

BLUELINE TILEFISH RECREATIONAL MEASURES FRAMEWORK ADJUSTMENT

Discussion Document and Background

October 2016

**Mid-Atlantic Fishery Management Council
in cooperation with
the National Marine Fisheries Service (NMFS)**

Council Address

Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201
Dover, DE 19901

NMFS Address

NMFS Northeast Regional Office
55 Great Republic Drive
Gloucester, MA 01930

First Framework Meeting: October 5, 2016

Second Framework Meeting: February 2017

**Final approved by National Oceanic and Atmospheric Administration
(NOAA): ???**



Purpose of October 2016 Meeting: Review goals and alternatives.

Framework Goal

The goal of this framework is to consider alternative recreational blueline tilefish seasons and trip limits to best meet the needs of the fishery given the constraining Annual Catch Limit (ACL).

Timeline

Oct 2016: Framework Meeting 1 - The Council initiates the framework if desired and directs staff regarding alternative development and analysis.

February 2017: The Council approves alternatives at Framework Meeting 2 to recommend to NMFS.

March 2017: Council staff submits Environmental Assessment

April 2017: Review of Environmental Assessment, document perfection.

May 2017: Proposed Rule publishes

June/July 2017: Final Rule publishes/becomes effective

Relevant Motion From June 2016 Meeting

I move that we initiate a framework to consider recreational blueline tilefish specifications.

Nowalsky/Kaelin (17/1/1) Motion carries

Recreational Measures Set at April 2016 Meeting

For the recreational fishery, the Council recommended an open season from May 1 to October 31. Recreational bag limits would be set at 7 fish per person for inspected for-hire vessels, 5 fish per person for uninspected for-hire vessels, and 3 fish per person for private vessels. In addition, the Council recommended mandatory permitting and reporting of golden and blueline tilefish for both for-hire and private recreational fishing in order to develop better information on recreational tilefish landings in the Mid-Atlantic.

The Council set these measures to restrain the recreational fishery within its allocation of a very limited ACL (63,533 pounds) while acknowledging the dependence of several inspected for-hire vessels that have a relatively high degree of dependence on blueline tilefish. The low ACL, which is equal to the binding Acceptable Biological Catch (ABC)

provided by the Council’s Scientific and Statistical Committee (SSC), provided relatively few options for the Council in terms of viable recreational seasons and bag limits.

Council staff is finalizing the Environmental Assessment that will accompany the implementation of recreational measures for blueline tilefish in the Amendment adopted earlier this year. The range of measures considered in that document are:

Table 1. Recreational Alternatives in Blueline Tilefish Environmental Assessment.

12a - 7 fish per person - emergency action
12b - 5 fish per person
12c - 9 fish per person
12d - 3 extra fish per person for trips greater than 36 hours
12e - Differential 7-5-3 Limit and May-Oct season (preferred)

The differential limit in 12e is the 7-5-3 limit discussed above and selected by the Council. Additional options that have been suggested by constituents after the April 2016 meeting and/or around the June 2016 meeting include (full comments are at the end of this document):

- Uniform trip limits of 3-7 fish per person;
- Longer seasons with lower bag/possession limits;
- Allow party boats to declare their season; May 1 -Oct 31 or Oct 1-March 30,
- Use history to allow each for-hire vessel to fish a certain amount of trips per year or days at sea;
- Allow an additional 3 fish per person for trips lasting over 30 hours, especially if the bag limit is reduced to below 7 fish;
- Group the season with the black sea bass season, i.e. being open May 15 through September 21 and October 22 through December 31.
- Keep waves 1 and 2 closed and close wave 5 but open wave 6 while keeping the bag limit at 7 fish for for-hire inspected vessels.
- Keep uninspected for-hire vessel and inspected for-hire vessel bag limit the same and consider a more moderate approach to the proposed bag limit for recreationally permitted vessels.

If the Council decides to proceed with a framework at this time, given the limited time to analyze options, staff suggests that 3 relatively simple options be selected for additional analysis. For example, the following set of alternatives could be analyzed by February to determine their feasibility and relative impacts:

1. Amendment Preferred: differential 7-5-3 bag limits and May-Oct Season
2. Align blueline tilefish season with black sea bass season (modify differential bag limits if necessary)
3. May-December open season with reduced 3-5 fish uniform bag limit

Fishery Background Information

Due to the limited extent of the recreational blueline tilefish fishery, data are almost totally absent from MRIP, and it is believed that considerable underreporting has occurred in for-hire vessel trip reports (VTRs). To address this, the Council held a facilitated workshop with individuals knowledgeable about the recreational blueline tilefish fishery to develop recreational blueline tilefish catch estimates through an iterative Delphi technique approach. The report from this workshop is available at <http://www.mafmc.org/ssc-meetings/2016/march-15-16>, and it was used to develop the time series analyzed in the blueline tilefish amendment.

Although blueline tilefish catches are very rare in NMFS' recreational survey data, Northeast vessel trip reports (VTRs) for party/charter vessels indicate an increase from an average of about 2,400 fish per year (2002-2011) to between 10,000-16,000 fish per year in 2012-2014. Several for-hire vessels have focused some effort on blueline tilefish in recent years, as evidenced by multiple recent trips landing 10 or more blueline tilefish per person (the highest fish per person averages were from 2014 trips in New Jersey). During this period, there was no permit required for blueline tilefish. Anyone with any Federal party-charter permit should have been reporting all of their catch, including blueline tilefish, and it is likely that most party-charter vessels that fish for blueline tilefish would have other Federal permits (e.g. black sea bass). However, comments during scoping and at Council meetings have revealed that this requirement is neither universally understood nor complied with, so it is likely that the party-charter VTR records are a subset of the total for-hire catch. Nevertheless, the VTR catch information does provide some recreational catch information. As with commercial activity, 2014 appeared to be an above average year for party-charter blueline tilefish activity, and Table 4 demonstrates that blueline tilefish catch report occurrences across the party-charter fleet appear to be on the increase in terms of numbers of vessels with some blueline tilefish catch, though changes in reporting compliance could account for part of any changes. It also appears that outside of 2014, the emergency regulation of 7 blueline tilefish per person should affect only a small portion of trips based on recent activity (Tables 2 and 3).

Table 2. Average Blueline Tilefish Kept per Angler on 2009-2013 Party-Charter Trips*

Trip Size	# Trips	avg # trips/year
≤ 5 fish	386	77
6-7 fish	72	14
8-9 fish	17	3
more than 9 fish	22	4

***Trips Reporting at Least 1 Blueline Tilefish**

Table 3. Average Blueline Tilefish Kept per Angler on 2014 Party-Charter Trips*

Trip Size	# Trips
≤ 5 fish	84
6-7 fish	29
8-9 fish	5
more than 9 fish	23

***Trips Reporting at Least 1 Blueline Tilefish**

Table 4. Numbers of party/charter vessels reporting at least one blueline tilefish 2002-2014.

