

# **Summer Flounder Commercial Issues and Goals and Objectives Amendment (Amendment 21 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan)**

## **FINAL ENVIRONMENTAL IMPACT STATEMENT APPENDICES**

**May 2020**

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### **11.0 APPENDIX A: STATE PERMIT REQUIREMENTS**

States have varying requirements for summer flounder permits, as summarized below (information as of April 2017).

#### ***Massachusetts***

All persons who land and sell finfish in Massachusetts must have a commercial fishing permit from the Massachusetts Division of Marine Fisheries (MADMF) and must sell only to permitted Massachusetts dealers. A limited entry summer flounder (fluke) permit endorsement, in addition to a Massachusetts commercial fishing permit, is required for any individual and/or vessel to commercially fish for summer flounder within the state waters of Massachusetts, or to harvest, process, or land any summer flounder for commercial purposes in Massachusetts. This endorsement is limited entry due to a moratorium on new fluke endorsements instated in 1999 to address a substantial increase in participation and landings. The fluke endorsement must be renewed annually.

MADMF policy has largely been against transfer of summer flounder endorsements, in order to maintain the moratorium's effectiveness in reducing the total number of endorsements. However, MADMF allows endorsement transfers between immediate family members (provided they meet the existing eligibility criteria) on a one-time basis, after which the endorsement becomes non-transferable. In addition, inshore trawl fishermen who sell their businesses (i.e., vessels, permits, etc.) may transfer a summer flounder endorsement if the other permits are active as inshore trawling could result in excessive summer flounder discards otherwise. For the offshore fishery, transfer of the summer flounder endorsement to the new permit holder is allowed when vessels and federal permits are sold.

#### ***Rhode Island***

A Rhode Island (RI) commercial fishing license with a restricted finfish endorsement is required to take summer flounder for commercial purposes from Rhode Island waters. This endorsement is available only via an annual lottery or via renewal.

Rhode Island landing licenses are also required to transit through state waters for the purpose of landing at Rhode Island ports. For summer flounder, one must hold either a resident landing license or a non-resident restricted finfish landing license in order to transit state waters and land summer flounder at Rhode Island ports.

One additional requirement for commercial summer flounder in RI is, if in possession of more than 200 pounds of summer flounder, a state issued summer flounder exemption certificate is needed. There is a moratorium on issuance of new RI summer flounder exemption certificates, but they may be transferred under similar guidelines to federal summer flounder moratorium permits.

## ***Connecticut***

For the commercial possession or landing of summer flounder in Connecticut waters, Connecticut requires a Summer Flounder Quota-Managed Species Endorsement in conjunction with either of two limited access licenses or either of two open access licenses. Quota-Managed Species Endorsements were last issued in 2003 to those who qualified based on their commercial fishing history; new endorsements are not presently being issued. The endorsement must be renewed annually by March 31, or that privilege is permanently retired. Endorsements may only be transferred in conjunction with a limited-access license that qualifies for a transfer.

A Quota-Managed Species License Endorsement may be used in combination with either or both of the following limited-access commercial fishing licenses:

- Principal Commercial Fishing License (trawl gear, lobster pots.)
- General Commercial Fishing (Finfish) License (Commercial hook and line as well as other gears not typically relevant to the summer flounder fishery.)

These limited-access licenses are available only to those persons who held the license from June 1, 1995 to December 31, 2003, and who renewed the license by March 31 of the previous year. Holders of a limited access fishing license must also obtain/renew a Commercial Fishing Vessel Permit (see below) annually to maintain eligibility for the limited access license. Limited access licenses are transferable provided certain compliance and activity threshold requirements are met.

A Quota-Managed Species License Endorsement may also be used with either of the following open-access commercial fishing licenses:

- Commercial Landing Vessel Operator's License (authorizes licensee to operate a vessel used to land fish taken exclusively outside CT waters; fishing in CT waters is prohibited).
- Restricted Commercial Fishing License (commercial hook and line).

These open-access licenses are non-transferable and there is no annual renewal requirement.

Both of the limited-access licenses and the Commercial Landing Vessel Operator's License require that a Commercial Fishing Vessel Permit be issued for the fishing vessel being used by the licensee. The Commercial Fishing Vessel Permit is non-transferrable.

## ***New York***

In New York, a Food Fishing License allows the license holder to take and land food fish harvested from state waters and to land food fish taken from waters outside the state for commercial purposes.

To harvest summer flounder for commercial purposes in state waters, one must have a New York summer flounder commercial permit. To land summer flounder taken legally outside New York state waters for commercial purposes in New York, possession of a summer flounder landing permit is required. Licenses are non-transferrable and must be renewed annually. If the applicant is a corporation, the application must name a specific vessel and a separate permit must be obtained for each vessel fishing owned by the corporation. Such corporate permits must be carried on the specific vessel named in the permit when that vessel is being used to take summer flounder for commercial purposes.

Summer flounder Commercial Permits expire on the last day of December of each year. Applications for a summer flounder commercial permit will be accepted from November 15 until close of business April 15. Permittees must state their intent to be permitted to use only fixed gear (pound/trap net), only hook and line gear or for the use of all gear. The permit authorizes landings for that entire calendar year from

that category of gear only. Permits are nontransferable except that the department may allow a one-time re-issuance of a summer flounder commercial harvesters permit to an immediate family member of a permit holder. Upon re-issuance, the former holder is no longer eligible for the permit, and all rights and responsibilities associated with the permit pass to the recipient.

### ***New Jersey***

A vessel must possess a valid New Jersey Summer Flounder Permit to participate in the directed fishery for summer flounder. Permits are issued in the name of the vessel and the owner and for the specific gear type(s) used to qualify for the permit.

Applications for hook and line permits were required to be submitted prior to May 31, 1994, and for any other gear type were required by January 1, 2000. Eligibility for a New Jersey Summer Flounder Permit was determined by the vessel's owner meeting the following criteria:

- The vessel landed and sold at least 1,000 pounds of summer flounder in each of two years during 1985-1992;
- The vessel possessed a valid New Jersey otter trawl, pound net, or gill net license or a valid Federal summer flounder permit during each of the two qualifying years described above. Vessels providing documentation regarding the amount of summer flounder landed for two years between January 1, 1985 to November 2, 1988 or vessels providing documentation of harvest by hook and line are exempt from this requirement.

The permit is valid from the date of issuance and for any subsequent years unless revoked as part of a penalty action. The vessel, when engaged in the directed summer flounder fishery, may only have on board the gear type(s) listed on that vessel's New Jersey Summer Flounder Permit.

The owner of a permitted vessel may transfer their Summer Flounder Permit, with approval by the NJ DEP, for vessel replacements and vessel sales. Transfer of a permit to a new vessel shall be limited to the same gear type(s) of the originally permitted vessel. Replacement vessels may not exceed 10 percent larger in vessel length, gross registered tonnage and net tonnage and 20 percent greater in horsepower than the originally permitted vessel. The vessel being replaced is no longer eligible for a New Jersey Summer Flounder Permit. For vessel sales, the owner selling the vessel shall no longer be eligible for a New Jersey Summer Flounder Permit based on the harvesting history of the vessel being sold.

Vessels operating under a New Jersey Summer Flounder Permit to commercially harvest summer flounder by hook and line are limited to a crew size of no more than five persons, including the captain. The vessel may not carry any passengers for hire while commercial fishing. When carrying passengers for hire the New Jersey Summer Flounder Permit is not valid and the recreational possession limits and seasonal restrictions apply.

### ***Delaware***

Delaware meets the Commission's requirements for *de minimis* status for the commercial summer flounder fishery (states having commercial landings less than 0.1% of the coastwide total). There is no permit specific to summer flounder. A person may possess commercial sizes and quantities of summer flounder provided they hold a valid Delaware commercial food fishing license and a food fishing equipment permit for gill nets.

### ***Maryland***

Maryland uses catch shares to equitably distribute their summer flounder commercial quota among harvesters in Atlantic coastal waters, coastal bays and tributaries, Chesapeake Bay (primarily bycatch) and the Potomac River. The catch share system assigns a specific individual fishing quota (IFQ) to each fisherman. Commercial fishermen without an IFQ are restricted to 100 lbs. per person per day in coastal waters and 50 lbs. per person per day in tidal waters (Chesapeake Bay).

An individual who possesses a Maryland summer flounder landing permit and lands more than the assigned permit allocation, including any quota transfers, shall have the overage deducted from the permit allocation for the following year. A permittee may annually transfer up to 100 percent of their individual quota to another permittee upon notification of and approval by the Department of Natural Resources (DNR). However, an individual may not hold more than 29 percent of the allocation for the total fishery.

Per Maryland regulations, no more than seven summer flounder landing permits may be issued by the DNR. The number of summer flounder landing permits is based on the reported catch and landing records of summer flounder in Maryland during 1998—2003. The name of the vessel on which the operator is working shall be declared on the Maryland summer flounder landing permit.

Individuals may apply for the permanent transfer of a Maryland Summer Flounder landing permit. Temporary transfers are not permitted. Regardless of the number of authorized individuals with permits on board any one federally permitted vessel, no more than two summer flounder quotas may be fished from one vessel per trip.

### ***Virginia***

A Commercial Fisherman Registration License is required to harvest and land summer flounder in Virginia waters. To land summer flounder harvest from outside of Virginia waters a Seafood Landing License, and a Summer Flounder Endorsement License (SFEL) are required. To qualify for a SFEL a vessel needed to have landed and sold at least 500 pounds of summer flounder in Virginia in at least one year during the period of 1993 through 1995. The SFEL was established in 1996. The licenses are transferable.

### ***North Carolina***

A license is required to land more than 100 pounds of summer flounder from the Atlantic Ocean in North Carolina. To be eligible for the license, the vessel must have been licensed by North Carolina, either through a resident or non-resident vessel license, or a land or sell license, during two of the three license years from July 1, 1992 to June 30, 1993, July 1, 1993 to June 30, 1994; or July 1, 1994 to June 30, 1995 and have landed 1,000 pounds or more of summer flounder each year for two of the three years.



## **12.0 APPENDIX B: ADDITIONAL SUPPORTING ANALYSIS FOR COMMERCIAL ALLOCATION ALTERNATIVES**

This section contains additional supporting information for the alternatives described in section 5.2 (commercial allocation alternatives), including justification for the configurations of alternatives 2B and 2D.

### **12.1 NEFSC ANALYSIS FOR DEVELOPMENT OF ALTERNATIVE 2B**

In October 2017, the NEFSC provided initial analysis supporting the development of alternative 2B, which considers regional shifts in relative exploitable biomass based on NEFSC trawl survey data. Based on the recommendations of the Demersal Committee in November 2017, Council staff requested updated analysis using additional survey strata in Georges Bank and the Gulf of Maine.<sup>1</sup> Staff also requested any explanation of the biological basis for the regional split at Hudson Canyon, as requested by the Committee. The response from NEFSC staff is provided below.

In summary, the revised analysis serves as the basis for alternative 2B (see section 5.2.2) and shows a shift of +13% (67% to 80%) in the Northern region relative exploitable biomass between 1980-1989 and 2007-2016. A description of the version 1 methodology and results can be found in the October 27, 2017 staff memo on commercial allocation provided to the Demersal Committee.<sup>2</sup>

#### **MAFMC Fluke Allocation Exercise, Version 2 - November 21, 2017**

The strata set included in the previous version 1 of the exercise was expanded as per the MAFMC Demersal Committee request. Version 1 used the NEFSC strata sets included in the stock assessment. This version 2 strata set now includes all the Georges Bank, Gulf of Maine, Southern New England, and Mid-Atlantic Bight NEFSC offshore strata and adds the inshore strata for the fall.

In the spring when the fish are ‘offshore,’ the ‘North’ region set now includes offshore strata 1-40: south of Long Island NY and north through Georges Bank and the Gulf of Maine. The ‘South’ region still includes offshore strata 61-76: east of NJ and south to Cape Hatteras NC.

In the fall when more of the fish move ‘inshore,’ the ‘North’ region set now includes offshore strata 1-40, inshore strata 1-14, and inshore strata 45-90: south of Long Island NY and north through Georges Bank and the Gulf of Maine, including all sampled inshore strata. The ‘South’ region now includes offshore strata 61-76 and inshore strata 15-44: east of NJ and south to Cape Hatteras NC, including all sampled inshore strata. See the strata maps below.

Version 1 of the exercise indicated that the ‘North’ region annual relative exploitable biomass was 62% of the Total during 1980-1989, increasing to 77% of the Total during 2007-2016. Therefore, the ‘South’ region was 38% of the Total during 1980-1989, decreasing to 23% of the Total during 2007-2016.

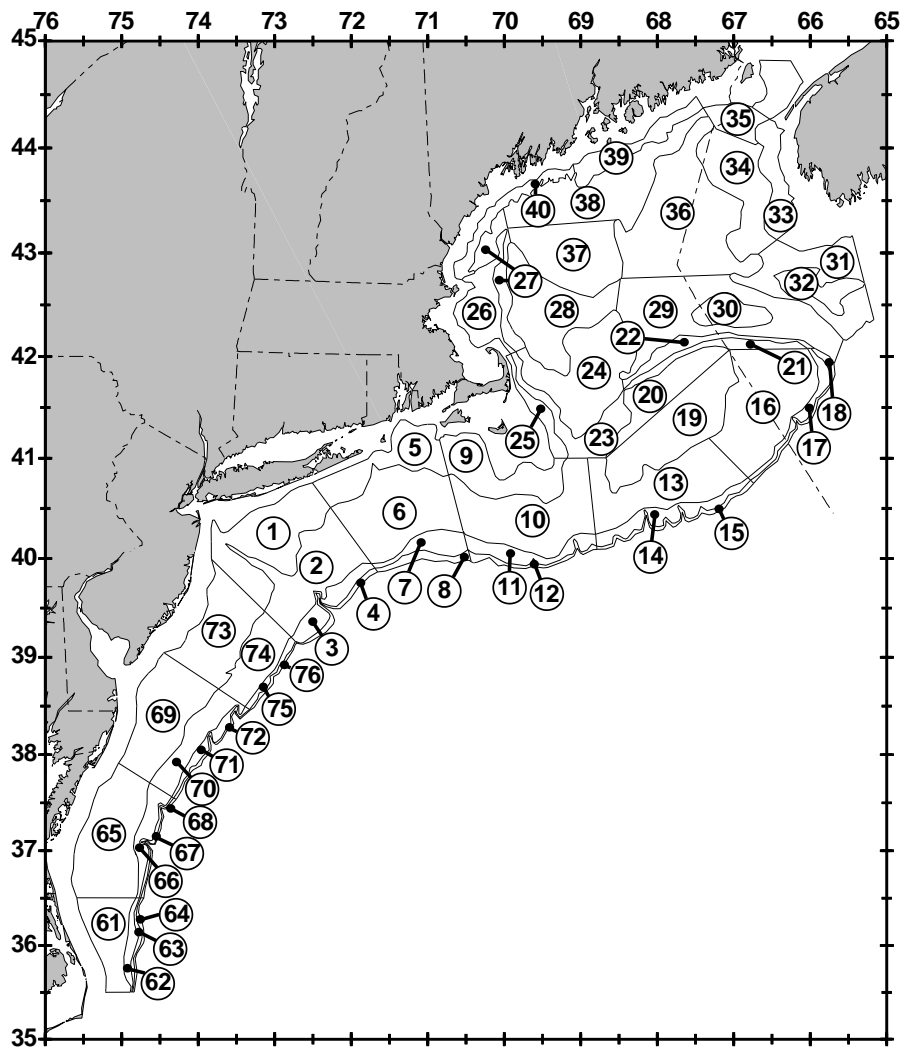
Version 2 of the exercise indicated that the ‘North’ region annual relative exploitable biomass was 67% of the Total during 1980-1989, increasing to 80% of the Total during 2007-2016. Therefore, the ‘South’ region was 33% of the Total during 1980-1989, decreasing to 20% of the Total during 2007-2016.

