJ

<https://www.federalregister.gov/documents/2017/11/15/2017-24710/fisheries-of-the-northeastern-united-states-amendment-6-to-the-tilefish-fishery-management-plan>

Comments

Numerous commenters expressed opposition to the proposed tiered recreational possession limits. A dozen commenters said the limits unfairly favored for-hire vessels. Ten commenters stated the three-fish per person limit for private vessels was unreasonably low. Twenty commenters generally opposed any differentiation between aspects of the recreational fishery. Six individuals stated the low limit would increase dead discards of blueline tilefish when anglers target co-occurring species such as golden tilefish or black sea bass. Twenty-five commenters expressed support for the seven-fish per person limit across the board that was in the Council's public hearing draft of the Amendment.

Response: The Council’s analysis indicated management measures needed to constrain recreational catch by 50 percent, relative to the 2014/2015 average, to stay below the ACL. A year round season and seven-fish per person possession limit would not have achieved this target.

The available VTR data indicate that per-person catch rates of blueline tilefish are lower on charter boats than party boats, and public comment indicated that the retention rate on private vessels is lower than on either type of for-hire vessel. **Based on this information, the Council devised a set of possession limits to reflect this pattern and spread the reduction across the recreational sector of the fishery equitably, such that each vessel group would be subject to the same relative restriction.** We recognize anglers may inadvertently exceed the blueline tilefish possession limit when targeting other species. We hope people will try to avoid this situation, and encourage them to visit our Web site

<https://www.greateratlantic.fisheries.noaa.gov/sustainable/recfishing/>

for information on best practices, including the use of descending devices to minimize barotrauma in released fish. If additional catch information becomes available that indicates a single possession limit is more equitable, *the Council may revise these measures through the specifications process if necessary.*