YEAR	vessels
2002	2
2003	3
2004	1
2005	4
2006	3
2007	17
2008	14
2009	15
2010	16
2011	20
2012	15
2013	22
2014	25

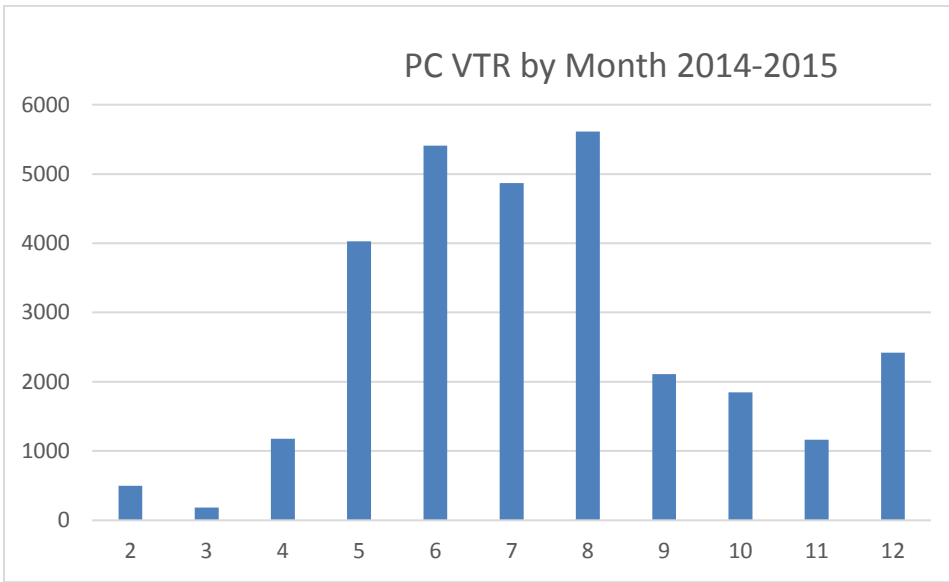


Figure 1. 2014-2015 Party-Charter Bluefish Landings by Month.

THIS PAGE IS THE FINAL PAGE OF THIS DOCUMENT - PUBLIC COMMENTS BY CONSTITUENTS AFTER THE APRIL 2016 MEETING AND/OR AROUND THE JUNE 2016 MEETING FOLLOW.

May 10, 2016

Fred Akers
P.O. Box 395
Newtonville, NJ 08346

Mr. Richard B. Robbins, Chairman
Mid-Atlantic Fisheries Management Council
Sent by email to: richardbrobins@gmail.com

RE: MAFMC Blueline Tilefish Management Amendment Complaint

Dear Chairman Robbins:

Please consider this letter a formal complaint regarding the arbitrary and capricious decision made by the MAFMC under the Blueline Tilefish Amendment to split the recreational fishery into 3 sectors and cut private boat owners access to the fishery by 43% from 7 fish per day to 3 fish per day, while cutting the Party inspected for-hire vessel access to the fishery by 0%, keeping it at 7 fish per day for every angler on their boats.

In addition to the 43% reduction in the daily bag limit for private boat owners to 3 fish, this unfair and discriminatory action will also tend to reduce overall effort by private boat owners as well. During the scoping for this amendment, some party boat owners complained that bag limits less than 7 fish would cause many of their clients to not take trips for blueline tilefish due to the relatively high costs associated with the extended run offshore required for blueline tilefish in their region (PID page 68). 3 fish is a lot lower than 7 fish, so the 3 fish bag limit will significantly reduce private recreational boat effort on a trip basis as well as on a daily basis because of the costs incurred getting out to the tilefish grounds for only 3 fish.

Splitting the blueline tilefish recreational fishery into 3 sectors and unfairly distributing the allocation through different bag limits is arbitrary and capricious because this alternative was not considered, mentioned, discussed or otherwise presented during the entire amendment development process. Furthermore, splitting the recreational fishery into multiple sectors with separate and different management measures is not a customary practice by the MAFMC.

I attended almost every Committee, Council, and Advisory Panel meeting, studied the scoping documents, studied the Public Information Documents, and made written comments on the alternatives communicated to the public under **Alternative Set 12: Recreational bag/possession limits**, and a 7-5-3 recreational split sector bag limit was not proposed until after the public comment period had closed.

Furthermore, if the Council wants to start splitting the recreational sector for FMP species management, then it is very unfair to deny one of the sectors, in this case the private recreational boat owners, a seat on the Advisory Panel to represent that specific interest. I attended the 2/16/16 and 4/5/16 Tilefish AP meetings as an observer, and I observed that private recreational boat owners were targeted by the commercial and for hire AP interests as a big competitive problem for them in the tile

fish fishery, which seems to have ultimately resulted in their lobby to the MAFMC staff for this split sector punishment with a 3 fish bag limit for private recreational boat owners recommended in the 11th hour of the process by Council Staff.

As a private recreational boat owner who targets tilefish, I reported my legal catches of blueline tile for 2015 to the Council, and I was subsequently invited to participate in the Delphi Survey Process to help estimate recreational catch in the Mid-Atlantic Region, which I gladly volunteered to do. However, it now looks like my reward for participating in the Delphi Process and reporting my blueline catch for 2015 as a private recreational boat owner was to be targeted by the Party boat owners and the commercial interests on the tilefish AP as a threat to those special interests and to be punished by a last minute staff recommendation to restrict my access and fair share of a Public Trust Resource, blueline tilefish, and to arbitrarily favor the for hire recreational fishing interests by giving them higher bag limits than private recreational boat owners, like me.

One important management consideration that was excluded in this amendment was the regional economic value of the private recreational boat owners. If you are going to split the recreational sector and designate disproportionate catch limits, you should identify the economic value of each separate sector to inform your decisions based on the economic value of each one.

Private recreational boat owners who fish for tile fish invest hundreds of thousands of dollars in boats, tackle, bait, and fuel to fish for tile fish, and perhaps the cumulative economic value generated by private recreational boat owners to the Mid-Atlantic Region is greater than that of the few for hire boats that fish for blueline tile each year.

I am a public volunteer and interested party who currently serves on the Ecosystem and Ocean Planning Advisory Panel, the River Herring and Shad Advisory Panel, a past volunteer on the Bluefish Advisory Panel, and a general public participant who regularly attends Council meetings and participates with public comments.

Overall I am a very strong supporter of the outstanding, progressive, fair, and inclusive work that the MAFMC has done and continues to do to sustainably manage the fisheries under its jurisdiction, but the Council's recent arbitrary and capricious decision to split the recreational blueline tilefish catch with a 7/5/3 bag limit is a substantial disappointment, and seriously out of character.

I sincerely appreciate your leadership as the Chair of the MAFMC, and I appreciate the opportunity to log this complaint to you. Since the MAFMC has made its formal decision to recommend the 7/5/3 split sector recreational blueline tile fish bag limit to the National Marine Fisheries Service for adoption and implementation, I will provide NMFS with this letter and further comments to NMFS to stop the MAFMC's arbitrary and capricious decision on this fisheries management issue for blueline tilefish.

Respectfully,



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

From: [Avery, Mike](#)
To: [Robins, Rick](#)
Cc: ["O'Leary, Tom"](#); [O'Leary, Joan](#); [DiDomenico, Gregory](#); [Blount, Frank](#); [O'Reilly, Robert](#); [Staff-MAF](#); [Saunders, Jan](#); [Bullard, John](#); [Pentony, Mike](#); ["Stanley Gold"](#)
Subject: RE: FW: MAFMC April 2016 Council Motions
Date: Tuesday, May 03, 2016 6:59:59 PM

Rick,

Much appreciate the response. While I fully understand the response, I don't get any satisfaction from it.

The bag limits and seasons are probably the most important part in the development of an FMP and we feel very misrepresented by the process of zero public input on those key decisions. I still believe it's an overall bad policy to give advantages to certain types of boats no matter how well intentioned. The other issue that I hope was considered by the open/closed season is the continued mis-alignment of species that inhabit the same waters. BSB are often mixed in with bluelines. As it is now, many BSB probably die while BSB is closed from Jan-May while targeting bluelines. Now with bluelines closed 1 Nov-31 Dec while BSB is open, many bluelines will probably die while anglers target BSB in those 2 months. Additionally, with a limit of only 3 bluelines, I wonder how much additional culling will take place among recreational anglers. Now instead of boxing the first 7 bluelines and be done, I wonder how many 3 to 5 lb bluelines will get tossed back in search of the 3 bigger bluelines since that is all they can keep. Many will keep tossing back small bluelines in search of the 10-15 lbers. I'm sure you guys know that most of these fish in 300 plus feet of water will not survive the trip back down if released.