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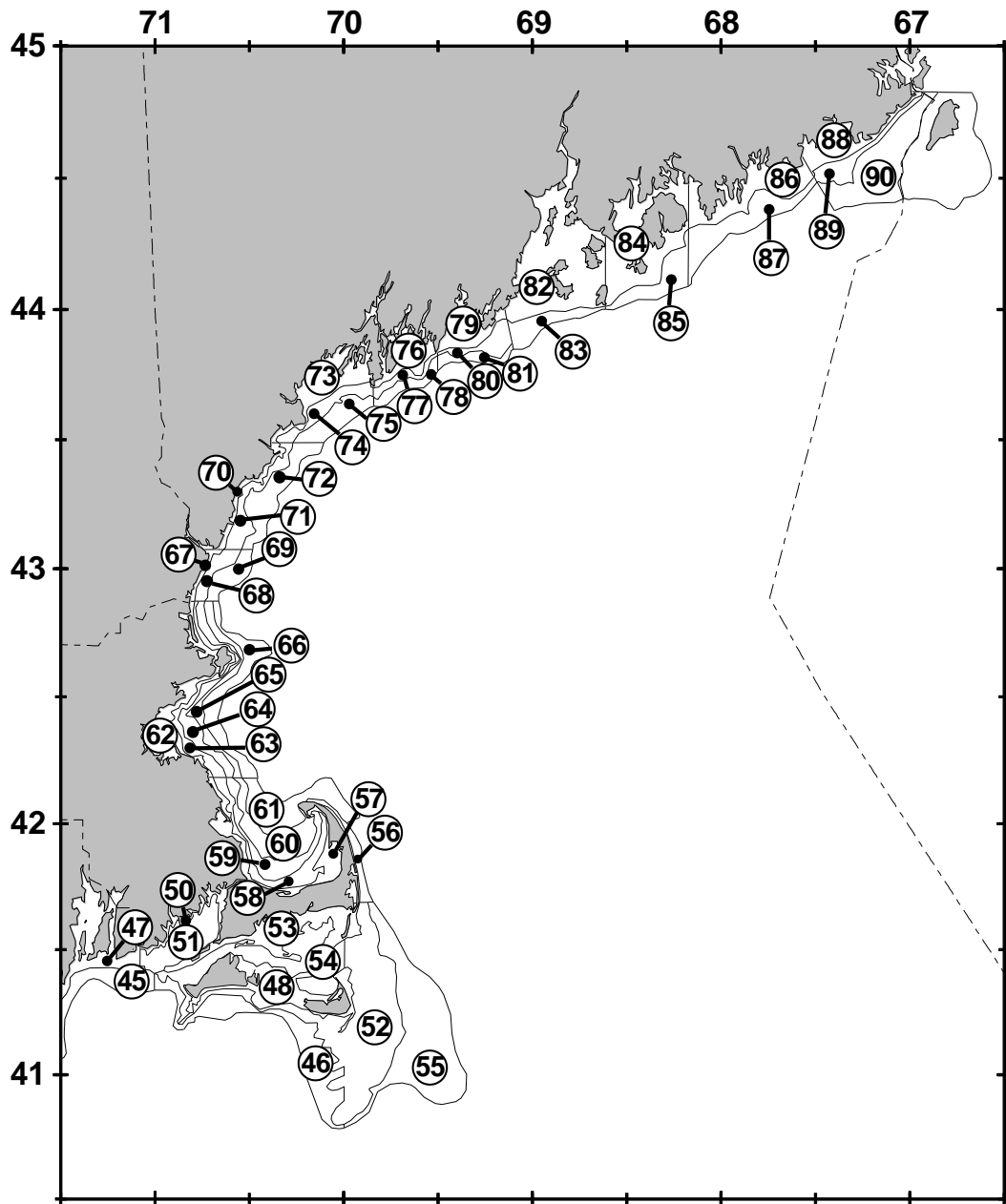
<sup>1</sup> November 2017 Demersal Committee meeting summary available at: <http://www.mafmc.org/s/SF-Amendment-Committee-rcs-memo-November-17.pdf>

<sup>2</sup> Available at: <http://www.mafmc.org/s/Commercial-allocation-Committee-memo-Oct-30-2017.pdf>

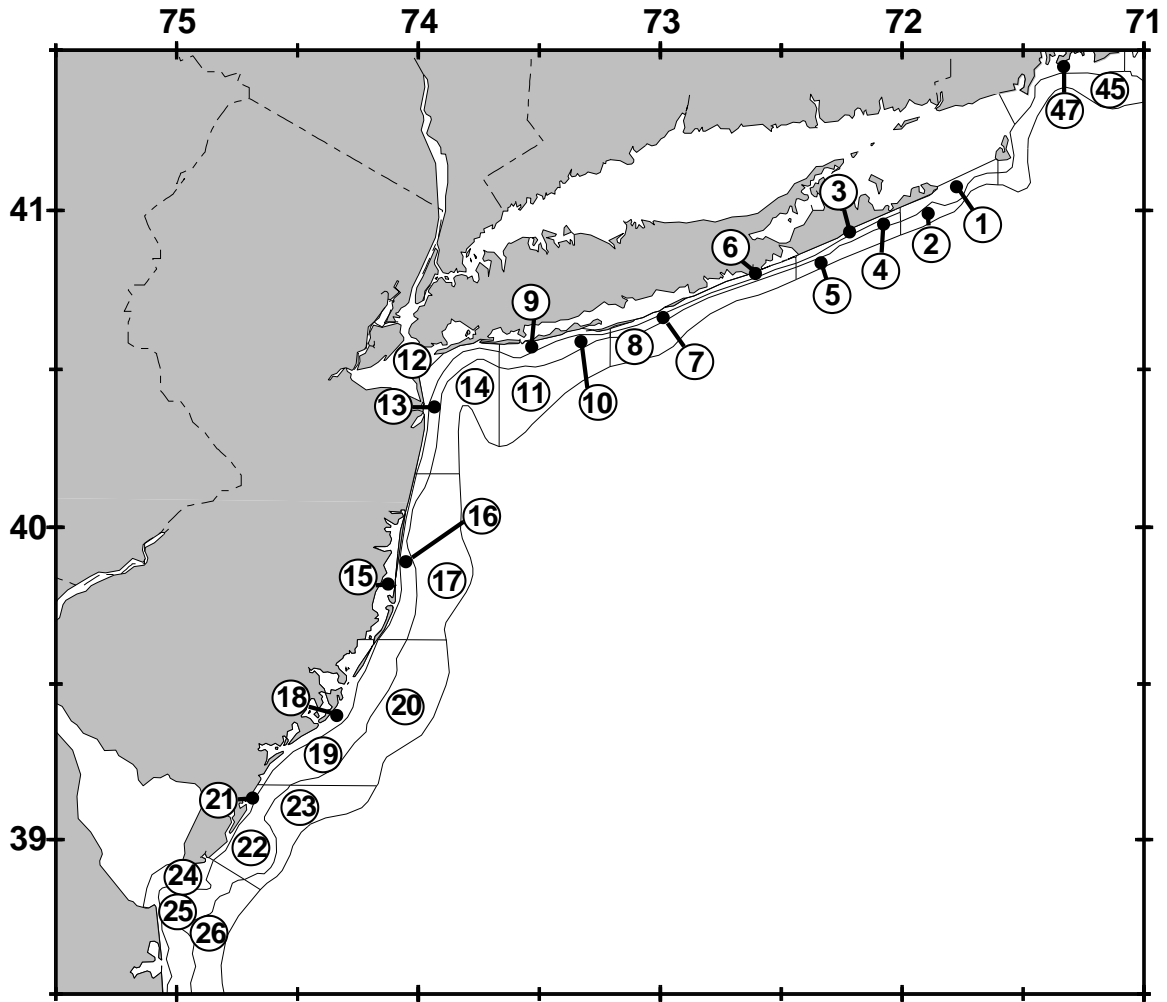
There is no strong biological justification for the North/South break used in the exercise. The break divides the coast into regions coinciding with north/south of Hudson Canyon, or roughly north/south of the NY/NJ border at Raritan Bay. This is the same break used for the split in the BSB stock assessment and occurs at what is generally accepted as the most significant ‘biogeographic barrier’ between Cape Hatteras and Nantucket Shoals. However, historical tagging data (Kraus and Musick 2003), stock discrimination studies (Wilk et al. 1980), genetic studies (Jones and Quattro 1999), and consideration of summer flounder spatial distribution suggest this break may not be much of a barrier to summer flounder movement. The recent distribution appears to be continuous across the break during the NEFSC trawl survey seasons. See the distribution maps below for 2011-2015.



**Figure 1: Strata sampled on NEFSC offshore bottom trawl surveys. Depths range from 27 to >200 meters.**



Strata sampled on NEFSC inshore bottom trawl surveys from Eastport, ME to Buzzards Bay, MA. Depths range from 0-54 meters.



**Figure 3: Strata sampled on NEFSC inshore bottom trawl surveys from Buzzards Bay, MA to Delaware Bay, DE. Depths range from 0-27 meters.**

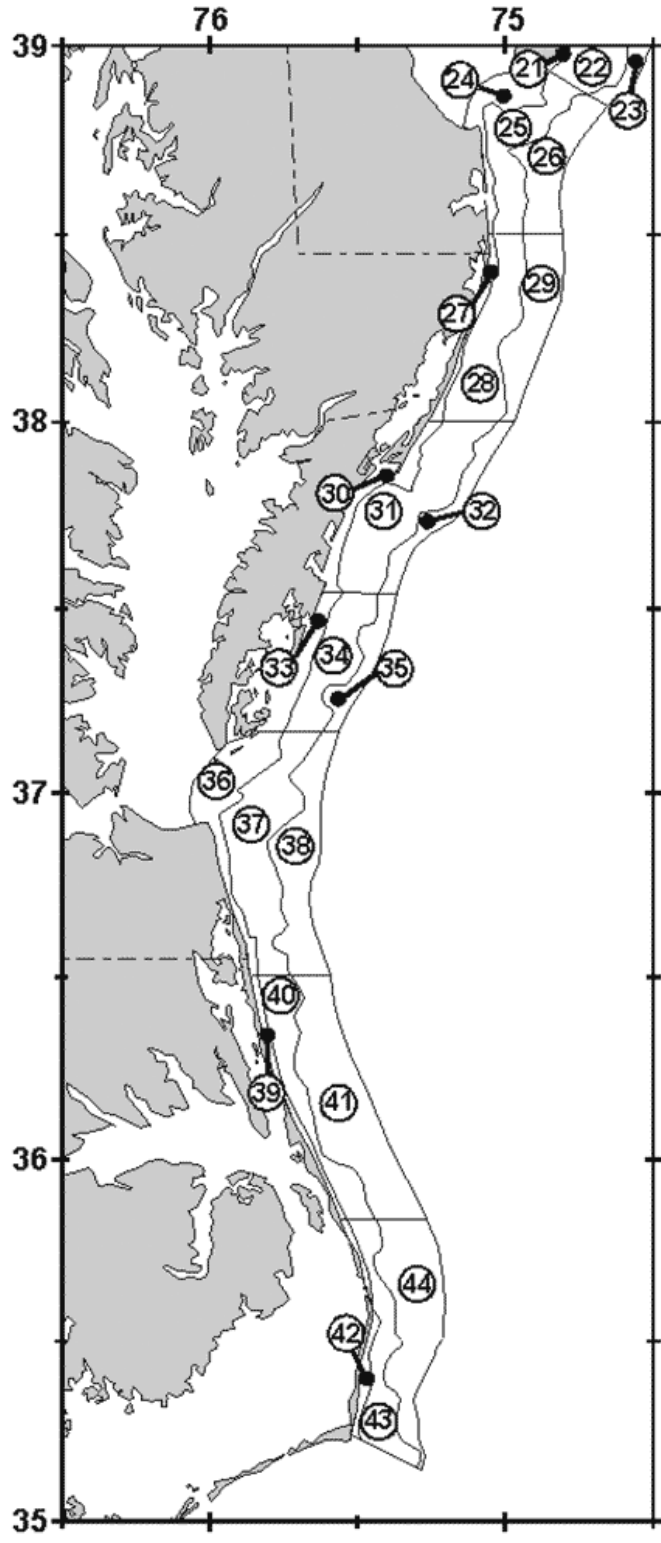
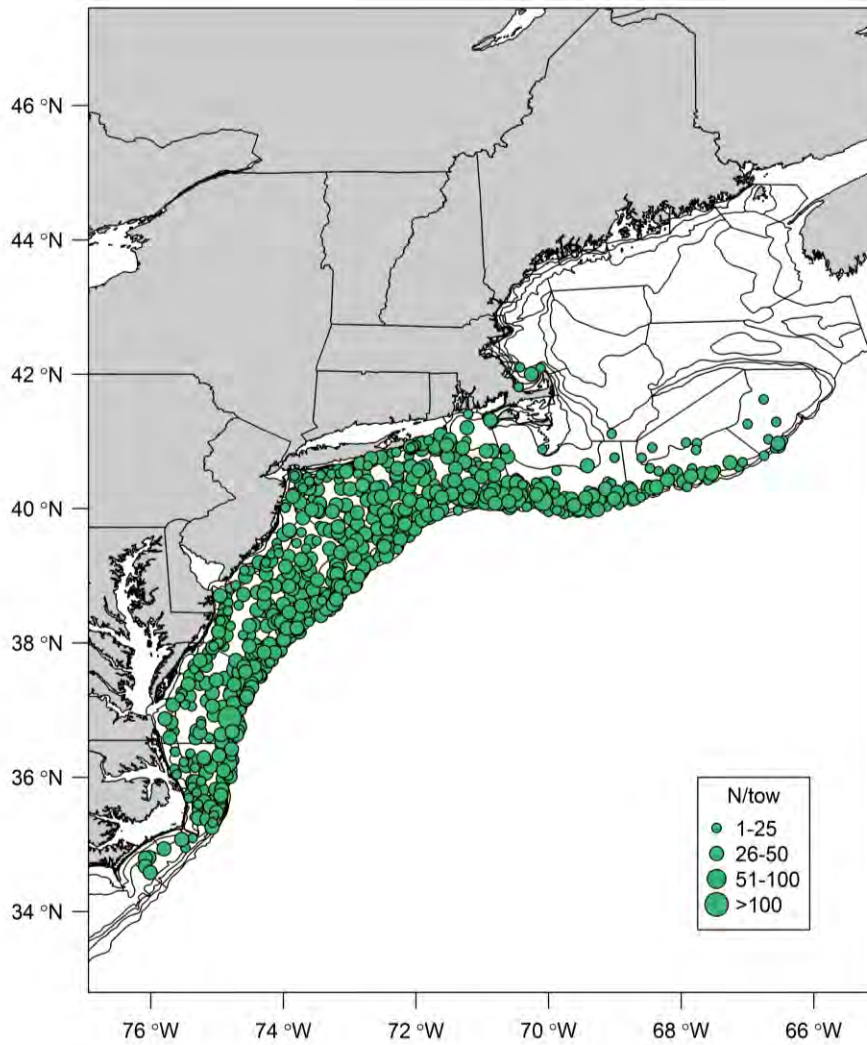
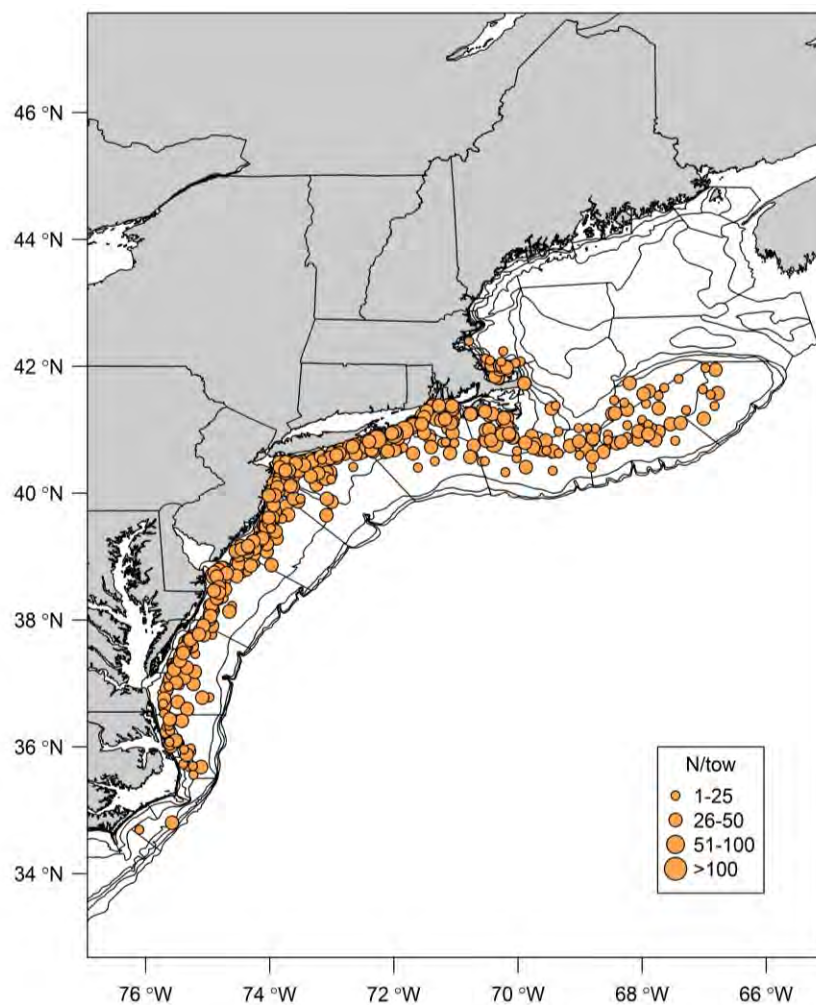


Figure 4: Strata sampled on NEFSC inshore bottom trawl surveys from Delaware Bay, DE to Cape Hatteras, NC. Depths range from 0-27 meters.