I know the MAFMC has already made the decision so I do desire to participate in the public comment period prior to being published in the federal registry. If anyone has the details on when this will be available it would be appreciated

r/ Mike Avery

From: Richard Robins [mailto:richardbrobins@gmail.com]
Sent: Tuesday, May 03, 2016 10:53 AM
To: Avery, Mike <mike@averys.net>
Cc: O'Leary, Tom <tom.oleary@mcgladrey.com>; Joan <joleary@nefmc.org>; Gregory <gregdi@voicenet.com>; Frank <francesflt@aol.com>; Rob O'Reilly (MRC) <rob.o'reilly@mrc.virginia.gov>; Staff-MAF <Staff-MAF@mafmc.org>; Saunders, Jan <jsaunders@mafmc.org>; JohnBullard - NOAA Federal <John.Bullard@noaa.gov>; Pentony, Mike <michael.pentony@noaa.gov>
Subject: Re: FW: MAFMC April 2016 Council Motions

Mike

Thanks for your earlier email regarding the Council's blueline tilefish amendment. The Council was faced with the impending expiration of existing, emergency measures that would leave the blueline tilefish fishery and resource at least partially exposed to the same type of

unregulated fishing effort that occurred in federal waters in the Mid-Atlantic in 2014. Consequently, we had to take final action at our April meeting in Montauk and we had to make difficult decisions on the technical measures (bag/season) that would achieve a reduction in recreational landings of approximately 50%, relative to the catch estimated in the 2014-2015 period.

We did not have the benefit of knowing the SSC's ABC recommendation when we conducted the public hearings, so the first opportunities we had to discuss the resulting impacts to the technical measures was during the committee meeting on the first day in Montauk, and again on Wednesday during full Council. The quota is extremely low relative to the current fishery, and the Agency indicated they did not expect to be able to implement in-season monitoring of the recreational catch in the first year (2017). Since we do not have an OFL for this stock, the accountability measure in the event of an overage in 2017 would include a payback, which is an outcome we wanted to avoid. Consequently, the Council recommended measures to constrain the recreational landings to the new quota for 2017, and to include measures that would reduce the risk of an overage and the associated negative consequences for the fishery. As constraining as the quota is, I would note that the Delphi workshop that you and others participated in was essential to establishing a characterization of the scale of the recreational fishery in 2015. Without the landings estimates produced by the Delphi workshop, the quota would have likely been a fraction of the ABC that was recommended by the SSC.

This is a starting point for federal management in the Mid-Atlantic, and one that I believe we can improve upon. The SSC highlighted several research priorities, and I anticipate that we will move forward with them as soon as possible. Specifically, they recommended improving the historical time series of the recreational landings, and conducting fisheries independent surveys of the blueline resource in the Mid. The recreational measures that you have expressed concerns about would take effect at the beginning of the 2017 season, on May 1. If the Council is able to develop new information that would be relevant to the specifications, the information can be sent to our SSC for review and, pending any change to the ABC by the SSC, the Council could update the specifications and technical measures to the fishery in the future. Additionally, the specifications will be subject to annual review by the SSC and the Council, which will provide further opportunities to review the tradeoffs associated with specific recreational measures.

If you have further comments specific to the proposed recreational management measures, I would encourage you to send written comments to the Agency when they publish the proposed rule in the Federal Register. Thanks again for your expressed concerns and continued participation in the process as this management plan moves forward.

Best regards,
Rick Robins

On Thu, Apr 21, 2016 at 11:40 AM, Richard Robins <richardbrobins@gmail.com> wrote:

Mike

Thanks for forwarding your concerns regarding the Council's final recommendations on the blueline tilefish amendment. I am in a New England Council meeting and will revert next week.

Best regards,
Rick Robins

On Wed, Apr 20, 2016 at 3:06 PM, Avery, Mike <mike@averys.net> wrote:

Dear MAFMC Council Members,

I am deeply troubled by the motions passed regarding Blueline Tilefish at the April council meeting. I have been involved with MAFMC regarding bluelines for almost a year now attending meetings, taking the time to respond to draft documents including the recent draft FMP. Even taking time off traveling significant distances to be involved. The motions passed, particularly 12a which establishes a bizarre, highly discriminatory, and unprecedented limits of 7 per head boat, 5 per charter boat, and 3 per rec anglers did not appear in any of the documents or discussions the entire year 9 month long process. I fail to see the logic in discriminating between an inspected vessel vs non inspected vessel as it show clear and unjustified favoritism towards head boat operators.

And to add insult to injury the open and closed seasons are not justified as there are so few boats that fish for tile in the winter months there would be very little savings yet punish the few boats that can get a little extra income in the winter as NOAA continues to keep BSB closed and very limited striper opportunities off Virginia results in an almost complete shutout of winter fishing opportunities.

I highly encourage the council to delay the press release and reconsider these motions. I intend to energize all the anglers and Captains that took the time to get involved in this process only to have the rug pulled out from under us at the last minute. I don't know if these actions were deliberately deceptive in nature or just the "good idea grenade" got tossed around at the last minute but inserting such measures without public input is not what is expected of our government officials.

Virginia Saltwater Sportfishing Association (VSSA)
email: ifishva@gmail.com phone: [757-329-5137](tel:757-329-5137)
ifishva.org
joinvssa.org
<https://www.facebook.com/groups/IfishVA/>

From: Avery, Mike [mailto:mike@averys.net]
Sent: Wednesday, April 20, 2016 1:35 PM
To: 'Didden, Jason' <jdidden@mafmc.org>
Subject: RE: MAFMC April 2016 Council Motions

I will be filing complaints with council leadership and HQ NOAA Fishery regarding the process used for the motions in 12a. Not very professional to staff a draft FMP then sneak in new rules the public had no ability to comment on. The 7/5/3 tile per person is bizzare, highly discriminatory, and unprecedented showing

favoritism to head boats for no justification. A paying customer should not be allowed to keep more fish just because the boat is inspected vs not inspected. And the open closed seasons are not justified giving no fishing options for winter fishing.

From: Didden, Jason [<mailto:jdidden@mafmc.org>]
Sent: Wednesday, April 20, 2016 11:40 AM
To: Avery, Mike <mike@averys.net>
Subject: FW: MAFMC April 2016 Council Motions

Motions are attached – a summary press release will be coming out soon...

Jason

From: Saunders, Jan
Sent: Tuesday, April 19, 2016 12:14 PM
To: O'Leary, Joan <joleary@nefmc.org>; DiDomenico, Gregory <gregdi@voicenet.com>; Blount, Frank <francesflt@aol.com>; Leo, Arnold G. <agleo@sover.net>; O'Reilly, Robert <rob.o'reilly@mrc.virginia.gov>; Staff-MAF <Staff-MAF@mafmc.org>
Subject: MAFMC April 2016 Council Motions

Please see attached.