**Figure 5: Summer flounder NEFSC spring survey, 2010-2015.**



**Figure 6: Summer flounder NEFSC fall survey, 2011-2015.**

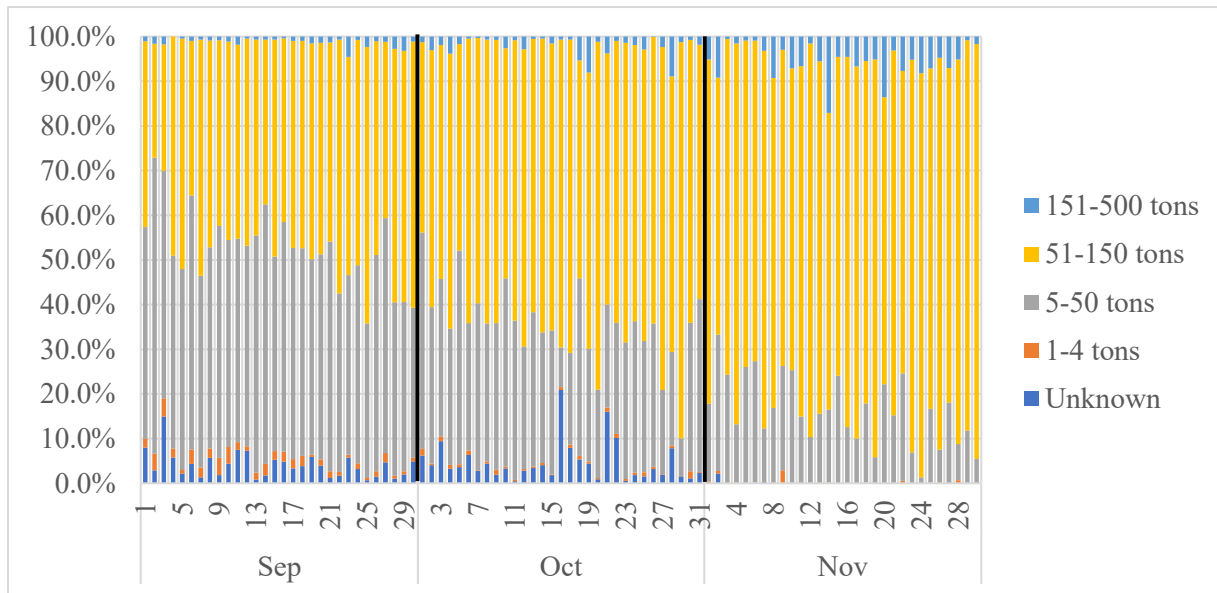
## 12.2 SUPPLEMENTAL DATA ON "SCUP MODEL" SEASONAL CONFIGURATION

As described in section 5.4, the recommended configuration for both alternatives 2D-1 and 2D-2 is as follows: Winter I period from January through April; Summer period from May through October; Winter II period from November through December. This configuration is consistent with the old configuration of scup quota, until it was revised based on a May 2017 decision by the Council and Board to move October into the Winter II quota period (83 FR 17314; April 19, 2018). The decision to configure alternative 2D such that October is in the Summer period for summer flounder, instead of making it consistent with the revised scup quota periods, was made based on a June 2017 Advisory Panel meeting discussion, as well as an initial evaluation of characteristics of the commercial fishery for summer flounder in October, as described below.

At the June 2017 meeting, one advisor involved with the commercial summer flounder fishery indicated that she supported the "scup model" in concept but recommended that October be included in the summer period instead of Winter II. This advisor indicated that the seasonal characteristics of the summer flounder

fishery are different enough from those of the scup fishery that consistency in seasonal quota period dates is not necessarily desirable. No other advisors presented commented on this issue.

Additional analysis of seasonality, vessel tonnage size, and area fished was examined following this meeting to compare the month of October to the surrounding months. Figure 7 and Table 1 describe the percentage of commercial summer flounder landings by gear tonnage class for September, October, and November, 2011-2015. Figure 8 describes the monthly percentage of summer flounder landings reported as caught in state waters vs. federal waters over 2012-2016. Table 2 describes the percentage of commercial summer flounder landings by month and gear type, 2012-2016.

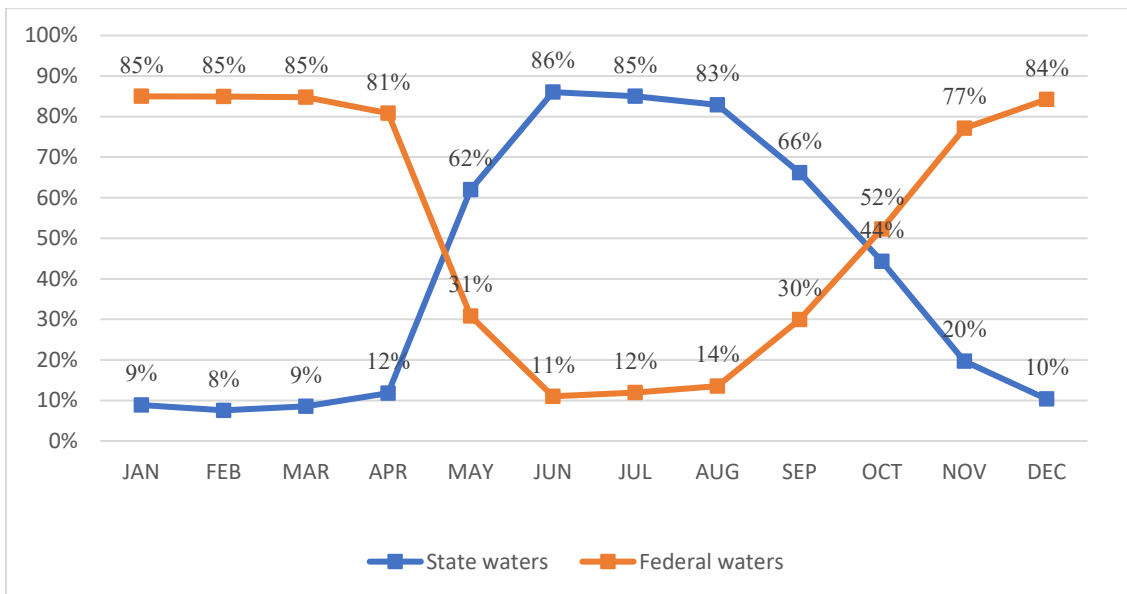


**Figure 7: Percent of summer flounder landings by vessel tonnage class for September, October, and November, 2011-2015. Source: NMFS dealer data.**

**Table 1: Summer flounder commercial landings by vessel tonnage class for September, October, and November, from 2011-2015 dealer data.**

		Sep	Oct	Nov
<b>Vessel Tonnage</b>	Unknown	4.00%	4.30%	0.10%
	1-4 tons	1.80%	0.60%	0.20%
	5-50 tons	46.30%	31.40%	15.10%
	51-150 tons	46.70%	61.80%	79.40%
	151-500 tons	1.20%	1.90%	5.20%





**Figure 8: Summer flounder state vs. federal waters landings (coastwide) by month, as reported via 2013-2017 VTR data.**

**Table 2: Percentage of commercial summer flounder landings by gear category and month, 2012-2016 VTR data.**

<b>Gear Type</b>	<b>JAN</b>	<b>FEB</b>	<b>MAR</b>	<b>APR</b>	<b>MAY</b>	<b>JUN</b>	<b>JUL</b>	<b>AUG</b>	<b>SEP</b>	<b>OCT</b>	<b>NOV</b>	<b>DEC</b>	<b>TOTAL</b>
BOTTOM TRAWL	99.54%	99.74%	99.48%	98.56%	88.85%	88.80%	92.25%	93.67%	93.56%	92.58%	98.34%	99.09%	97.76%
GILLNET	0.15%	0.03%	0.03%	0.53%	5.94%	3.32%	1.36%	1.22%	2.59%	3.55%	0.62%	0.22%	0.74%
HANDLINE	0.01%	0.01%	0.00%	0.08%	3.02%	6.66%	5.42%	4.63%	1.22%	0.26%	0.03%	0.03%	0.72%
SCALLOP DREDGE	0.17%	0.12%	0.29%	0.53%	1.36%	0.40%	0.44%	0.03%	1.11%	2.52%	0.65%	0.21%	0.41%
BLANK/UNK.	0.14%	0.09%	0.19%	0.18%	0.34%	0.35%	0.29%	0.21%	1.22%	0.70%	0.33%	0.45%	0.27%
POT/TRAP	0.01%	0.01%	0.00%	0.06%	0.49%	0.44%	0.22%	0.21%	0.19%	0.21%	0.01%	0.00%	0.07%
OTHER	0.00%	0.01%	0.01%	0.05%	0.01%	0.04%	0.00%	0.02%	0.12%	0.18%	0.03%	0.00%	0.02%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

## **13.0 APPENDIX C: SUMMER FLOUNDER PORTS AND COMMUNITIES SUPPLEMENTAL INFORMATION**

Section 6.5.2.2 of the FEIS describes the top commercial ports for summer flounder landings from 2009-2018, including all ports accounting for at least 1% of the total ex-vessel revenue for summer flounder reported by commercial dealers over this ten-year time period. These 18 ports together accounted for over 87% of the summer flounder ex-vessel value during this time period. The top five ports for summer flounder include Point Judith, RI, Newport News, VA, Hampton, VA, Pt. Pleasant, NJ, and Beaufort, NC.

Community Profiles for the Northeast US Fisheries (Colburn et al. 2010) were developed by the NEFSC and describe in-depth information regarding the historic, demographic, cultural, and economic context for understanding a community's involvement in fishing. These profiles were developed in part for use in EIS documents. This appendix contains the community profiles for the top 18 commercial summer flounder ports (based on 2009-2018 data). More information on the development and use of community profiles can be found at: <https://www.nefsc.noaa.gov/read/socialsci/pdf/community-profiles/introduction.pdf>.

In addition to these profiles, the Northeast Fishing Community Snapshots provide more recent data for key indicators for Northeastern fishing communities related to dependence on fisheries and other economic and demographic characteristics. These snapshots are available at: <https://www.nefsc.noaa.gov/read/socialsci/communitySnapshots.php>.

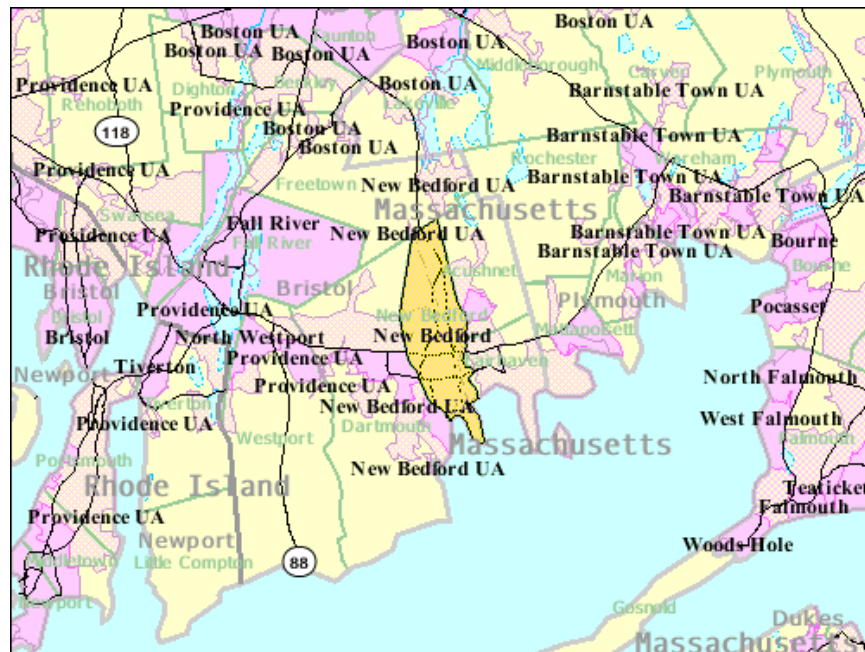
# NEW BEDFORD, MA<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

New Bedford is the fourth largest city in the commonwealth of Massachusetts. It is situated on Buzzards Bay, located in the southeastern section of the state in Bristol County. New Bedford is bordered by Dartmouth on the west, Freetown on the north, Fairhaven and Acushnet on the east, and Buzzards Bay on the south. The city is 54 miles south of Boston (State of Massachusetts 2006), and has a total area of 24 mi<sup>2</sup>, of which about 4 mi<sup>2</sup> (16.2%) is water (USGS 2008).



Map 1. Location of New Bedford, MA (US Census Bureau 2000a)

#### Historical/Background

New Bedford, originally part of Dartmouth, was settled by Plymouth colonists in 1652. Fishermen established a community in 1760 and developed it into a small whaling port and shipbuilding center within five years. By the early 1800s, New Bedford had become one of the world's leading whaling ports. Over one half of the U.S. whaling fleet, which totaled more than 700 vessels, was registered in New Bedford by the mid 1800s. However, the discovery of petroleum greatly decreased the demand for sperm oil, bringing economic devastation to New

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: "Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov)."

Bedford and all other whaling ports in New England. The last whale ship sailed out of New Bedford in 1925 (New Bedford Whaling Museum 2006). In attempts to diversify its economy, the town manufactured textiles until the southeast cotton boom in the 1920s. Since then, New Bedford has continued to diversify, but the city is still a major commercial fishing port (USGenNet 2006). It consistently ranks in the top two ports in the U.S. for landed value.

### Demographics<sup>3</sup>

According to Census 2000 data (US Census Bureau 2000a), New Bedford had a total population of 93,768, down 6.2% from a reported population of 99,922 in 1990 (US Census Bureau 1990). Of this 2000 total, 47.1% were males and 52.9% were females. The median age was 35.9 years and 71.2 % of the population was 21 years or older while 18.9% was 62 or older.

New Bedford’s age structure (see Figure 1) by sex shows a higher number of females in each age group between 20 and over 80 years. There is no drop in the 20-29 age group (as occurs in many smaller fishing communities), which could be due to New Bedford’s proximity to Boston (several universities), the local sailing school, the Northeast Maritime Institute, or a large number of employment opportunities.