M. Jan Saunders
Mid-Atlantic Fishery Management Council
800 N. State St., Suite 201
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[302-526-5251](tel:302-526-5251)
[302-674-5399](tel:302-674-5399) – fax
jan.saunders@noaa.gov
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From: jjcboats1976@comcast.net
To: [Moore, Christopher](#)
Cc: [Didden, Jason](#); [HD](#); [Feller, Skip](#)
Subject: blueline tile
Date: Saturday, April 30, 2016 7:35:06 AM

Chris thanks in advance for taking the time to read this email. I just received a copy of the proposed blue line tile fish proposal. This new proposal is extremely harmful to two of the three people that provided VTR on tile in the mid Atlantic. Skip Feller and myself catch the bulk of our fish from Nov through April given that the sea bass have been shut down in the winter the only thing we have to fish for are golden tile and blue line tile. We try to target sea bass and golden tile because they create the most interest but the blue line tile we catch with them make the trip. Unfortunately the Blue lines are mixed in with the sea bass and golden tile below 38 degrees where we fish. The depth they are caught in makes it impossible for them to live if we through them back. I personally think the committee for once is headed in the right direction with the separation of the inspected vessels however all private vessels will become charter boats if stopped. I think there should be inspected vessel and uninspected vessels and for the inspected vessels we need the latitude to be able to be able to fish. I believe most of us would rather have a longer season and smaller bag limit if we had to make a choice. I would ask you to reconsider the proposed proposal and please distribute this to the rest of the committee. The handful of head boats left in the business are dying a slow death please help us. Thanks Jim Cicchitti JJC Boats Inc (dba: Starlight Fleet)

From: [Skip Feller](#)
To: [Moore, Christopher](#)
Cc: [Didden, Jason](#); [Robins, Rick](#)
Subject: Blue Line Tile
Date: Tuesday, May 03, 2016 11:16:20 AM

Chris Moore & The Mid Atlantic Council;

To begin with, thank you for taking the time to read this. After receiving a copy of the proposed plan for the Blue Line Tilefish fishery, I can honestly say that these changes are detrimental to the livelihood of many, including myself. As a headboat operator out of Virginia Beach, Virginia my business relies greatly on Blue Line Tilefish and would most likely not survive should the proposed plan be passed. While Seabass are our customer's most desired fish, the Seabass season closures make Blue Line Tilefish what keeps our business afloat during the winter season.

Unfortunately, there are more problems with the proposal than just the possibility of lost business. Another major problem that I see is that these closures are supposed to be helping sustain the fishery, but in turn will cause an inhumane affect on the Tile Fish. Because the Tile Fish are caught in cold, deep water they would not survive being thrown back after being caught. Unfortunately, the Tile Fish presence is still so strong that it would not just be a few being caught and thrown back to die.

While it seems that the council is attempting to do some good by creating a divide between private boats and charter/headboats, the proposal still seems to hurt the headboats who submitted VTR's the most. If these limits and season are to be imposed, the difference in quota numbers should be set between inspected and uninspected vessels as to deter the private boats from becoming charter vessels in order to increase their own bag limits.

It is understood that there needs to be some closures but our hope is that it will remain open November and December and the closure be January through April. Having the season closed January-April means that we will be completely sacrificing 4 months of business and unable to run any sort of trip. One can only imagine what that will do to our business to begin with, but closing the season any longer than those 4 months would undoubtedly sink us altogether. While it is not ideal to drop the bag limit at all, if the toss up was between 6 months of closure and maintaining a 7 fish bag limit or 4 months of closure and decreasing the bag limit to 5 fish we would gladly take the decreased bag limit and 4 month closure.

Again, I want to thank you for taking the time to consider these decisions and

their affect on so many and take my concerns into consideration while deciding on the final plan.

Skip Feller

Rudee Tours

June 10, 2016

Fred Akers
P.O. Box 395
Newtonville, NJ 08346

Mr. Richard B. Robins, Chairman
Mid-Atlantic Fisheries Management Council
Sent by email to: richardbrobins@gmail.com

RE: MAFMC Blueline Tilefish Management Amendment Supplemental Comments

Dear Chairman Robbins:

Thank you very much for your call on May 15 to explain the unusual circumstance that the Council is facing regarding the addition of blueline tilefish as a new managed stock in the fishery with very little fishery dependent and fishery independent data to adequately inform the management science.

I understand that the Council quickly reacted to the discovery of significant landings in 2014 by establishing emergency management measures that could not be extended past June 2016 and then started the process of managing a new fishery to hopefully be completed before the emergency measures expired, very much to its credit.

I also understand that the 50% catch reductions compared to 2014/2015 catch necessary to stay within the recreational total allowable landings of 62,262 pounds became apparent after the public hearing document was created and most of the hearings had occurred, which is not the normal process.

Given these issues with the process and the Council's adoption of different management measures than those that were offered to the public for comment, I sincerely appreciate the Council's current efforts to receive and respond to new public comments, conduct a special listening session on 6/9/16 with your participation along with staff expert Jason Didden, and to schedule time on the Council's agenda on 6/15/16 to further discuss the blueline tilefish management issues.

However, I do not understand how splitting the recreational sector into 3 parts with the 7/5/3 bag limits will actually work to reduce total recreational catch to achieve the total allowable landings goal of 62,262 pounds.

As a private recreational boat owner and a recreational fisherman with great interest in catching and eating blueline tilefish, I think that the 3 fish limit for private recreational boat owners is more of a discriminatory marketing plan for the for hire vessel owners to shift fishing effort from private recreational boat owners to their vessels than to meet the new management goal through catch reductions.

For example, if I actually thought I could catch a 7 fish limit on a for hire inspected vessel or a 5 fish limit on a for hire uninspected vessel, while I would only be allowed 3 fish on my own vessel, that

could be a strong incentive for me to buy \$200+ tickets on for hire vessels and catch more blueline tilefish, not less.

According to the Blueline Tilefish FMAT Summary and Staff Recommendations dated 4/8/16, while the FMAT and Staff recognized the possibility of “effort transfer” from season closures (2nd paragraph page 3 of 6), they did not recognize the possibility of “effort transfer” from one sector to another under the sector separated bag limits, which could result in total catch increases.

In the 2nd paragraph on page 1 of 6 of the Blueline Tilefish FMAT Summary and Staff Recommendations dated 4/8/16, the recommendations state that, ***“assuming that reporting can be obtained from all sectors, there is no information for the FMAT to recommend management uncertainty buffers at this time so the annual catch targets (ACTs) would equal the ACLs.”***

But then in the 3rd paragraph of page 3 of 6, the recommendations state that, ***“The private catch is also least understood given the lack of MRIP data for blueline tilefish, and until more is understood about the private catch, relatively low limits would help minimize the risk of high private catches shutting down the fishery much more quickly than expected.”***

My interpretation of the above statements is that the FMAT and the Staff recommended the post public information document sector separation and 3 fish limit for the private recreational vessels not as a measurable way to reduce the overall catch, but as the imposition of an uncertainty buffer only on the private recreational sector for the benefit of the entire recreational fishery.

Also in the 1st paragraph on page 4 of 6 in the FMAT Summary and Staff Recommendations, it states that, ***“The FMAT was skeptical that reporting compliance could be achieved or that differential per person trip limits by season and segment of the fishery could be effectively communicated”***, and, ***“A universal per person trip limit would be simpler to communicate and enforce, but may place more of a burden from the reduction on the party boat segment of the fishery.”***

The FMAT and the Staff evidently had a very strong bias for the “party boat segment”, which is specifically stated in paragraph 3 on page 3 of 6 as follows, ***“...the lower limit for private anglers was based on a presumption that private anglers also have lower catch rates and that there is more economic dependence on this fishery for party and charter operations (and especially for the 3-4 party boats that specialize in deep-drop fishing).”***

So rather than target the sectors of the recreational blueline tilefish fishery that had the highest catch rates to reduce the catch to achieve the SSC recommendation, the FMAT and Staff recommended to cut the private recreational vessels that had lower catch rates to 3 fish to favor “the 3-4 party boat owners that specialize in deep-drop fishing” with 7 fish to arbitrarily protect them and their economic dependence and not the economic future of the entire fishery and coastal economy.

Given the fact that catch data for private recreational boats is unknown, and that the catch data for the for hire sector is somewhat known, lowering the bag limit of the for hire vessels would provide a more measurable prediction for reducing the catch of blueline tile for 2017, if that is the Council's goal.

If the Council really wants to protect the blueline tilefish through compliance with the SSC's 50% reduction to 62,262 pounds, the Council should enact a 3 fish bag limit across all sectors for 2017.

The South Atlantic Council currently has a 1 fish limit and is about to change that to a 3 fish limit, so a 3 fish limit by the Mid-Atlantic Council would be consistent with that.

Another important measure in the blueline tilefish management amendment is that all recreational tilefish vessels would be required to purchase a permit and report their catch, which I strongly urge the Council and NMFS to implement prior to the 2017 fishing season.

The FMAT and Staff Recommendations address this in item #6 on page 5 of 6 as follows:

“The FMAT discussed a staff recommendation that the HMS system be used to require private anglers to obtain a separate tilefish permit to catch golden or blueline tilefish. This is a hybrid of 6a and 6b. Staff agrees with public comments that a separate private tilefish permit be required rather than just an HMS permit, because this would provide better information on the universe of anglers interested in tilefish fishing. Since many offshore anglers are familiar with the HMS online permit interface, having that site be where tilefish permits are obtained should be relatively convenient. This would likely require that private anglers pay a permit fee to support the system, which is currently \$20.00 for HMS permits. Staff also recommends that reporting of golden/blueline tilefish be required through an ACCSP phone/tablet application before fish are brought off a vessel/water because surveys are unlikely to ever provide precise catch estimates for tilefish, and the only way to check compliance is to require reports to be completed and submitted before fish leave a boat. The FMAT does have concern about how to obtain high compliance and notes that a substantial outreach effort will be necessary. There was no specific FMAT recommendation for these alternatives but NMFS staff may have additional input at the Council meeting.”

While I agree that a separate private recreational vessel tilefish permit be required at a cost to provide better information on the universe of anglers interested in tilefish fishing and that catch reporting be mandatory, I disagree with the staff recommendation that reporting be required through an ACCSP phone/tablet application before fish are brought off a vessel/water.

I agree with the above FMAT/Staff recommendation that the HMS online permit interface should be relatively convenient to be used by private recreational vessel owners to obtain their tilefish fishing permit, but there was no mention or consideration of the “Report Your Fish” application also on the HMS interface <https://hmspermits.noaa.gov/catchReports> for reporting recreational interaction with Bluefin tuna, swordfish, and billfishes within 24hrs.

Given that the existing “Report Your Fish” format already exists, it should be relatively cheap, easy, and fast to create a tilefish version on the HMS “Report Your Fish” interface.

Regarding reporting compliance, I suggest that actual documented reporting be a requirement for a current permit as a condition to obtain a future permit. If a permit is obtained and no tilefish are caught, there should be a requirement to submit a "0" catch report to qualify for a new permit. No report should trigger a closed account at year end.

Again, I strongly urge the Council and NMFS to implement permit and reporting requirements prior to the 2017 fishing season for private recreational vessel owners who direct on tilefish. This will not only establish the universe of recreational tilefish fishing vessels and provide much needed catch data to better and more fairly manage the tilefish fishery, it will also help to stop the mischaracterization, demonization, and discrimination of the private vessel recreational fleet by the for hire vessel owners and the Council. Blueline tilefish, like all wild fish, are a Public Trust Resource owned by everyone.

Respectfully,

A handwritten signature in dark ink that reads "Fred Akers". The signature is written in a cursive, slightly slanted style.

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

From: davearbeitman@comcast.net
To: [Didden, Jason](#)
Subject: Re: Blueline tilefish & upcoming meetings
Date: Sunday, June 12, 2016 2:30:52 PM

Jason,
I would like to offer my comments:

Dear Chairman Robbins,

As you know, I have been an active participant in all aspects of the blueline tilefish FMP. I am not only active participant in this fishery but I am also a member of the recreational fishing industry as a tackle shop owner for the past 34 years. As a recreational fisherman I do all of my tilefishing in the mid Atlantic region on the party boat Voyager from Pt Pleasant Beach, NJ. 55 weeks ago I was able to keep as many blueline tilefish as I wanted and two weeks later I was limited to 7 per trip regardless of the length of the trip. Now one year later, even after the MAFMC voted to continue the 7 fish per person per trip for party boat anglers as part of the new blueline tilefish FMP there is a possibility I might be further restricted to as few as 5 fish per trip regardless of the length of the trip. Reducing me to 5 fish will result in me taking less trips each year. On average each trip costs me about \$900.00. Taking fewer trips will not only have a negative effect on my quality of life but it will also have a negative economic impact on the Captain and crew of the Voyager. As a business owner, further restrictions will result in significantly reduced sales of blueline tilefish tackle, including rods, reels, tilefish rigs and sinkers, line, etc. Between my store and e commerce site, I sell blueline tilefish tackle throughout the entire east coast as well as the Gulf of Mexico. I don't know about the Council members but as for myself, I cannot afford to lose as much as 20% of my yearly income. Anyone involved in this process knows this mess is a direct result of the extremely low ABC recommendation from the MAFMC SSC based on very little data and the same process used to determine the black sea bass ABC rather than using the same methodology used to establish the golden tilefish ABC. For whatever reasons the Council voted to accept this ABC and approve the FMP. Now, after approving the FMP the Council is considering revisiting certain aspects of the plan. It seems unfair that some of the original recommendations were dismissed before due to the ultra conservative ABC but now the Council is considering liberalizing recreational landings without any additional quota. We were told additional landings for multi day trips were not possible due to the low ABC. We were also told a full 12 month season was also no longer possible due to the low ABC and we were also told that the disparity in bag limits among the recreational user groups was the only way to try and keep from exceeding the recreational quota. How is it now possible to tweak these again without gaining more quota and without exceeding the recreational quota? I have a couple of my own suggestions for the Council to consider:

1. Allow the few party boats in this fishery to declare their season; May 1 to Oct 31 or Oct 1 to March 30 and allow a 7 fish daily bag with an additional 3 fish per person for trips lasting over 30 hours.
2. For the rest of the recreational community including 6 pack charter boats continue with a season from May 1 to Oct 31 and a bag limit of 5 per person.

Thanks for the opportunity to comment and "Thank You" Jason for all of your hard work. It is not easy trying to make chicken salad from chicken waste.
David Arbeitman

From: "Jason Didden" <jdidden@mafmc.org>
To: "Jason Didden" <jdidden@mafmc.org>
Sent: Friday, June 3, 2016 1:54:30 PM
Subject: RE: Blueline tilefish & upcoming meetings

Fyi the tilefish briefing docs are available at: <http://www.mafmc.org/briefing/june-2016>.

Jason

From: Didden, Jason
Sent: Tuesday, May 31, 2016 10:42 AM
To: Didden, Jason <jdidden@mafmc.org>
Subject: Blueline tilefish & upcoming meetings

Greetings Tilefish AP members,

Due to concerns recently raised by the public regarding the recreational [blueline tilefish measures recommended by the Council at its last meeting](#), the Council has scheduled time at its [June meeting](#) to potentially reconsider those recommendations. To further facilitate public input, the Council will also be hosting a [public listening session via webinar](#) on June 9 at 7pm. During the webinar, staff will review the rationale for the Council's recommendations and take questions and comments. Public comments will be summarized and provided to the Council.

Please call if you have any questions,

Thanks,
Jason

Jason Didden
jdidden@mafmc.org
www.mafmc.org

(302) 526-5254 (direct)
(302) 397-1131 (cell)
(302) 674-5399 (fax)



JUNE, 8, 2016

TO: MAFMC

FROM: Steve Cannizzo – BROOKLYN VI, Sheepshead Bay, NY

CC: Jason Didden

SUBJECT. “Reconsideration” of Recreational Blueline Tilefish measures

Chris Moore, Richard Robbins, and Council Members;

Thank you for your time in reading my thoughts on MAFMC Memorandum ‘Blueline Tilefish Recreational Specifications’ dated June 2, 2016 which now has been drafted as the MAFMC is being asked at the upcoming June 2016 meeting to reconsider the regulatory measures put into place for the recreational sector.

I find it extremely troubling to see private vessel fishermen mention that the actions taken and motions passed at the April 2016 meeting by the Mid-Atlantic Council are being called “highly discriminatory”, “unprecedented”, “actions were deliberately deceptive in nature”, and worse of all, “arbitrary and capricious decisions.”