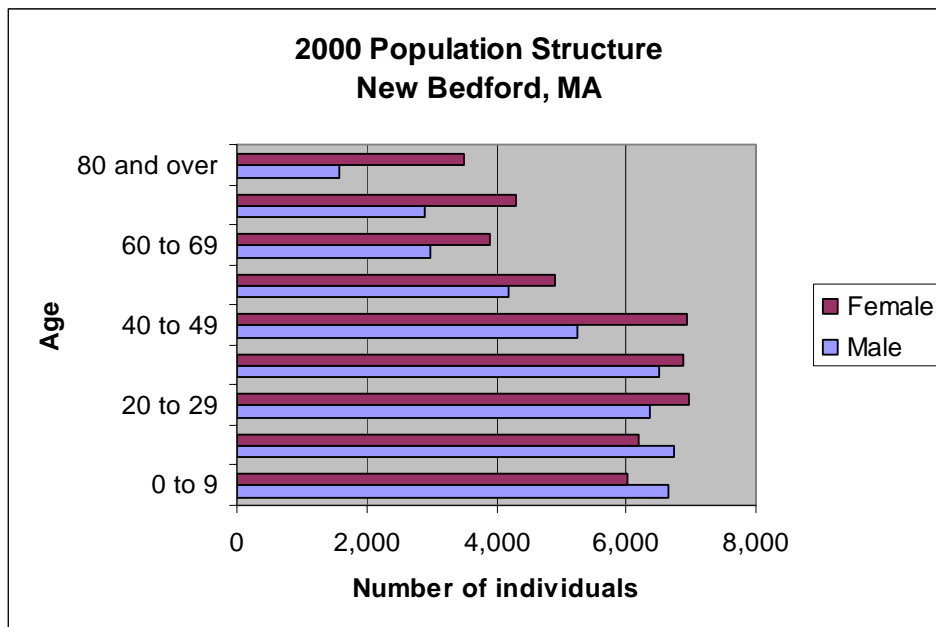


Figure 1. New Bedford’s population structure by sex in 2000 (US Census Bureau 2000a)

The majority of the population was white (83.8%), with 4.7% of residents black or African American, 0.7% Asian, 0.6% Native American, and 0.05% Pacific Islander or Hawaiian (see Figure 2). Only 10.2% of the population identified themselves as Hispanic/Latino (see Figure 3). (One community member noted that this number is probably much higher, but many undocumented immigrants do not respond to the Census. He noted that many Hispanics/Latinos

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

work on fishing vessels and in processing plants.)<sup>4</sup> Residents linked their backgrounds to a number of different ancestries including: Portuguese (38.6%), French (9.1%), and Sub-Saharan African (8.2%) (the vast majority of which are Cape Verdean) . With regard to region of birth, 67.8% were born in Massachusetts, 8.0% were born in a different state, and 19.6% were born outside of the U.S. (including 9.2% who were not United States citizens).

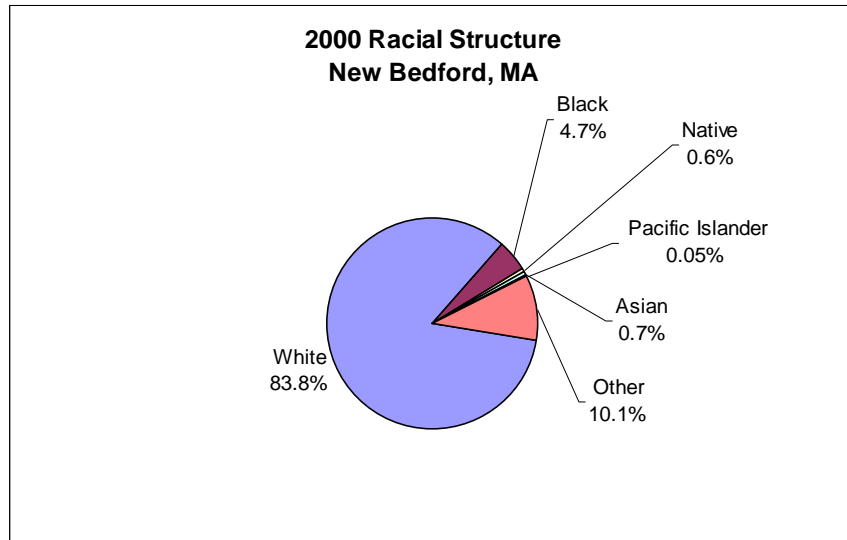


Figure 2. Racial Structure in 2000 (US Census Bureau 2000a)

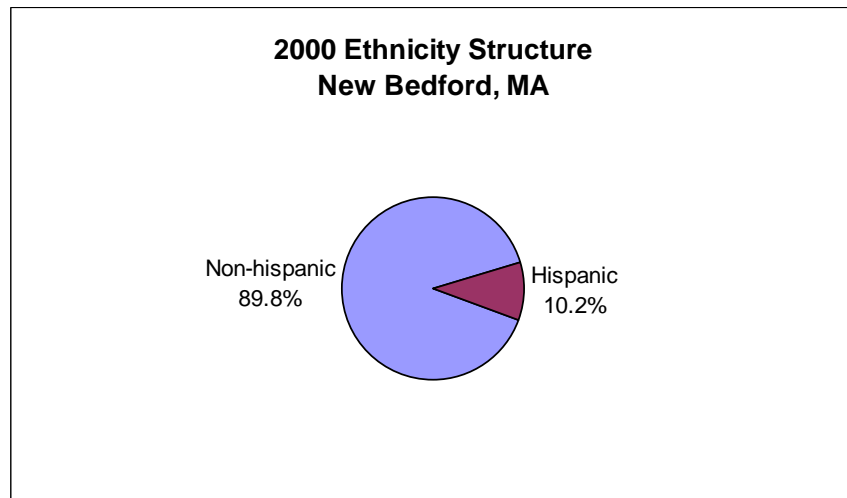


Figure 3. Ethnic structure in 2000 (US Census Bureau 2000a)

For 62.2% of the population, only English was spoken in the home, leaving 37.8% in homes where a language other than English was spoken, including 17.3% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 57.6% were high school graduates or higher and 10.7% had a bachelor’s degree or higher. Again of the population 25 years and over, 24.3% did

<sup>4</sup> Profile review comment, Rodney Avila, former commercial fisherman, 369 Belair St., New Bedford, MA 02745, August 14, 2007

not reach ninth grade, 18.1% attended some high school but did not graduate, 27.7% completed high school, 13.9% had some college with no degree, 5.3% received an associate's degree, 7.5% earned a bachelor's degree, and 3.2% received either a graduate or professional degree.

Although religion percentages are not available through U.S. Census data, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in the Bristol County was Catholic with 85 congregations and 268,434 adherents. Other prominent congregations in the county were United Methodist (17 with 3,583 adherents), United Church of Christ (19 with 5,728 adherents) and Episcopal (18 with 5,100 adherents). The total number of adherents to any religion was up 9.4% from 1990 (ARDA 2000).

### **Issues/Processes**

New Bedford struggles with highly contaminated harbor water and harbor sediment. New Bedford Harbor is contaminated with metals and organic compounds, including polychlorinated biphenyls (PCBs) (US Department of Commerce 2002). Because of the high concentrations of PCBs in the sediment, New Bedford Harbor was listed by the U.S. EPA as a Superfund site in 1982 and cleanup is underway. Significant levels of these pollutants have accumulated in sediments, water, fish, lobsters, and shellfish in the Harbor and adjacent areas. New Bedford is also the only major municipality in the Buzzards Bay area to discharge significant amounts of untreated combined sewage, industrial waste, and storm water from combined sewer overflows (BBNEP 1991).

The pollution problem not only affects human health and the ecosystem, but has a large impact on New Bedford's economy. For example, closures of fishing areas in the harbor have caused economic losses in the millions for the quahog landings alone. Closure of the lobster fishery resulted in an estimated loss of \$250,000 per year and the finfish industry and recreational fishing have also been negatively affected (Comprehensive Conservation and Management Plan 1991). In addition to contaminated harbor sediments, numerous brownfield properties are located in proximity to the port, especially on the New Bedford side (US Department of Commerce 2002).

Another issue in New Bedford is in regards to fishing crew members. According to a 2002 newspaper article, fishing vessel owners complain of a shortage of crewmen. They attribute this scarcity to low unemployment rates that have kept laborers from the docks. Many choose to bypass work that government statistics place among the most dangerous jobs in the country. Many crewmembers are either inexperienced or come from foreign countries. Both present safety issues, according to one fisherman, because inexperienced crew get hurt more often and foreign crew have significant language barriers that impede communication. Additionally, the article noted, those willing to work sometimes struggle with alcohol and drug dependency. Ship captains have applicants roll up their shirt sleeves to check for traces of heroin use (Paul NC, Scriptor C 2002). However, a community member and former fisherman commented that this is not normal procedure; most of the drug problems in the city come from crew members on out-of-town boats. He also noted that with a decrease in days at sea vessels are allowed to fish, crew members have been more steady, most working on more than one vessel owned by a single owner.<sup>5</sup>

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<sup>5</sup> Profile review comment, Rodney Avila, former commercial fisherman, 369 Belair St., New Bedford, MA 02745, August 14, 2007

## **Cultural attributes**

In September 2007, New Bedford hosted the fourth annual Working Waterfront Festival, dedicated to the commercial fishing industry in New Bedford. This festival is a chance for the commercial fishing industry to educate the public about its role in the community and in providing seafood to consumers, through boat tours, demonstrations, and contests. The annual Blessing of the Fleet is held as part of the Working Waterfront Festival <http://www.workingwaterfrontfestival.org/>.

The New Bedford community celebrates its maritime history with a culmination of activities in the New Bedford Summerfest. The Summerfest is held annually in July in conjunction with the New Bedford State Pier and the New Bedford National Whaling Historical Park. Summerfest also includes the Cape Verdean Recognition Day Parade and the Cape Verdean American Family Festival <http://www.newbedfordsummerfest.com/>.

The community has taken an active role in the remembrance of its maritime heritage. The Azorean Maritime Heritage Society, the New Bedford Whaling Museum and the New Bedford Whaling National Historical Park have cooperated to raise awareness of the maritime history of the Azorean community on both sides of the Atlantic.

The [New Bedford Whaling Museum](#) was established by the Old Dartmouth Historical Society in 1907 to tell the story of American whaling and to describe the role that New Bedford played as the whaling capital of the world in the nineteenth century. Today the whaling Museum is the largest museum in America devoted to the history of the American whaling industry and its greatest port.

The New Bedford Whaling National Historical Park was created in 1996 and focuses in the city's whaling history. The park covers 13 city blocks and includes a visitor center, the New Bedford Whaling Museum, and the Rotch-Jones-Duff House and Garden Museum (US Department of the Interior 2006).

Every summer, the City of New Bedford offers a free monthly cultural night in downtown called "[Aha!](#)" (Art, History & Architecture). Started in 1999, the series includes music, open galleries, vendors, and music on the second Thursday of each month.

## **INFRASTRUCTURE**

### **Current Economy**

The New Bedford Economic Development Council (NBEDC), Inc. was established in 1998 to improve the city's economic development by helping to attract business and job opportunities to the city. The NBEDC also provides small business funds and offers financial support (in loans) for new businesses or those who want to expand. One of their loan funds is specifically targeted at fishermen (NBEDC 2006).

With a federal grant and local funds, the city and the Harbor Development Council (HDC) in 2005 began construction on a \$1 million, 8,500-square foot passenger terminal at State Pier to support passenger ferry service. The HDC received a federal grant for more than \$700,000 to construct the passenger terminal and to improve berthing at the New Bedford Ferry Terminal (NBEDC 2006). The city has also redeveloped Standard Times Field, a brownfield site, into an industrial park targeted towards the seafood industry; a number of seafood processors have relocated to this site.<sup>6</sup>

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<sup>6</sup> Profile review comment, Dave Janik, Massachusetts Department of Coastal Zone Management, South Coast CZM Regional Coordinator, 2870 Cranberry Highway, Wareham, MA 02538, October 5, 2007



According to a 1993 survey, major employers that provided over 100 jobs in New Bedford included the following businesses with the number of employees in parentheses: Acushnet Company (1,600), Cliftex (1,400 – now out of business<sup>7</sup>), Aerovox (800), Calish Clothing (750), and Polaroid (465) (City of New Bedford 2006). “According to a study conducted in July 1998, harbor-related businesses account for an estimated \$671 million in sales and 3,700 jobs within the local area. The core seafood industry, comprising harvesting vessels and dealers/processors, contributes nearly \$609 million in sales and 2,600 local jobs (State of Massachusetts 2002).” New Bedford accounts for 45% of employment in the seafood harvesting sector in the state of Massachusetts (State of Massachusetts 2002).

According to the U.S. Census 2000<sup>8</sup>, 57.7% (42,308 individuals) of the total population 16 years of age and over were in the labor force (see Figure 4), of which 5.0% were unemployed, 0.2% were in the Armed Forces, and 52.5% were employed.

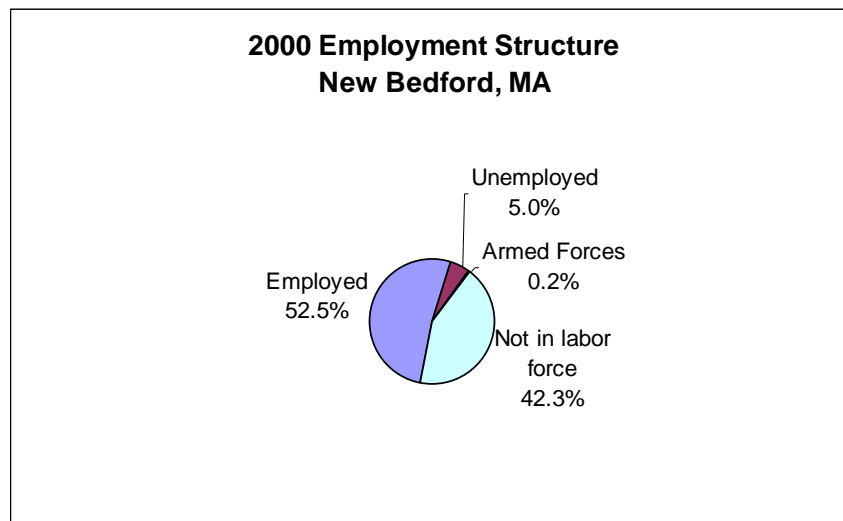


Figure 4. Employment structure in 2000 (US Census Bureau 2000a)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 407 or 1.1% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 1,485 or 3.9% of the labor force. Educational, health and social services (20.9%), manufacturing (20.7%), retail trade (12.1%), entertainment, recreation, accommodation and food services (7.4%), and construction (7.1%) were the primary industries.

Median household income in New Bedford was \$27,569 (up 21.7% from \$22,647 in 1990 (US Census Bureau 1990a)) and median per capita income was \$15,602. For full-time year round workers, males made approximately 29.0% more per year than females.

The average family in New Bedford consisted of 3.01 persons. With respect to poverty, 17.3% of families (up from 16.8% in 1990 (US Census Bureau 1990a)) and 20.2% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9)

<sup>7</sup> Profile review comment, Rodney Avila, former commercial fisherman, 369 Belair St., New Bedford, MA 02745, August 14, 2007

<sup>8</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

(US Census Bureau 2000b). In 2000, 48.8% of all families (of any size) earned less than \$35,000 per year.

In 2000, New Bedford had a total of 41,511 housing units of which 92.0% were occupied and 30.2% were detached one unit homes. Approximately half (49.9%) of these homes were built before 1940. Mobile homes in this area accounted for 0.3% of the total housing units; 95.0% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$113,500. Of vacant housing units, 0.3% were used for seasonal, recreational, or occasional use. Of occupied units 56.2% were renter occupied.

## **Government**

New Bedford was incorporated as a town in 1787 and as a city in 1847. The city of New Bedford has a Mayor and a City Council (City of New Bedford 2006).

### *Fishery involvement in government*

The Harbor Development Commission includes representatives from the fish-processing and harvest sectors of the industry. NOAA Fisheries, [Fisheries Statistics Office](#), has two port agents based in New Bedford. Port agents sample fish landings and provide a ‘finger-on-the-pulse’ of their respective fishing communities. “The HDC has jurisdiction over all the waters in New Bedford, including the entire coastline of the peninsula, the harbor, and north along the Acushnet River to the city’s boundaries. The HDC manages city property on the waterfront, including Homer’s, Leonard’s, Steamship, Coal Pocket and Fisherman’s Wharves and a 198-slip recreational marina at Pope’s Island. The HDC also assigns moorings and enforces rules regarding use of piers, wharves, and adjacent parking areas under its jurisdiction. The Harbormaster acts as an agent of the HDC (City of New Bedford 2006).” New Bedford also has a Shellfish Warden.

## **Institutional**

### *Fishing associations*

There are a variety of fishing associations which aid the fishing industry in New Bedford, including the American Dogfish Association, the American Scallop Association, and the Commercial Anglers Association. New Bedford also is home to a Fishermen’s Wives Association which began in the early 1960s. Additionally, New Bedford has the Offshore Mariner’s Wives Association which includes a handful of participants that organize the “Blessing of the Fleet” (Hall-Arber et al. 2001).

The Massachusetts Fisherman’s Partnership focuses on issues for fishermen in different ports in Massachusetts. The Partnership responded to the need of health care for fishermen and their families by developing the Fishing Partnership Health Insurance Plan with federal and state aid. This plan has been in place since 1997 and reduces the amount of money that fishermen’s families have to pay to be covered by health insurance (Hall-Arber et al. 2001).

### *Fishing assistance centers*

[Shore Support](#) has been the primary fishing assistance center in New Bedford since 2000 (Hall-Arber et al. 2001). Their mission is “to identify and organize the rank and file fishermen in the port of New Bedford, to keep fishing families aware of retraining opportunities and human services when necessary, and to create a liaison between the rank and file fishermen and the regulatory system.” The New Bedford Fishermen and Families Assistance Center, formerly

active here, has closed its doors, and the Trawlers Survival Fund is no longer active. The Industry Survival Fund, which deals with the scallop industry, is active in New Bedford at present.<sup>9</sup>

### *Other fishing related organizations*

There are several other fishing related organizations and associations that are vital to the fishing industry such as the Fisheries' Survival Fund (Fairhaven), the New Bedford Fishermen's Union, the New Bedford Seafood Coalition, and the New Bedford Seafood Council (Hall-Arber 2001).

The Community Economic Development Center is a non-profit organization vested in the economic development of the local community. The organization is unique in that it is involved with fisheries management. The center is currently engaged in a research project to better understand the employment status in the fishing industry. The center is a liaison for migrant workers and other newcomers to the community to have access to the benefits provided by the city. In the past the center at one time had a re-training program for displaced fishermen to move into aquaculture.

The [School for Marine Science and Technology](#) (SMAST), part of the University of Massachusetts at Dartmouth, is based in New Bedford. SMAST is a graduate school offering interdisciplinary degrees in ocean and marine science, including fisheries science and management.

### **Physical**

Interstate 195 and State routes 24 and 140 provide access to the airports, ports, and facilities of Providence and Boston. In addition to being only about 50 miles from Boston, New Bedford is located 33 miles southeast of Providence, RI and approximately 208 miles from New York City. "New Bedford Harbor is at the mouth of the Acushnet River, which flows south into Buzzards Bay and the Atlantic Ocean. The entrance to the harbor is nine nautical miles from the beginning of the Cape Cod Canal shipping channel. The Port of New Bedford is a deep-water port with depths of 30 feet. The harbor features a hurricane barrier that stretches across the water from the south end of New Bedford to the Town of Fairhaven. The barrier's 150-foot opening is closed during hurricane conditions and coastal storms. As a result, the harbor is one of the safest havens on the eastern seaboard (City of New Bedford 2006)."

The Consolidated Rail Corporation (Conrail) provides services into New Bedford. The New Bedford Municipal Airport is located 2 miles NW of the city. Cape Air, located in Hyannis on Cape Cod, offers flights to and from New Bedford, as does Bayside Air Charter (located at the New Bedford Regional Airport). Ferry service to the island of Martha's Vineyard is available daily (year-round) from the State Pier in the city. Whaling City Harbor Tours & Water Taxi Service offers mooring-to-dock services in the summer months to recreational boaters. They also offer tours of the commercial fishing fleet and the lighthouse, also in the summer season. Intercity bus service is offered by American Eagle Motor Coach, Inc. and Bonanza Bus Lines to Cape Cod, Providence, Newport, and Boston. [Southeastern Regional Transit Authority](#) offers local bus service throughout the New Bedford area. The Massachusetts Bay Transportation Authority has been considering extending the commuter rail service to New Bedford from Boston. In the summer of 2007, a pilot fast ferry service started between New

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<sup>9</sup> Profile review comment, Rodney Avila, former commercial fisherman, 369 Belair St., New Bedford, MA 02745, August 14, 2007

Bedford and Woods Hole; the service ran for four months, and will be evaluated by city officials to determine whether it will continue (Urbon 2007).

There are several marinas in New Bedford and nearby Fairhaven, in addition to the major commercial docks. The HDC operates the 198-slip public marina at Pope's Island, which is located within the Hurricane Barrier in the upper harbor east of the New Bedford/Fairhaven Bridge. Pope's Island Marina is situated along the south side of the island and receives financial assistance from the Massachusetts Department of Conservation and Recreation. Services include on-site laundry facilities, pump out facilities, shower rooms, and conference room, with dockside water and electricity available <http://www.ci.newbedford.ma.us/PortofNewBedford/GettingAround/PopesIsland.html>. There are more than 950 recreational boat slips in New Bedford/Fairhaven Harbor (City of New Bedford 2006).

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>10</sup>**

### **Commercial**

In the 1980s, fishermen experienced high landings and bought new boats due to a booming fishing industry. In the 1990s, however, due to exhausted fish stocks, the fishing industry experienced a dramatic decrease in groundfish catches and a subsequent vessel buyback program, and strict federal regulations in attempts to rebuild the depleted fish stocks. A new decade brought more changes for the fishing industry (Kennedy 2001). By 2000 and 2001 New Bedford was the highest value port in the U.S. (generating \$150.5 million in dockside revenue) (Plante 2002).

The range of species landed in New Bedford is quite diverse and can be separated by State and Federal (see Table 1) permits, however this profile displays only Federal landings data. It is important to note that according to State permits, the largest landings were of cod, haddock, and lobster, and with impressive representation by a number of different species. According to the federal commercial landings data, New Bedford's most successful fishery in the past ten years has been scallops, followed by groundfish. Scallops were worth significantly more in 2006 than the 1997-2006 average values, and the total value of landings for New Bedford generally increased over the same time period. The value of groundfish in 2006, however, was considerably less than the ten-year average value. The number of vessels whose home port was New Bedford increased somewhat between 1997 and 2006, while the value of fishing for home port vessels more than doubled from \$80 million to \$184 million over the same time period. The number of vessels whose owner's city was New Bedford fluctuated between 137 and 199 vessels, while the value of landings in New Bedford tripled from \$94 million in 1998 to and \$281 million in 2006 (see Table 2). One community member notes that the number of vessels in

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<sup>10</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

the harbor as of 2007 is up to 232. The number of fishing vessels based out of New Bedford has increased in the last few years due a loss of infrastructure in other ports; New Bedford has seen vessels relocate here from Gloucester, Portland, Plymouth, Newport, and even as far away as Virginia.<sup>11</sup>

New Bedford has approximately 44 fish wholesale companies, 75 seafood processors, and some 200 shore side industries (Hall-Arber 2001). [Maritime International](#) has one of the largest U.S. Department of Agriculture-approved cold treatment centers on the East Coast. Its terminal receives approximately 25 vessels a year, most carrying about 1,000 tons of fish each. [American Seafoods](#), one of the largest seafood companies in the United States, has a large processing facility in New Bedford where they process primarily scallops. [Norpel](#) (Northern Pelagic Group, LLC), also in New Bedford, is one of the largest pelagic processing companies in the United States, catching and processing both mackerel and herring with a dedicated fleet of mid-water trawlers. New Bedford’s auction house, [Whaling City Seafood Display Auction](#), opened in 1994, allowing fishermen to get fair prices for their catch and providing buyers with a more predictable supply of seafood. One of the recommendations of the New Bedford/Fairhaven Harbor Plan was to establish effective public oversight of the auction process (State of Massachusetts 2002).

## Landings by Species

Table 1. Dollar value of Federally Managed Groups of landings in New Bedford

	Average from 1997-2006	2006 only
<b>Scallop</b>	108,387,505	216,937,686
<b>Largemesh Groundfish</b> <sup>12</sup>	30,921,996	23,978,055
<b>Monkfish</b>	10,202,039	8,180,015
<b>Surf Clams, Ocean Quahog</b>	7,990,366	9,855,093
<b>Lobster</b>	4,682,873	5,872,100
<b>Other</b> <sup>13</sup>	4,200,323	2,270,579
<b>Skate</b>	2,054,062	3,554,808
<b>Squid, Mackerel, Butterfish</b>	1,916,647	5,084,463
<b>Summer Flounder, Scup, Black Sea Bass</b>	1,481,161	2,227,973
<b>Smallmesh Groundfish</b> <sup>14</sup>	897,392	1,302,488
<b>Herring</b>	767,283	2,037,784
<b>Dogfish</b>	89,071	13,607
<b>Bluefish</b>	25,828	10,751
<b>Tilefish</b>	2,675	1,084

*Note: Red crab are also landed, but data cannot be reported due to confidentiality.*

<sup>11</sup> Profile review comment, Rodney Avila, former commercial fisherman, 369 Belair St., New Bedford, MA 02745, August 14, 2007

<sup>12</sup> Largemesh groundfish: cod, winter flounder, witch flounder, yellowtail flounder, am. plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>13</sup> “Other” species includes any species not accounted for in a federally managed group

<sup>14</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

## Vessels by Year<sup>15</sup>

Table 2: All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	244	162	80,472,279	103,723,261
1998	213	137	74,686,581	94,880,103
1999	204	140	89,092,544	129,880,525
2000	211	148	101,633,975	148,806,074
2001	226	153	111,508,249	151,382,187
2002	237	164	120,426,514	168,612,006
2003	245	181	129,670,762	176,200,566
2004	257	185	159,815,443	206,273,974
2005	271	195	200,399,633	282,510,202
2006	273	199	184,415,796	281,326,486

(Note: # Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>16</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location)

### Recreational

While recreational fishing in New Bedford Harbor is discouraged due to heavy metal contamination (Department of Health and Human Services), a number of companies in New Bedford offer the public [recreational fishing excursions including boat charters](#). There are also several bait and tackle stores, many of which serve as [official state fishing derby weigh-in stations](#). “In 1999 there were approximately 950 slips in New Bedford Harbor and 85% were visitor based. According to FXM Associates, marina operators agreed that an additional 200 slips could be filled. A few owners of fishing boats in the 45 to 50 foot range have obtained licenses for summer party boat fishing. Tuna is a popular object for recreational fishing as are stripped bass” (Hall-Arber et al. 2001).

### Subsistence

While no information on subsistence fishing in New Bedford was obtained through secondary data collection, the large number of ethnic groups in New Bedford may indicate subsistence fishing does occur.

### FUTURE

For several years, work was underway to construct the New Bedford Oceanarium that would include exhibits on New Bedford’s history as a whaling and fishing port, and was expected to revitalize the city’s tourist industry and create jobs for the area. The Oceanarium

<sup>15</sup> Numbers of vessels by owner’s city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>16</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.



project failed to receive its necessary funding in 2003 and 2004, and while the project has not been abandoned, it seems unlikely the Oceanarium will be built anytime in the near future.

According to a 2002 newspaper article, many fishermen believe that based on the quantity and ages of the species they catch, the fish are coming back faster than studies indicate. While most admit that regulations have worked, they believe further restrictions are unnecessary and could effectively wipe out the industry. "If they push these [regulations] too hard, the whole infrastructure of fishing here could collapse," according to a New Bedford fishermen (Paul, Scriptor 2002).

New Bedford has a Harbor Plan for New Bedford/Fairhaven harbor, which is focused on developing traditional harbor industries, capturing new opportunities for tourism and recreational use, rebuilding harbor infrastructure, and enhancing the harbor environment. Projects completed or underway as part of the Harbor Plan include a revitalization of the State Pier and redevelopment of the Standard Times Field as an industrial park to house fishing-related businesses (State of Massachusetts 2002). The plan received state approval in 2002, and was recognized as one of the most progressive harbor plans produced in the state.<sup>17</sup>

The [Massachusetts Fisheries Institute](#) is planned for New Bedford; the institute is collaboration between the University of Massachusetts, the Massachusetts Intercampus Graduate School of Marine Sciences and Technology, the Department of Marine Fisheries, and the Executive Office of Environmental Affairs. The project intends to team up scientists, fishermen, and graduate and undergraduate students to develop practical and innovative fisheries management applications.

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<sup>17</sup> Profile review comment, Dave Janik, Massachusetts Department of Coastal Zone Management, South Coast CZM Regional Coordinator, 2870 Cranberry Highway, Wareham, MA 02538, October 5, 2007

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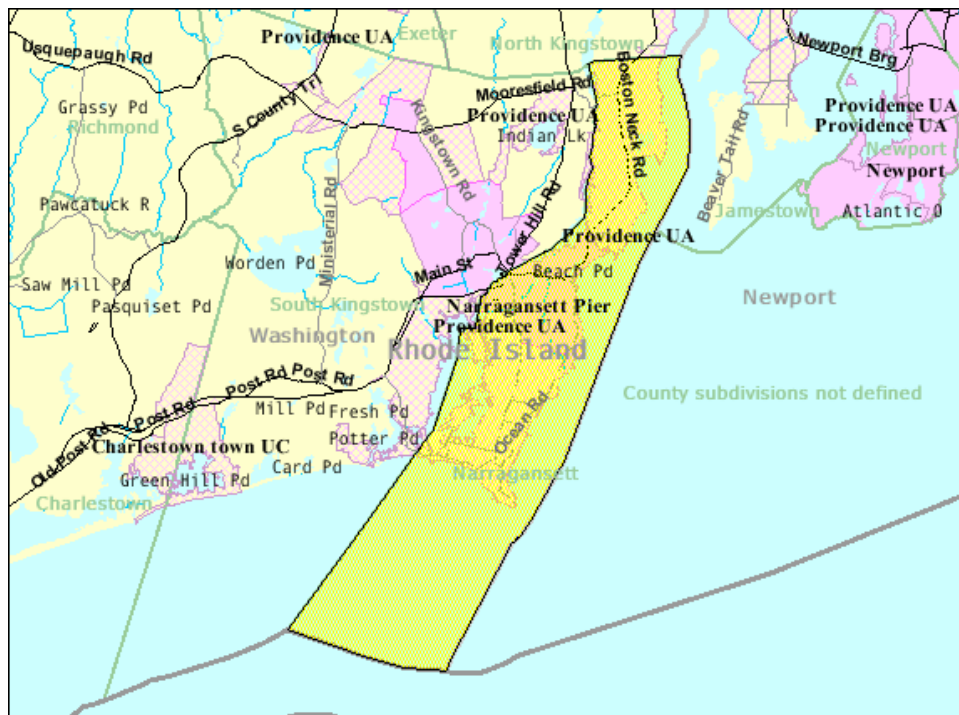
# POINT JUDITH/NARRAGANSETT, RI<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

Narragansett (41.45°N, 71.45°W) (USGS 2008) is located in Washington County, 30 miles south of Providence. Point Judith is located in the southern end of Narragansett along Highway 108 near Galilee State Beach, at the western side of the mouth of Rhode Island Sound. Point Judith itself is not a CDP or incorporated town, and as such has no census data associated with it. Thus, this profile provides census data from Narragansett Town (town-wide) and other data from both Point Judith itself and Narragansett. According to the state of Rhode Island both Point Judith and Galilee are considered villages within the town of Narragansett (State of Rhode Island 2008).



Map 1. Location of Narragansett, RI (US Census Bureau 200a)

#### Historical/Background

The land now called Narragansett was originally inhabited by the Narragansett Indians until Roland Robinson purchased it in 1675 (Town of Narragansett nd). Over the next half-

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: “Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov).”

century, the Rhode Island, Connecticut and Massachusetts colonies all vied for control of Narragansett until the British crown placed the area under the control of Rhode Island (State of Rhode Island 2008). By the 1660s, settlers put the fertile soil to use by developing agriculture in the area. Soon the area's economy depended on the export of agricultural products to markets such as Boston, Providence, and Newport. At this time, Point Judith was connected to the sea by a deep, wide breachway, which was used to ship the agricultural goods to market. By the 1700s there was a thriving ship building industry and a busy port. In the early 1800's Narragansett, like the rest of the country experienced rapid industrial growth, particularly in the textile industry. By the mid 1800's the resort tourism industry developed in Narragansett including the once popular Narragansett Casino. The Narragansett Casino was destroyed by fire on September 12, 1900; most of the remaining tourism resorts were destroyed by fire in the early 1900s (Narragansett nd; Encyclopaedia Britannica 2008). Fishing did not come into prominence again until the 1930s (Griffith and Dyer 1996)

By the 1800s many farmers began to supplement their income by fishing for bass and alewife, or harvesting oysters. Eventually, the Port of Galilee was established in the mid 1800's as a small fishing village. By the early 1900's Point Judith's Port of Galilee became one of the largest fishing ports on the east coast. This was largely due to a series of construction projects that included dredging the present breachway and stabilizing it with stone jetties and the construction of three miles of breakwater that provided refuge from the full force of the ocean. By the 1930's wharves were constructed to facilitate large ocean-going fishing vessels (Eckilson 2007). At this point the port became important to the entire region's economy (Griffith and Dyer 1996). Today, Point Judith is not only an active commercial fishing port, but it supports a thriving tourism industry that includes restaurants, shops, whale watching, recreational fishing, and a ferry to Block Island. Point Judith sits on a knob of land that extends out into the open Atlantic Ocean, making it a popular spot for surfing if the ocean swell is angled properly to produce a breaking wave near the seawall.