Few if any recreational fishermen, whether in the party, charter or private vessel sub-sectors would support the extremely constrained ABC which many council members continually voiced concerns over as a starting point for the FMP as their will be a very high likelihood of reported overages within the following year resulting in accountability measures soon after. As upsetting as we had come to see transpire on Wednesday of this meeting were the motions being passed which whittled down a traditional full year fishery to a now shortened six month open period along with recreational sector separation as far as possession limits allowed for each of the three defined recreational sub-sectors.

I again emphasize, few fishermen who target Blueline Tilefish would support moving from an extremely sustainable year around fishery to one where the season and possession limit is reduced to where it not only causes a direct negative economic impact to fishing businesses, but also will now lead to decreased fishing opportunities for ALL recreational fishermen in the future, this due to the preposterously low ABC that was set.

A number of party, charter and private vessels fishermen have been involved in the process since the Emergency Action was implemented, and we have all done our best to provide the most accurate and unbiased information throughout the scoping process to help in the development of the FMP.

From MAFMC meetings, AP webinars, a Delphi workshop, and seen written within earlier various public comments, we have come to find out that the party boat sub-sector was by far the most compliant in filing accurate VTR data and reporting historical landings over the past decade. The for-hire uninspected charter sector was noted to be less compliant, either due to issues of not reporting or lacking in the knowledge that “6-pack” vessels are required to report Blueline Tilefish landings. Most troubling was the questions concerning the private vessel sub-sector that were voiced throughout the process with great concerns of:

- How many private vessels directly fish for Blueline Tilefish
- The repeated mention during the Q&A in the Delphi Process of most trips for the private vessel sub-sector being mixed between top water and bottom, day and overnight troll/chunk fishing trips
- Lack of ANY MRIP reporting or documented harvest estimates over the past decade (on the MRIP data query)
- Concerns about accurate “if any” reporting by this sub-sector in the near future once the FMP is implemented

Due to these concerns about what occurs onboard private vessels with either little if any oversight and monitoring by the USCG while fishing offshore, lack of state enforcement to check on the compliance of the current regulatory possession limit at the dock, and/or what would be captured through MRIP dockside intercepts or phone survey reporting that had much to do with crafting the motion that passed calling for sector separation and the party/charter/private vessel - 7/5/3 possession limit.

Recreational sector separation is NOT “unprecedented” along the east coast and has been used by a few southern New England and Mid-Atlantic states over the past years in the black sea bass and scup fishery, along with its use for many years in the BFT fishery with the distinction between HMS Charter/Headboat and HMS Angling limits.

As it relates to the economic impact in creating sector separation in the recreational Blueline Tilefish fishery, the impact is most negative for the party boat sub-sector which on average carries from 20 – 45 fishermen on anywhere from a handful up to 25 trips during the calendar year. The negative economic impact of fewer fishing opportunities and less fishermen making these long range offshore trips due to such a constrained possession limit, not only directly impacts the livelihood of the owner, captains and crew members onboard those party boats, along with the secondary effect at the gas dock of thousands of gallons less fuel being sold due to lost trips, fewer cases of bait being purchased and much less terminal tackle being sold to fishermen who fish upon these inspected vessels.

It begs one to wonder when reading the three public comments that are written in the first person, “I”, neglect the vast number of fishermen who do not own “six figure and more” dollar private vessels, or have access to one and rely upon the party boat industry to be taken out safely, offshore fishing on professionally operated and USCG inspected vessel.

The party boat industry has always provided this service to ALL fishermen over the past century, thus no “discrimination” or “direct intention to disenfranchise” any one or any group of fishermen in creating sector separation in this particular fishery. This was a result and the outcome of, and due to the pitiful allowance of Blueline Tilefish that now has to be shared amongst three recreational user groups.

I doubt there would be anyone that attended for two days at the April MAFMC Blueline Tilefish discussion of the FMP that would classify the actions taken by any council member being “deceptive in nature” or “arbitrary and capricious.” Those council members overwhelmingly voiced great worry and concern over both the **“process and implication of their actions”**, and in the end the consensus was that there would be “shared regulatory pain” amongst the three sub-sectors with the loss of fishing opportunities and differential bag limits between the three sub-sectors.

Time and again the discussion came down to providing the greatest access to the fishery, that being during the late spring, summer and early fall period when most recreational fishermen do go fishing, and to the sub-sector that continually has provided the most accurate and reliable data on this fishery, those on party boats.

Again I must thank Jason Didden for his detailed work on this fishery and his outreach in continually keeping us updated on the Blueline Tile fishery.

Best Regards,

Steven Cannizzo

BROOKLYN VI

Sheepshead Bay, NY

From: [Moore, Christopher](#)
To: [COUNCIL - Voting](#); [CouncilNonVoting](#); [Staff-MAF](#)
Subject: FW: Blueline Closures
Date: Friday, June 10, 2016 2:54:14 PM

fyi

From: Didden, Jason
Sent: Friday, June 10, 2016 1:13 PM
To: Moore, Christopher <cmoore@mafmc.org>
Cc: Robins, Rick <richardbrobins@gmail.com>
Subject: FW: Blueline Closures

From: Rudee Angler [<mailto:rudeeangler@gmail.com>]
Sent: Friday, June 10, 2016 1:02 PM
To: Didden, Jason <jdidden@mafmc.org>; Robins, Rick <richardbrobins@gmail.com>
Cc: Feller, Skip <sfeller3@verizon.net>
Subject: Blueline Closures

Council Members,

It has come to my attention that the discussion pertaining to the Blueline Tilefish is still going on, so once again, I would like to request what would make the most sense as far as sustaining the fishery and also the businesses who rely so greatly on these fish.

My request is to group the Tilefish season with the Seabass season, thus meaning being open May 15 through September 21 and October 22 through December 31. Doing so would mean an extra 15 days of closure at the beginning and an extra month of closure at the end.

Having the season closed at this time would enable the headboats to continue with their 7 fish bag limit, while limiting the charter boats to a 5 fish bag limit and the recreational boats to a 3 fish bag limit.

While it is the worst case scenario, the only other option we could potentially sustain business on would be to have the closures as previously stated above; however, to drop the headboat bag limit to 5 fish per person along with the charter boats and to keep the recreational bag limit at 3 per person.

I would like to reiterate the fact that any type of change is going to be detrimental to many businesses so these requests are to allow many of us to simply stay in business.

Skip Feller

June 12, 2016

Mid-Atlantic Fishery Management Council

800 North State Street, Suite 201

Dover, DE 19901

Chairman Robins and Council Members,

I am writing concerning the Council's "revisiting" of both the bag limit and season for Blueline Tile for the 2017 year. My concern is that the council is reopening something that has already been decided. This has been done as a few stakeholders that didn't deem it necessary to attend the Council meeting in Montauk, NY in April subsequently were unhappy with the proposed regulations. I, for one, have attended Emergency Action Webinars, scoping meetings, Delphi Catch Panels, AP Webinars, Public Meetings, AND both the Monday and Wednesday meetings in Montauk in April. While not totally satisfied with the outcome, I understand how we got there and why. This "do-over" seems to fly in the face of all of the above as I do not want to see all that we have worked for get up-ended at the last moment. If that is the case then we should revisit the pathetically low ABC that is putting this fishery on the path to failure.

I know that one of the comments submitted spoke of the 3/5/7 bag limit for private, uninspected for-hire and inspected for-hire vessels as punitive. It was, and still is, my understanding that the bag limit is proportional to the catch information we have on each sub-sector. It is not punitive but cautionary in that there is greater regulatory uncertainty in giving larger bag limits to those we know the least about. I hope the Council understands this and chooses this option.