### **Demographics<sup>3</sup>**

No Census data are available for Point Judith itself, but they are available for the county subdivision Narragansett Town which includes Point Judith. As Point Judith is not actually a residential area, and those who fish from Point Judith live in surrounding communities, this is more representative of the "fishing community" than would be any data on Point Judith alone. However, it should be noted that fishermen fishing out of Point Judith are likely to live all over Rhode Island.

According to Census 2000 data, Narragansett had a total population of 16,361, up 9.2% from a reported population of 14,985 in 1990 (US Census Bureau 1990). Of this 2000 total, 48.6% were males and 51.4% were females. The median age was 36.4 years and 76.2% of the population was 21 years or older while 16.1% were 62 or older.

The population structure of Narragansett (see Figure 1) had an unusually high percentage of the population in the 20-29 year age group, far outnumbering all other age categories. This is likely due to the presence of nearby University of Rhode Island; many students at the university live in Narragansett. Others may stay in the area for employment after graduation, which would also contribute to the population structure.

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<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

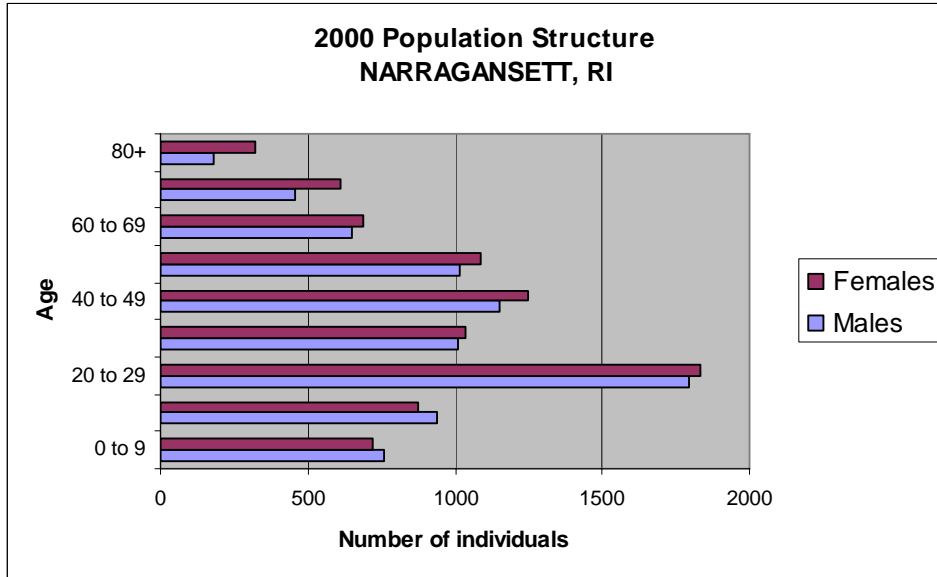


Figure 1. Narragansett's population structure by sex in 2000 (US Census Bureau 2000a)

The majority of the population was white (95.6%), with 1.3% black or African American, 1.0% Asian, 1.4% Native American, and 0.1% Pacific Islander or Hawaiian (see Figure 2). Only 1.2% of the population identified themselves as Hispanic/Latino (see Figure 3). Residents traced their backgrounds to a number of different ancestries including: Irish (31.8%), Italian (20.6%) and English (18.9%) (US Census Bureau 2000a).

With regard to region of birth, 62.5% were born in Rhode Island, 34.3% were born in a different state and 2.5% were born outside of the U.S. (including 0.8% who were not United States citizens).

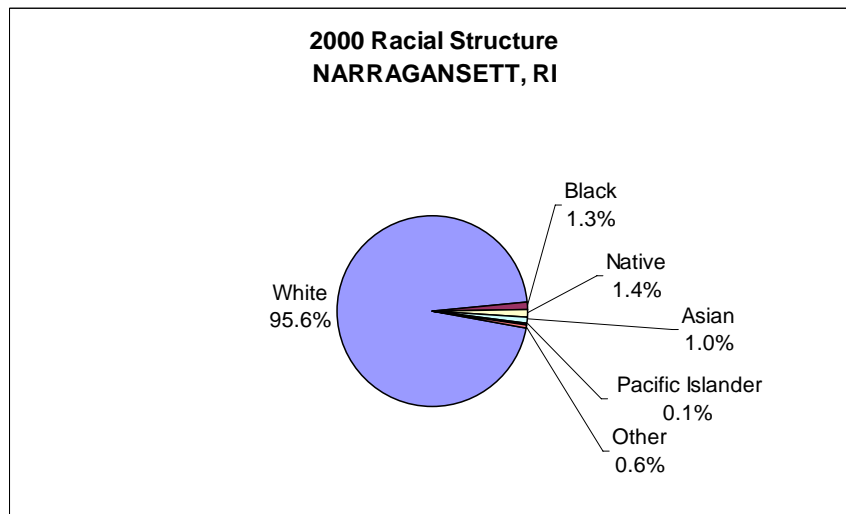


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

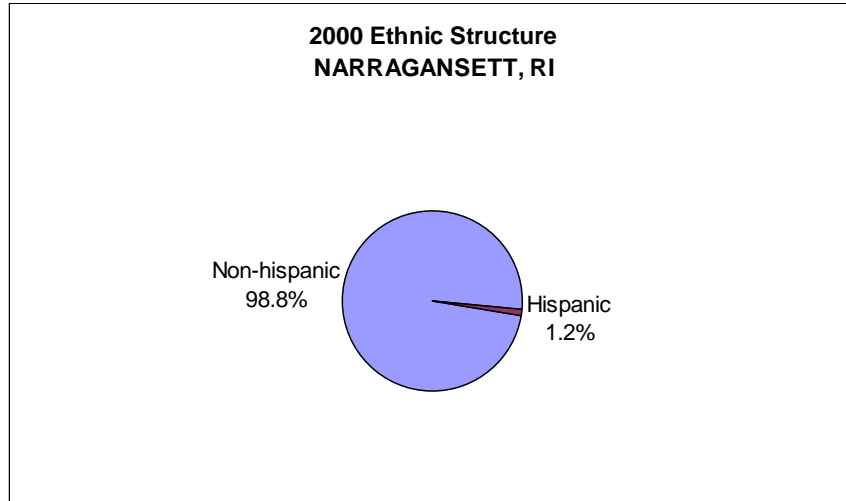


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 94.4% of the population, only English was spoken in the home, leaving 5.6% in homes where a language other than English was spoken, including 0.6% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 91.3% were high school graduates or higher and 41.8% had a bachelor’s degree or higher. Again of the population 25 years and over, 2.1% did not reach ninth grade, 6.6% attended some high school but did not graduate, 22.5% completed high school, 18.0% had some college with no degree, 9.0% received their associate degree, 24.2% earned their bachelor’s degree, and 17.6% received either their graduate or professional degree.

Although religion percentages are not available through U.S. Census data, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in Washington County was Catholic with 20 congregations and 58,668 adherents. Other prominent congregations in the county were American Baptist Churches (15 congregations with 3,022 adherents) and Episcopal (10 with 4,720 adherents). The total number of adherents to any religion was up 57.3% from 1990 (ARDA 2000).

### Issues/Processes

Not unlike many fishing communities in the Northeast, increasingly stringent state and federal fishing regulations could jeopardize the viability of Point Judith as a fishing port, affecting both commercial and recreational fishermen. In addition to affecting the fishermen directly, Point Judith processing companies have difficulty handling drastic deviations in the number of landings, commonly due to the lifting or expanding of quotas, as well as sudden changes in what species are landed. It is also important to note that Point Judith fishermen harvest both species managed by the New England Fishery Management Council and the Mid-Atlantic Fishery Management Council, which increases the level of management measures they must follow.<sup>4</sup>

<sup>4</sup> Profile review comment, David Beutel, Fisheries Extension Specialist, RI Sea Grant, University of Rhode Island, South Ferry Road, Narragansett, RI 02882, August 23, 3007

Additionally, the boom in tourism at Point Judith has had an adverse effect on the commercial fishing industry. Not only do fishermen battle parking issues but shore front rents for fish processing companies and the cost of dockage and wharfage for vessels have increased (Griffith and Dyer 1996).

### **Cultural attributes**

The Narragansett/ Point Judith community celebrates its maritime history with the annual Blessing of the Fleet (Griffith and Dyer 1996), an event that is sponsored by the [Narragansett Lions Club](#). The festival includes the Blessing of the Fleet Road Race of 10 miles of the surrounding area, a Seafood Festival, and rides at Veteran's Memorial Park that last throughout the last weekend of July. The 2004 Blessing of the Fleet included approximately 20 commercial and 70 recreational vessels and gathered an estimated crowd of 200 to 300 to view the passing. The Fishermen's Memorial Park is located in Point Judith and features recreational activities and a playground. Each Saturday in the summer months, the park hosts a Farmer's Market, featuring local produce and often lobsters caught on local vessels. There is a new fishermen's memorial project underway, to be situated near the Coast Guard light.<sup>5</sup>

## **INFRASTRUCTURE**

### **Current Economy**

Besides an active fishing port, Point Judith supports a thriving seasonal tourism industry that includes restaurants, shops, whale watching, recreational fishing, and a ferry to Block Island (Griffith and Dyer 1996). It also has a number of fish processing companies that do business locally, nationally, and internationally. Point Judith's largest fish processors are the [Town Dock Company](#) and the Point [Judith Fishermen's Company](#) – a subsidiary of M. Slavin & Sons based in NY.

Town Dock came to Point Judith in 1980 and is now one of the largest seafood processing companies in Rhode Island. Its facility supports unloading, processing, and freezing facilities under one roof and services “over half of the port's boats (approximately 30 full time deep sea fishing trawlers) as well as a large day-boat fleet . . . and handle[s] all the southern New England and Mid-Atlantic species of fish including Squid, Monkfish, Flounder, Whiting, Scup, Butterfish, and Fluke.”

The Point Judith Fishermen's Company (with approximately 15 employees) unloads boats and processes squid which are then taken by M. Slavin & Sons to sell wholesale at the Fulton Fish Market in NY.<sup>6</sup> Handrigan's is another unloading facility located here.<sup>7</sup> Several smaller processors are also located in the Point Judith area: Deep Sea Fish of RI, Ocean State Lobster Co., Narragansett Bay Lobster Co., Fox Seafood, South Pier Fish Company, Osprey Seafood, and Sea Fresh America (USFDA 2008). Paiva's Shellfish has their own lobster dock in Point Judith but in 2003 after some time experimenting with finfish for auction and horseshoe crabs for bait and biomedical purposes, they relocated to Cranston and became a wholesaler.<sup>8,9</sup> Economic history up to 1970 can be found in Poggie and Gersuny (1978).

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<sup>5</sup> Profile review comment, David Beutel, Fisheries Extension Specialist, RI Sea Grant, University of Rhode Island, South Ferry Road, Narragansett, RI 02882, August 23, 3007

<sup>6</sup> Phone conversation with employee (401-782-1500)

<sup>7</sup> Profile review comment, David Beutel, Fisheries Extension Specialist, RI Sea Grant, University of Rhode Island, South Ferry Road, Narragansett, RI 02882, August 23, 3007

<sup>8</sup> Phone call to owner, Stopped processing last year (401-941-3850)

According to the U.S. Census 2000<sup>10</sup>, of the total population 16 years of age and over, 67.0% were in the labor force (see Figure 4), of which 2.2% were unemployed, 0.2% were in the Armed Forces, and 64.6% were employed.

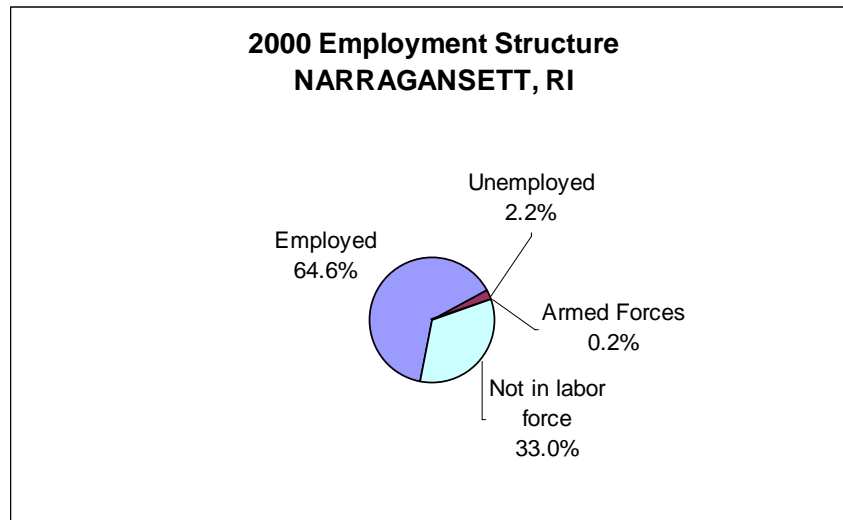


Figure 4. Employment structure in 2000 (US Census Bureau 2000a)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 239 positions or 2.7% of all jobs (the majority of which is likely to be fishing based on limited activity in the other categories)<sup>11</sup>. Self employed workers, a category where fishermen might be found, accounted for 171 positions or 8.6% of jobs. Educational, health and social services (26.0%), arts, entertainment, recreation, accommodation and food services (11.8%), professional, scientific, management, administrative, and waste management services (10.8%), and retail trade (10.4%) were the primary industries.

Median household income in Narragansett was \$50,363, up 41.7% from \$35,545 in 1990 (US Census Bureau 1990) and median per capita income was \$28,194. For full-time year round workers, males made approximately 43.1% more per year than females.

The average family in Narragansett consisted of 2.86 persons. With respect to poverty, 4.9% of families, up from 2.9% in 1990 (US Census Bureau 1990) and 16.0% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 21.8% of all families (of any size) earned less than \$35,000 per year.

In 2000, Narragansett had a total of 9,159 housing units, of which 74.7% were occupied and 79.4% were detached one unit homes. Less than one tenth (9.8%) of these homes were built before 1940. Mobile homes, boats, RVs, vans, etc. accounted for 0.9% of the housing units;

<sup>9</sup> Community Review Comments, Walter Anoushian, NMFS Port Agent, 83 State St 2nd Flr, P.O. Box 547, Narragansett, RI 02882-0547, January 31, 2008

<sup>10</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

<sup>11</sup> Profile review comment, Michael DeLuca, Town of Narragansett, Department of Community Development, 25 Fifth Avenue, Narragansett, RI 02882 December 18, 2007

90.3% of detached units have between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$163,500. Of vacant housing units, 88.0% were used for seasonal, recreational, or occasional use. Of occupied units, 38.1% were renter occupied.

## **Government**

Narragansett's form of government is a town manager and a five-member town council, headed by a council president. Narragansett was established in 1888 and incorporated in 1901 (State of Rhode Island nd).

### *Fishery involvement in government*

Narragansett has a town Harbor Management Commission and a designated Harbormaster. Narragansett has a town Harbor Management Commission, appointed by the Town Council (HMC nd). The Harbor Management Commission meets once each month to address issues related to management of the town's waters, particularly Point Judith Pond and the Narrow River. Galilee has special zoning which designates certain areas for fishing-related uses only.<sup>12</sup> NOAA Fisheries Statistics Office also has a port agent based here. Port agents sample fish landings and provide a 'finger-on-the-pulse' of their respective fishing communities (NERO FOS 2008). NOAA Northeast Fisheries Science Center's Narragansett Laboratory is located on the Bay Campus of the University of Rhode Island (URI). "It is adjacent to URI's Graduate School of Oceanography and the National Health and Environmental Effects Research Laboratory of the Environmental Protection Agency (EPA). The facility consists of one main building and aquarium, and four adjacent office/laboratory modular buildings. The laboratory is a facility with a specialized staff of 50 supported by advanced oceanographic and biological systems for carrying out research on the effects of changing environmental conditions on the growth and survival of fish stocks from an ecosystems perspective" (NEFSC nd). Rhode Island Sea Grant is also located at URI's Narragansett Bay Campus. The RI Department of Environmental Management Division of Enforcement has a small office in Point Judith.<sup>13</sup>

## **Institutional**

### *Fishing associations*

Point Judith Fishermen's Cooperative went defunct in 1994 as the victim of declining stocks<sup>14</sup>, and is now run as an independent fish marketing organization.<sup>15</sup> Rhode Island Seafood Council, a now-defunct not-for-profit organization established in 1976, was located here and promoted quality seafood products. The American Seafood Institute was established in 1982 in conjunction with the Rhode Island Seafood Council and provides assistance to the fishing industry in exporting product overseas (Hall-Arber et al. 2001). The Point Club is a self-insurance group for fishermen to protect against price gouging, etc.<sup>16</sup> The Rhode Island Commercial Fishermen's Association has members throughout Point Judith and the state. The

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<sup>12</sup> Profile review comment, Michael DeLuca, Town of Narragansett, Department of Community Development, 25 Fifth Avenue, Narragansett, RI 02882 December 18, 2007

<sup>13</sup> Profile review comment, David Beutel, Fisheries Extension Specialist, RI Sea Grant, University of Rhode Island, South Ferry Road, Narragansett, RI 02882, August 23, 2007

<sup>14</sup> Profile review comment, Chris Brown, Rhode Island Commercial Fishermen's Association, 35 Erica Court West Kingston, RI 02892, October 19, 2007

<sup>15</sup> Personal communication, Dr. Madeleine Hall-Arber, MIT Sea Grant.

<sup>16</sup> Profile review comment, Chris Brown, Rhode Island Commercial Fishermen's Association, 35 Erica Court West Kingston, RI 02892, October 19, 2007



organization is based at the Commercial Fisheries Center at East Farm on the University of Rhode Island's main campus. The Rhode Island Lobstermen's Association and the Rhode Island Fishermen's Alliance are well represented in Point Judith, and the RI Shellfishermen's Association is likely to also have members fishing from here.<sup>17</sup>

#### *Fishing assistance centers*

The Bay Company was developed under the Rhode Island Marine Trade Education Initiative and attempts to link academia to the marine industry to improve productivity and economic viability; it is now defunct since the funding disappeared in 2003 (Hall-Arber et al. 2001).

#### *Other fishing related organizations*

The [Commercial Fisheries Center of Rhode Island](#) was founded in 2004 and is home to nonprofit commercial fishing organizations, and serves "as a headquarters for bringing fishermen, scientists, managers, and elected officials together to discuss issues." The goals of the center are "to improve fisheries and understanding of the marine environment through education, collaborative research, and cooperation" (CFCRI nd).

### **Physical**

Point Judith is about 22 miles from Newport, 36 miles from Providence, and 52 miles from New Bedford. TF Green Airport in Warwick, RI is about 25 miles from Point Judith, and Westerly State Airport, a smaller airport, is 17 miles away. A ferry runs from Block Island to Point Judith. From Block Island it is possible to take another ferry to Montauk, NY (BICC 2007; RIPTA nd; State of Rhode Island nd). The Rhode Island Public Transportation Association (RIPTA) runs a bus to Galilee. Buses to other New England destinations are available at T.F. Green airport and from Newport and Providence (RIPTA nd; State of Rhode Island nd). Point Judith also boasts a lighthouse that doubles as a popular surfing spot.

Great Island Road at Point Judith has several docking facilities for both commercial and charter vessels (DEM 2005a). There is a marine supply store where most fishermen shop, and a commercial bait store serving the local trap fishermen. In addition to the dockside infrastructure, there are seasonal restaurants along the main street area and tourism predominately from the ferry crowds the streets and often frustrates residents in the summer.<sup>18</sup> The Point Judith Fishermen's Company unloads boats and processes squid which are then taken by M. Slavin & Sons to sell wholesale at the Fulton Fish Market in NY.<sup>19</sup> Handrigan's is another unloading facility located here.<sup>20</sup> Several smaller processors are also located in the Point Judith area: Deep Sea Fish of RI, Ocean State Lobster Co., MC Fresh Inc., Narragansett Bay Lobster Co., Inc., Fox Seafood, South Pier Fish Company, Osprey Seafood, and Sea Fresh America (USFDA 2008). In 2003 Paiva's Shellfish quit the fillet business and relocated to Cranston as a wholesaler.<sup>21</sup> [Trawlworks, Inc.](#) in Narragansett is a supplier and distributor of marine hardware and rigging supplies for industrial, institutional, and commercial fishing for both mid-water and bottom use.

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<sup>17</sup> Profile review comment, David Beutel, Fisheries Extension Specialist, RI Sea Grant, University of Rhode Island, South Ferry Road, Narragansett, RI 02882, August 23, 3007

<sup>18</sup> Pers. Comm. Point Judith resident, 06/29/2007

<sup>19</sup> Phone conversation with employee (401-782-1500)

<sup>20</sup> Profile review comment, David Beutel, Fisheries Extension Specialist, RI Sea Grant, University of Rhode Island, South Ferry Road, Narragansett, RI 02882, August 23, 3007

<sup>21</sup> Phone call to owner, Stopped processing last year (401-941-3850)



The corporation was formed in 1980. Superior Trawl is also located in Narragansett, and builds fishing gear sold throughout New England and the Mid-Atlantic. Wilcox Marine Supply, located in Point Judith, supplies vessels, and The Bait Company sells bait to local lobstermen.<sup>22</sup> Point Judith Marina has been designated as a “Clean Marina” by the State of RI (CMRC 2008).

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>23</sup>**

### **Commercial**

According to the RI Department of Environmental Management, the number of commercial vessels in port in Galilee (Point Judith) 2004 was 230 (RIDEM 2004). Vessels ranged from 45-99 feet, with most being groundfish trawlers. Of these, 55 were between 45 and 75 feet, and 17 over 75 feet (Hall-Arber et al. 2001). In 2004, Point Judith was ranked 24th in value of landings by port in the U.S. (sixth on the East Coast) (FUS 2007).

The state's marine fisheries are divided into three major sectors: shellfish, lobster, and finfish. The shellfish sector includes oysters, soft shell clams, and most importantly, quahogs. The lobster sector is primarily comprised of the highly valued American lobster with some crabs as well. The finfish sector targets a variety of species including winter, yellowtail and summer flounder, tautog, striped bass, black sea bass, scup, bluefish, butterfish, squid, whiting, skate, and dogfish. A wide range of gear including otter trawl nets, floating fish traps, lobster traps, gill nets, fish pots, rod and reel, and clam rakes are used to harvest these species. The state currently issues about 4,500 commercial fishing licenses (Lazar and Lake 2001).

Over the ten year period from 1997-2006, the value of landings in Point Judith varied but seemed to show a declining trend between 1997-2006, from a high of just over \$51 million to a low of \$31 million in 2002-2003. However, in 2004 the landings value began to increase again, back to just under \$47 million in 2006. The landings value for the squid, mackerel, and butterfish species grouping was higher in 2006 than the average value for 1997-2006 (see Table 1). The value of lobster in 2006, second most valuable in terms of landings, was lower in 2006 than the average value for the same time period. Vessel data is combined here for Point Judith and Narragansett; there are no vessel owners listed for Point Judith (because the name refers only to the port), indicating that many fishermen live in the Narragansett area and fish out of Point Judith. In total, the number of vessels home ported in either Point Judith or Narragansett reached a high of 186 in 2001, and a low of 168 in 2006. The number of vessels with owners living in Narragansett was much lower in all years than the number of vessels home ported here, indicating that many of the vessels in Point Judith have owners residing in other communities.

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<sup>22</sup> Profile review comment, David Beutel, Fisheries Extension Specialist, RI Sea Grant, University of Rhode Island, South Ferry Road, Narragansett, RI 02882, August 23, 3007

<sup>23</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

## Landings by Species

Table 1. Dollar value of Federally Managed Groups of landings in Point Judith

	Average from 1997-2006	2006 only
<b>Squid, Mackerel, Butterfish</b>	11,298,781	13,188,211
<b>Lobster</b>	11,022,301	8,675,086
<b>Summer Flounder, Scup, Black Sea Bass</b>	4,718,136	6,495,568
<b>Smallmesh Groundfish<sup>24</sup></b>	2,816,677	1,799,479
<b>Monkfish</b>	2,687,563	2,110,227
<b>Largemesh Groundfish<sup>25</sup></b>	2,451,647	3,383,452
<b>Other<sup>26</sup></b>	2,056,576	2,697,425
<b>Scallop</b>	1,457,702	7,420,396
<b>Skate</b>	618,033	604,990
<b>Herring</b>	470,065	376,506
<b>Tilefish</b>	230,142	32,985
<b>Bluefish</b>	112,378	118,466
<b>Dogfish</b>	48,031	45,000
<b>Red Crab</b>	9,593	0

## Vessels by Year<sup>27</sup>

Table 2. All columns represent vessel permits or landings value between 1997 and 2006 for Point Judith/Narragansett

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
<b>1997</b>	181	61	33,021,800	47,529,746
<b>1998</b>	175	55	32,870,223	42,614,251
<b>1999</b>	181	60	36,324,182	51,144,479
<b>2000</b>	184	61	33,911,658	41,399,853
<b>2001</b>	186	62	30,121,535	33,550,542
<b>2002</b>	179	53	30,014,709	31,341,472
<b>2003</b>	173	52	32,793,425	31,171,867
<b>2004</b>	174	51	37,058,022	36,016,307
<b>2005</b>	171	52	37,150,241	38,259,922
<b>2006</b>	168	51	41,021,147	46,947,791

(Note: # Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>28</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location)

<sup>24</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>25</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>26</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>27</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>28</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

## **Recreational**

Rhode Island marine waters also support a sizable recreational fishing sector. “In Rhode Island, nearly 362,000 recreational marine anglers - more than half from out-of-state - made over 1.5 million trips, catching 4.3 million pounds of sport fish and releasing about 55 percent in 2004” (RIDEM 2004). This indicates that the recreational component is significant both in terms of the associated revenues generated (support industries) and harvesting capacity. Between 2001- 2005, there were 66 charter and party vessels making 7,709 total trips registered in logbook data by charter and party vessels in Point Judith carrying a total of 96,383 anglers (MRFSS data). A 2005 survey by the RI Dept. of Environmental Management showed Point Judith to be the most popular site in the state for shore based recreational fishing (RIDEM 2005). Narragansett has two public saltwater boat ramps (RIDEM 2005a).

## **Subsistence**

Observations by local officials indicate subsistence fishing occurs around Narragansett. Most subsistence fishermen fish at night and in the early morning. No data has been collected on this practice.<sup>29</sup>

## **FUTURE**

Point Judith fishermen are not very positive about the future of Point Judith as a fishing port. Besides the main concern of stringent fishing regulations Point Judith fishermen also must contend with the ever increasing tourism at the port. This has caused parking issues and rent increases.

Oceanlinx Limited (formerly Energetech Australia) is a wave power company working on a pilot project to build and install a wave power plant off Point Judith. Called “Project GreenWave”, the effort is a non-profit pilot, with funding from Massachusetts, Rhode Island and Connecticut and would become the first wave power installation in the U.S. if successful. As the effort is a first, there has been confusion over whether the regulatory jurisdiction is state or federal, which has slowed the projects commencement. “The station would be located just outside the Point Judith breakwater and about a mile offshore. Care is being taken not to disrupt commercial ship traffic or recreational boaters. The station will be designed to: withstand ‘100 year storm criteria’, be easily towed to port, make 100 times less noise than an outboard motor; and have only one moving part — the turbine.” (RD 2007) In addition, the Rhode Island Wind Energy Project has mapped several potential sites for future wind turbine placement offshore; one of the possible sites is just off Point Judith (ATM 2007).

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# STONINGTON, CT<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

The city of Stonington, Connecticut (41.20°N, 71.54°W) is located in New London County (USGS 2008). The town is 16 miles from New London, CT, 48 miles from Providence, RI, and 61 miles from Hartford, CT (MapQuest 2006). Stonington covers 42.7 square miles and includes the villages of Mystic, Old Mystic, Stonington Borough, and Pawcatuck (Sabin 2008).



Map 2. Location of Stonington, CT (US Census Bureau 2000a)

#### Historical/Background

The town of Stonington, founded in 1649, encompasses several villages: the Borough of Stonington; Pawcatuck, (home to many industries); Old Mystic; and Mystic (east of the Mystic River). An area that has at one time had both a large whaling and fishing industry, Stonington is home to Connecticut's last commercial fishing fleet. Many of Stonington's early fishermen were Portuguese. As fish were depleted in the 1950s, the industry took a downturn, and the fleet went from 40 trawlers to nine. The fishermen seem to have strong local support, however. The town leases the docks to the fishermen, and in 2001 they signed a 20 year lease, indicating cooperation between the town and the fishing industry (Ross 2001).

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: "Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov)."

### Demographics<sup>3</sup>

According to Census 2000 data<sup>4</sup>, Stonington had a total population of 17,906, up 5.8% from the reported population of 16,924 in 1990 (US Census Bureau 1990). Of this 2000 total, 48.6% were males and 51.4% were females. The median age was 41.7 years and 76% of the population was 21 years or older while 20.4% was 62 or older.

Stonington's age structure (see Figure 1) shows peak in the population between the ages of 40 to 49. The age group of 20-29 is smaller compared to the other age groups, indicating that young people are leaving the community after high school.

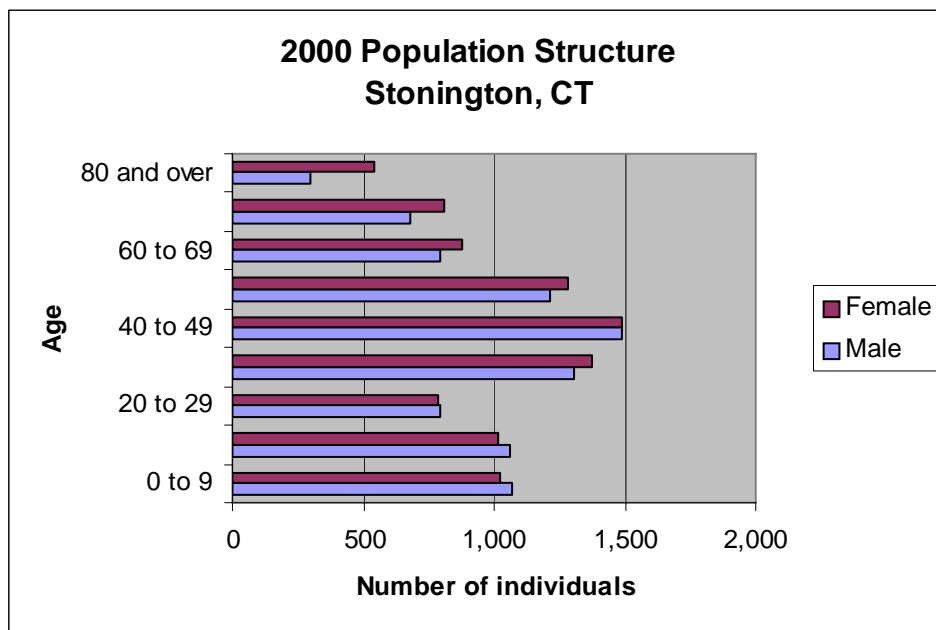


Figure 1. Stonington's population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population was white (95.8%) with 0.6% of residents black or African American, 1.3% Asian, 0.4% Native American, and 0.1% Pacific Islander or Hawaiian (see Figure 2). Only 1.3% of the population identified themselves as Hispanic/Latino (see Figure 3). Residents linked their backgrounds to a number of different ancestries including: Irish (22.5%), English (18.8%), Italian (16.4%), German (12.1%) and Portuguese (7%). With regard to region of birth, 37.3% were born in Connecticut, 56.7% were born in a different state and 5.2% were born outside of the U.S. (including 2% who were not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

<sup>4</sup> These and all census data, unless otherwise referenced, can be found at U.S. Census: American Factfinder 2000 <http://factfinder.census.gov/home/saff/main.html>; census data used are for Stonington town, New London county; this census data is at the level of County Subdivision.