Pertaining to season closure, I feel that we should keep closed that which is necessary to guarantee the inspected for-hire sector a reasonable bag limit of 7 fish. Going down to 5 fish in the inspected for-hire sector severely limits the appeal of the trip and makes them significantly less sellable causing business to suffer. It should always be noted that head boats, and to a lesser extent, charter boats (6 packs) are the vehicles by which recreational fisherman access this

fishery. Most people are not fortunate enough to be able to buy a \$200,000+ vessel to go fishing on. They go on for-hire boats.

Private vessels and uninspected for-hire vessels can mix and match different fisheries in the same trip, the so called stop and drop. This means dropping for Tile as a fallback on a poor tuna or marlin trip or just adding a different type of table fare to that already caught. This is exceptionally difficult to do in the inspected for-hire sector as people frequently want tile or nothing. I am not looking to disadvantage other recreational sub-sectors but I feel that the inspected for-hire sector has given the best data on an otherwise data non-existent fishery and is being punished for it.

Below are some possible scenarios that I feel the Council should consider if they fail to move ahead with the 3/5/7 bag limit and season of May1-October 31.

1 -If a bag limit of less than 7 fish is selected, please re-open the discussion of option 12d of the management plan. This option was not brought up when the bag limit was going to be 7 fish but should be brought up if the bag limit is to be 5 fish. In the interest of fairness I suggest we look at the Gulf of Mexico Blueline regulations as precedent, to wit;

§ 622.382 Bag and possession limits.

(2) Possession limits. A person who is on a trip that spans more than 24 hours may possess no more than two daily bag limits, provided such trip is on a vessel that is operating as a charter vessel or headboat, the vessel has two licensed operators aboard, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

On my boat we have to travel from 100-150 miles each way for good Blueline Tile fishing. These distances require longer trips lasting from 32-46 hours. By example, it is inherently unfair for a person fishing from Virginia Beach, about 50 miles to the fishing grounds, to fish on Monday, go home with a limit, and then fish again on Tuesday catching a second limit when my customers are out there the same 2 days and can only keep half as many fish. Option 12d contemplates a trip longer than 24 hours to insure fairness. My customers are also part of the recreational fishery and, as such, should not be disadvantaged simply because

they live in a Mid-Atlantic state that is further from the fishing grounds than others.

2-Do not pigeonhole inspected for-hire operators to fish during months that do not help them economically. The few operators in this fishery have differing needs and times of year when they fish for Blueline Tile. Allow inspected for-hire vessels to obtain a letter of authorization to fish only those waves/months that they choose within a predetermined number of waves/months. This declaration can be made prior to the fishing year. Please note that we are talking about 3 or maybe 4 boats that are actively involved in the fishery. In the alternative, use history to allow each for-hire vessel to fish a certain amount of trips per year or days at sea so that we can access the fishery at the best time for our particular needs.

3-Keep waves 1 and 2 closed and close wave 5 but open wave 6 while keeping the bag limit at 7 fish for for-hire inspected vessels.

4-Align the Blue Line Tile season with the Federal Sea Bass Season keeping the bag limit at 7 fish for for-hire inspected vessels.

Please take the time to review the possibilities of the above suggestions before making any decision reducing the bag limits on Blueline Tile.

In closing I would like to add that the entire process regarding the Mid Atlantic's management of the Blueline Tilefish fishery has been unbiased, fair, and transparent. I hope that the Council maintains the approach that it voted for at its April meeting.

Thank You,

Jeff Gutman, F/V Voyager

CC: Jason Didden

From: [Moore, Christopher](#)
To: [COUNCIL - Voting](#); [CouncilNonVoting](#); [Staff-MAF](#)
Subject: FW: BLT Listening Session Comment, Keith Neal
Date: Friday, June 10, 2016 2:55:03 PM

fyi

From: Didden, Jason
Sent: Friday, June 10, 2016 12:56 PM
To: Moore, Christopher <cmoore@mafmc.org>
Subject: BLT Listening Session Comment, Keith Neal

I am creating a summary of the public comments from the 6/7 listening session for blueline tilefish. The following comment was entered into the chat window by an individual who did not have an audio connection.

The proposed recreational measures for blueline tilefish off the Mid-Atlantic will decimate my blueline tilefish charter operation. As a uninspected for-hire vessel, I conduct "tilefile and seabass" trips from Wachapreague, VA. As you are aware this fishery, off of the Mid-Atlantic, is located on the edges of the continental shelf (approximately 53 miles from land). The proposed per person bag limit reduction for uninspected for-hire vessel (7 down to 5) will have dire impact on my customer base. I strongly suggest Council keep uninspected for-hire vessel bag limit as 7 fish per person to be competitive with inspected for-hire vessels.

The per angler costs on inspected for-hire vessels is dramatically less that uninspected for-hire vessels due to number of for hire passengers each vessel is licensed to carry. Additionally, during the winter months, I carry for hire charters to fish for black sea bass that occupy the same waters as blueline tilefish. For the sustainment of the blueline tile fishery, and reduce mortality, any closure period should be based on current closure period for black sea bass.

Additionally, proposed bag limits will more than likely have unintended consequences of producing much high mortality rates within the blueline tile fishery than at present. Additionally, we own a business that provides lodging for fishermen in Wachapreague. These fishermen, are recreationally permitted and reducing their blueline tilefish bag limit from 7 to 3 per person will have severe consequences for our lodging business.

In closing, it is my hope that the Council keep uninspected for-hire vessel and inspected for-hire vessels bag limit the same and consider a more moderate approach to the proposed bag limit for recreationally permitted vessels. As a small business owner, your decision on this matter will have major ramifications on both my charter operation and lodging business.

Capt Keith Neal: Capt Keith NealTeaser Sportfishing, LLC.Teasers Fisherman's Lodge,
LLC.Wachapreague, VA. 23480

Jason Didden
jdidden@mafmc.org

From: [Moore, Christopher](mailto:Moore.Christopher)
To: [COUNCIL - Voting](#); [CouncilNonVoting](#); [TechStaff](#)
Subject: FW: Blueline Tilefish
Date: Tuesday, June 07, 2016 9:41:21 AM

fyi

From: Richard Robins [mailto:richardbrobins@gmail.com]
Sent: Tuesday, June 07, 2016 8:48 AM
To: Moore, Christopher <cmoore@mafmc.org>
Subject: Fwd: Blueline Tilefish

FYI

----- Forwarded message -----

From: Ken Neill <jackcrevelle@msn.com>
Date: Mon, Jun 6, 2016 at 4:20 PM
Subject: Blueline Tilefish
To: "Didden, Jason" <jdidden@mafmc.org>, Rick Robbins <richardbrobins@gmail.com>
Cc: Rob O'Reilly <rob.o'reilly@mrc.virginia.gov>, "Cimino, Joe MRC" <joe.cimino@mrc.virginia.gov>

I would like to thank the Mid-Atlantic Council for developing a management plan for blueline tilefish. In Virginia, we enacted regulations several years ago to protect this fishery, which was rapidly increasing in popularity, until such time you could get a plan in place.

I have concerns with your management plan as it applies to the recreational sector. It is disappointing that we are being regulated out of another of our wintertime fisheries. Sea bass and blueline tilefish were our main wintertime recreational fisheries after the collapse of our coastal striped bass fishery. They were important fisheries even when we had a strong striped bass fishery in January and February. Someday, we would like our sea bass and our blueline tilefish fisheries back during the wintertime.

Of more immediate concern, is the plan to regulate recreational anglers differently depending on the boat they are on. As planned, in my home inlet in Virginia Beach, I could get on the Evelyn Kennedy and have a 3-fish bag limit or I can get on the Backlash and have a 5-fish bag limit or I can get on the High Hopes and have a 7-fish bag limit. I'm the same angler and the boats are all about the same size. It makes no sense to have different regulations for me depending on the boat that I am on.

I understand what you are trying to do with this sector separation. The charter industry is an important part of the recreational fishing industry. Fisheries managers tend to forget that they are a small part of the industry. This is likely due to the majority of recreational representatives on the various panels being in the charter business. Sector separation invariably punishes those that invest the most into the recreational industry; those that are

buying most of the boats, tackle, electronics, fishing licenses and all of the other things that keep boat builders, tackle manufacturers, bait shops, marinas and the other businesses that rely on recreational anglers to stay in business. We do not want to forget about the goose while focusing on the golden egg. Without the goose, the industry collapses.

I encourage you to pick a bag limit and season which will apply to me no matter which boat I am fishing on. Virginia has never had regulations which discriminate against certain recreational anglers. I am one of the Associate Commissioners of the Virginia Marine Resources Commission. When we change our tilefish regulations for 2017, my recommendation to my fellow commissioners will be that we do not start now. If the Council's plan for various bag-limits for different recreational anglers remains, I will suggest that we pick the lowest number to apply to all anglers returning to Virginia regardless of the boat they are on. I hope the Council will decide to treat all recreational anglers the same.

Dr. Ken Neill, III
IGFA Representative
President, Peninsula Salt Water Sport Fisherman's Association, Inc.
Associate Commissioner Virginia Marine Resources Commission
www.igfa.org
www.pswsfa.com
www.vbsf-hookedup.net/healthygrin/
www.facebook.com/HealthyGrinSportFishing
www.NeillDental.com
www.facebook.com/NeillFamilyAndCosmeticDentalCare

From: [Moore, Christopher](#)
To: [COUNCIL - Voting](#); [CouncilNonVoting](#); [TechStaff](#)
Subject: Fw: Proposed blueline tilefish regulations
Date: Wednesday, June 08, 2016 10:03:50 AM

fyi

From: Oswald, David M CIV USARMY TRADOC (US) <david.m.oswald.civ@mail.mil>
Sent: Wednesday, June 8, 2016 9:52 AM
To: Montanez, Jose; Seagraves, Richard; Moore, Christopher
Subject: Proposed blueline tilefish regulations

Good Morning,

I would like to provide my input in regards to the proposed regulations for Blueline Tilefish.

I really do not understand the rational where a person on a charter boat can keep 7 fish per person,

while a recreational angler can only keep 3 ? Whereas I do not have a boat capable of running to the

tilefish grounds out of Virginia Beach (50 miles +), I do fish on friends recreational boats and share in

the expenses of fishing for the day, which usually runs from \$150-200. It is unjust that I can spend

that amount of money and only keep 3 fish while a person fishing on a headboat spends the same

amount and can keep 7 ! In addition to the trip expense, recreational boaters spend a lot more

money in slip fees, and upkeep and maintenance on their boats. To single out a specific group of

boaters, and penalize them in regards to fish limits, is flat out wrong !!!

What you are proposing will

effectively kill private recreational boats from fishing for Blueline Tilefish !!

David M. Oswald
Chief, Information Management Office
Security Assistance Training Field Activity
757-501-5072

From: [Moore, Christopher](#)
To: [COUNCIL - Voting](#); [CouncilNonVoting](#); [TechStaff](#)
Subject: Fw: proposed tile fish regulations
Date: Wednesday, June 08, 2016 10:43:40 AM

fyi

From: Al Phipps <alehipps@aol.com>
Sent: Wednesday, June 8, 2016 10:09 AM
To: Montanez, Jose; Seagraves, Richard; Moore, Christopher
Subject: proposed tile fish regulations

Hello,

I am a recreational fisherman that enjoys offshore fishing on occasion.

Managing the fisheries is important to both recreational and commercial fishermen.

I used to enjoy going to the triangle during the winter months to fish for tautogs knowing that if the tog were not available I could generally catch a mess of seabass to justify the trip.

With the increase regulations on recreational seabass (closed winter season) and reduce tog limits I no longer participate in the fishery. Of note is that a commercial boat can fish for seabass during the closed winter anger season and retain 1000's of pounds of seabass.

With the greatly reduced offshore catches the bottom dropping allows me to turn days with no tuna or mahi into good days with limits of tile fish. Once again the commercial interest will be protected with a limit of 7 per person while the recreational boater like myself and many others will be penalized. Sounds just like the recent changes in cobia.

Flounder is following a similar pattern. The small commercial boats that go jigging for flounder keeping 100's of small fish 16 inches in a day to 'support' their charter fishing interest is destroying the flounder fishing for both commercial and recreational fishing.

All that said it is time to hold the recreation and commercial fishing parties to the same limits.

Thanks,
Al Phipps
757 582 6548

Virginia Saltwater Sportfishing Association, Inc (VSSA)

PO Box 28898

Henrico, VA 23228

www.ifishva.org



Mike Avery
President

Mid-Atlantic Fishery Management Council
800 North State Street, Suite 201, Dover, DE 19901

Curtis Tomlin
Vice President

Dear Sir,

June 7, 2016

Kevin Smith
Treasurer

The Virginia Saltwater Sportfishing Association (VSSA) requests the following be included as a public comment for the Blueline Tilefish Listening Session June 9, 2016. We appreciate the opportunity to comment as the decisions made at the April Council meeting were made without public scrutiny and review.

Brent Boshier
Secretary

Virginia recreational anglers do not support sector separation. Separating recreational limits based on what boat your fishing from (Inspected, OUPV, Private) is wrong as each angler is still a recreational angler who should be regulated by a single recreational limit (not by what boat you are fishing from). Separating limits based on boats creates unfair advantages to certain boats which results in angler frustration.

Board of Directors

John Bello,
Chairman

Virginia recreational anglers support 7 Blueline Tilefish per person for all vessels. We believe your estimation of the level of effort and number of boats targeting blueline tilefish is overstated based on the long distance needed to travel to the fishing grounds. Additionally, with mandatory reporting the Council should have near real time data to manage the quota thus shutting down the season as the ACL is approaching.

Dr. Robert Allen

Mike Avery

Jerry Aycock

Brent Boshier

Jerry Hughes

Virginia recreational anglers do not support closed seasons. There is very little left to fish for off the coast of Virginia in winter months and taking away tilefish represents a hardship, particularly on charter boats. If closed seasons are needed, at a minimum blueline tilefish should be reasonably aligned with BSB as they inhabit the same waters. Anglers targeting BSB who catch and release a blueline tilefish likely results in a dead tilefish.

Doug Ochsenknecht

Bob Reed

Mike Ruggles

If you have any questions or comments, the best way to contact us is through our website or email, ifishva@gmail.com, or my phone: 757-329-5137.

Kevin Smith

Murphy Sprinkle

Sincerely,

Curtis Tomlin

Mike Avery

Mike Avery, President

From: Jeff <jgutman28@comcast.net>
Sent: Tuesday, August 30, 2016 8:01:18 PM
To: Moore, Christopher
Subject: Blueline Tilefish

Dr. Moore,

As we move closer to the October MAFMC meeting I wanted to contact you regarding Blueline Tilefish.

As you know, there will be discussion at the meeting regarding a framework adjustment to the Tilefish FMP that could modify blueline tilefish recreational measures. I know that differential bag limits (3/5/7 fish per person) and open/closed seasons will be discussed. I would like to request that the Council include multi-day bag limits in that discussion. Multi-day bag limits was a topic that was never discussed in April in Montauk as time was short and many people felt that the differential bag limits would help "ease the pain" in the inspected for-hire industry. Additionally, comments were made that multi-day bag limits might only help one or two vessels. I just want to point out that the reason the November-December closure issue is on the table is because one or two vessels "need" this time period open.

Again, I respectfully request that the Council include multi-day bag limits for consideration in the Blueline Tilefish framework adjustment at the October Council meeting.

Thank You,
Jeff Gutman