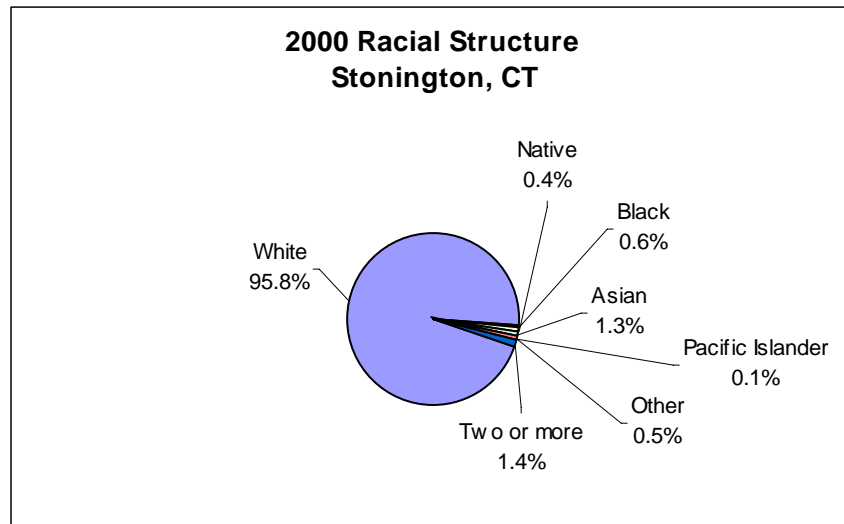


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

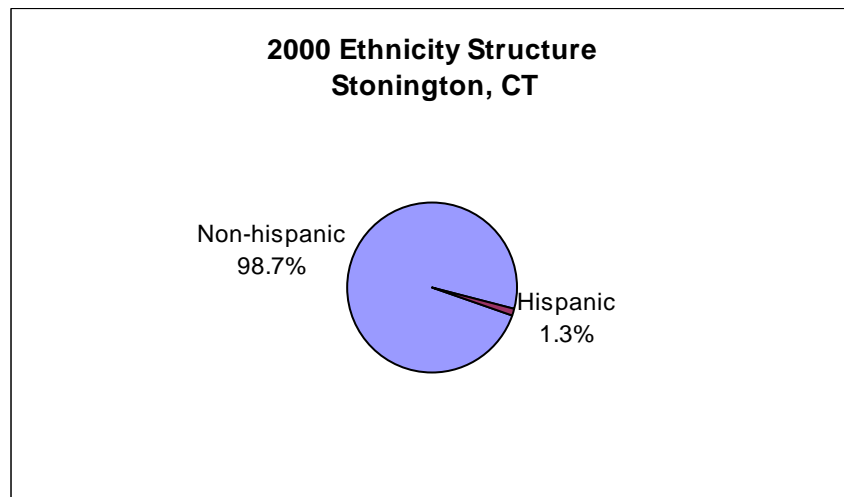


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 92.5% of the population, only English was spoken in the home, leaving 7.5% in homes where a language other than English was spoken, including 2.8% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 88.2% were high school graduates or higher and 34.6% had a bachelor’s degree or higher. Again of the population 25 years and over, 5% did not reach ninth grade, 6.8% attended some high school but did not graduate, 28.5% completed high school, 17.7% had some college with no degree, 7.4% received their associate’s degree, 19.2% earned their bachelor’s degree, and 15.4% received either their graduate or professional degree.

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in New London County was Catholic with 33 congregations and 80,563 adherents. Other prominent congregations in the county were The United Church of Christ (20 with 6,809 adherents), and American Baptist Churches in the USA (19 with 6,502 adherents). The total number of adherents to any religion was down 0.3% from 1990 (ARDA 2000).



**Issues/Processes**

One issue affecting the fishing industry in Stonington is the continued gentrification and resulting increased housing and property prices around the waterfront. Although most fishing activity is based at the Town Dock which is leased from the town, the escalating cost of housing is forcing many fishermen to move away from the waterfront area (Hall-Arber et al. 2001).

Within the Stonington area, the Pentagon recently included the Naval Submarine Base in nearby Groton on its list of potential base closures, which could have had a significant economic impact on the region. The departure of one of the area’s largest employers could have resulted in a loss of thousands of jobs (Baldor 2005). Eventually, the base was removed from the closure list, and is presently working with the Pentagon to upgrade the facilities for future stability.<sup>5</sup>

**Cultural attributes**

Every year, the last week end in July, the annual Blessing of the Fleet remembers Stonington’s fishermen who have died at sea in a two-day celebration with parades, bands, food, music, dancing on the docks, and a Sunday Mass (Ross 2001). [Mystic Seaport](#) in the village of Mystic celebrates seafaring life with a recreation of a historic whaling village and historic tall ships and other restored vessels. The [Mystic Aquarium/Institute for Exploration](#) in Mystic is dedicated to inspiring people to care about and protect the oceans through educating them about the underwater world.

**INFRASTRUCTURE**

**Current Economy**

Major industries in the Stonington area which employ large numbers of residents are the defense industry, based in nearby Groton and New London, and the gaming industry, with two large casinos (Foxwoods, Mohegan Sun) located a short distance away (seCTer 2005).

According to the U.S. Census 2000<sup>6</sup>, 65% (14,450 individuals) of the total population 16 years of age and over were in the labor force (see Figure 4), of which 2% were unemployed, 0.5% were in the Armed Forces, and 62.5% were employed.

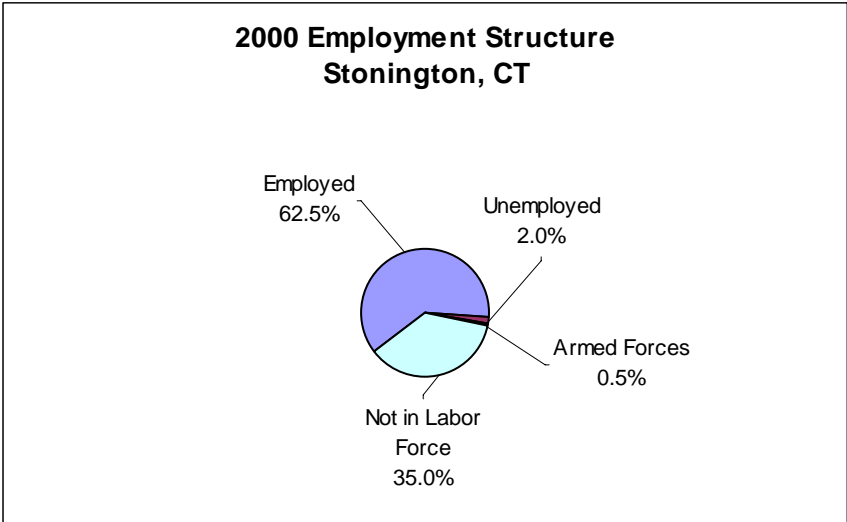


Figure 4. Employment Structure in 2000 (US Census Bureau 2000)

<sup>5</sup> Profile review comments, Eric Donch, harbormaster, 220 S. Anguilla Road, Pawcatuck, CT 06379, October 29, 2007  
<sup>6</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 48 positions or 0.5% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 683 positions or 7.6% of jobs. Educational, health and social services (20.4%), manufacturing (19.3%), and entertainment, recreation, accommodation and food services (15.9%) were the primary industries.

Median household income in Stonington was \$52,437 (up 32.2% from \$39,664 in 1990 [US Census Bureau 1990]) and median per capita income was \$29,653. For full-time year round workers, males made approximately 42.2% more per year than females.

The average family in Stonington consisted of 2.88 persons. With respect to poverty, 2.9% of families (down from 15.9% in 1990 [US Census Bureau 1990]) and 5% of individuals earn below the U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9 [US Census Bureau 2000a]). In 2000, 19.3% of all families (of any size) earned less than \$35,000 per year.

In 2000, Stonington had a total of 8,591 housing units of which 89.2% were occupied and 67.8% were detached one unit homes. Approximately one-third (35%) of these homes were built before 1940. Mobile homes, vans, and boats accounted for 3.1% of housing units; 83.9% of detached units have between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$168,200. Of vacant housing units, 5.6% were used for seasonal, recreational, or occasional use. Of occupied, units 29.3% were renter occupied.

## **Government**

Stonington's local government is comprised of three Selectmen and a town clerk (Town of Stonington 2004).

### *Fishery involvement in government*

The [Town of Stonington Shellfish Commission](#) regulates the harvest of clams, oysters, scallops, and other shellfish within the town waters. The Commission provides permits for both recreational and commercial shellfishing as well as for aquaculture operations for raising shellfish. The town of Stonington has a harbormaster; there are also harbormasters listed for Mystic and Pawcatuck (CTDOT 2008).

## **Institutional**

### *Fishing associations*

The Southern New England Fishermen and Lobstermen Association (SNEFLA) is located in Stonington alongside the Town Dock, and consists of a president, vice-president, and a nine-person board of directors who are elected annually. The approximately 125 members come from Connecticut, Rhode Island, and Massachusetts. Started in 1931, the original goal of the organization was to assist fishermen and lobstermen with the common problems like the hijacking of trucked shipments of fish to New York. Members must pay \$100 to join, and then \$20 annually. Stonington Pier grants tie-up space to members of SNEFLA (Hall-Arber et al. 2001).

### *Fishing assistance centers*

Information on fishing assistance centers in Stonington is unavailable through secondary data collection.

### *Other fishing related organizations*

The Portuguese Holy Ghost Society in Stonington was founded in 1914, and is made up of Stonington residents of Portuguese descent (Boylan 1987). The society serves as a social nexus to many of the town's fishermen (Hall-Arber et al. 2001).

### **Physical**

Stonington lies within two hours or less of major research and transportation centers in Boston, Providence, New Haven, Hartford and New York. In addition, Interstate 95 passes through the town. Major airports are located nearby in Groton, Hartford/Springfield, Providence and Boston. Amtrak trains are located in Mystic, New London and Westerly (Hall-Arber 2001).

Stonington town dock fishing pier and memorial is situated in the quaint fishing village of Stonington Borough. Although much of the waterfront property in this village has been converted to residential dwellings, there is still an active marine commercial fishing fleet in the harbor (CTDEP 2007). Stonington's infrastructure consists of a town-owned central fishing wharf (Town Dock) with two processing facilities at which most of the fleet is docked (Hall-Arber et al. 2001).

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>7</sup>**

### **Commercial**

Stonington has a diversified fishing fleet, which includes gillnetters, draggers, and lobster fishermen (Hall-Arber et al. 2001). [Stonington Seafood Harvesters Inc.](#) is a family operated sea scallops wholesaler and retailer located in Stonington. Bait and tackle stores are found in town (CTDEP 2008).

For 1997-2006, scallops were by far the most significant species landed in Stonington, with average landings over \$5 million. The 2006 landings value was slightly higher than this ten-year average value. There were a wide variety of other species landed in Stonington; lobster, summer flounder, scup, and black sea bass, monkfish, largemouth groundfish, smallmouth groundfish, and squid, mackerel, and butterfish all had average landings values of at least \$400,000 (see Table 1). Stonington has several commercially-operated aquaculture facilities, raising and harvesting shellfish in the town waters, and regulated by the town's shellfish commission. Scallops are also commercially harvested within the waters regulated by the town (Town of Stonington Shellfish Commission, no date). Overall, landings in Stonington demonstrated an increasing trend until 2004, when landings were at over \$12 million; they fell off slightly in 2005 and 2006 (see Table 2). The level of home port fishing in all years was significantly lower than the level of landings. Home port fishing was at its highest in 2004 and 2005, at \$2 million and \$3.8 million respectively, but the landings in 2006 had fallen to just over \$100,000. This indicates that most vessels landing in Stonington are home ported elsewhere. There were a number of home ported vessels in Stonington, falling from a high of 24 in 1997 to a low of 17 in 2006. In every year the number of home

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<sup>7</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

ported vessels far exceeded the owner's city vessels, indicating that many vessel owners reside in other communities.

### Landings by Species

Table 1. Dollar value by Federally Managed Groups of landings in Stonington

	Average from 1997-2006	2006 only
<b>Scallop</b>	5,268,459	5,690,408
<b>Lobster</b>	969,486	800,218
<b>Summer Flounder, Scup, Black Sea Bass</b>	669,818	759,058
<b>Monkfish</b>	548,713	107,636
<b>Smallmesh Groundfish<sup>8</sup></b>	482,725	164,166
<b>Largemesh Groundfish<sup>9</sup></b>	473,867	234,212
<b>Squid, Mackerel, Butterfish</b>	445,394	275,485
<b>Other<sup>10</sup></b>	122,965	104,074
<b>Skate</b>	108,756	37,315
<b>Tilefish</b>	6,497	914
<b>Bluefish</b>	4,529	5,839
<b>Herring</b>	3,891	3,518
<b>Dogfish</b>	3,534	13,878
<b>Red Crab</b>	84	0

### Vessels by Year<sup>11</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
<b>1997</b>	24	10	990,539	6,594,784
<b>1998</b>	19	9	418,333	6,940,038
<b>1999</b>	21	11	87,921	8,697,638
<b>2000</b>	19	11	620,660	9,733,402
<b>2001</b>	20	10	1,146,206	9,898,776
<b>2002</b>	23	12	1,737,018	8,479,559
<b>2003</b>	21	12	823,807	9,411,356
<b>2004</b>	23	12	2,043,818	12,376,800
<b>2005</b>	22	12	3,793,828	10,758,099
<b>2006</b>	17	6	105,746	8,196,721

(Note: # Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>12</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location)

<sup>8</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>9</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>10</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>11</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>12</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

## **Recreational**

There are two charter fishing vessels listed for Stonington (CCPBA 2004). Stonington also has a number of residents and visitors participating in recreational shellfishing which is regulated by the town's shellfish commission (Town of Stonington Shellfish Commission, no date).

## **Subsistence**

Information on subsistence fishing in Stonington is either unavailable through secondary data collection or the practice does not exist.

## **FUTURE**

The Town of Stonington is attempting to receive federal funding to expand the town dock to permit more vessels to dock there. An initial request for funding as part of a transportation appropriations bill was originally rejected by the House of Representatives in 2004.

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# MONTAUK, NY<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

Montauk (41.00°N, 71.57°W) is located in Suffolk County at the eastern tip of the South Fork of Long Island in New York. It is situated between the Atlantic Ocean to the south, and Block Island Sound to the north, about 20 miles off the Connecticut coast. The total area of Montauk is about 20mi<sup>2</sup>, of which 2.3 mi<sup>2</sup> of it (11.5%) is water (USGS 2008).



Map 1. Location of Montauk, NY

#### Historical/Background

Montauk was originally inhabited by the Montauket tribe, who granted early settlers permission to pasture livestock here, essentially the only function of this area until the late 1800s. The owner of the Long Island Railroad extended the rail line here in 1895, hoping to develop Montauk “the first port of landing on the East Coast, from which goods and passengers would be transported to New York via the rail. While his grandiose vision was not fulfilled, the rail provided the necessary infrastructure for the transportation of seafood, and Montauk soon became the principal commercial fishing port on the East End. In the early 1900s, the railroad also brought recreational fishermen to the area from the city by the car-load aboard the

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

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‘Fishermen’s Special’, depositing them right at the dock where they could board sportfishing charter and party boats.” Montauk developed into a tourist destination around that time, and much of the tourism has catered to the sportfishing industry since (Montauk Sportfishing 2005).

### Demographics<sup>3</sup>

According to Census 2000 data, Montauk had a total population of 3,851, up 28.3% from a reported population of 3,001 in 1990. Of this 2000 total, 51.3% were males and 48.7% were females. The median age was 39.3 years and 77.4% of the population was 21 years or older while 17.7% were 62 or older.

Montauk’s age structure (Figure 1) showed large variation between sexes in different age groups. It is important to note that the differences appear dramatic because this population is small. In the age group including people from 20 to 29 years old, there were more than twice as many males as females in Montauk. A similar pattern exists in the 30 to 39 year age group. This is probably because males come to the area to work after high school for demanding labor jobs such as landscaping and construction. Females do not traditionally seek after these types of jobs that are available in Montauk.

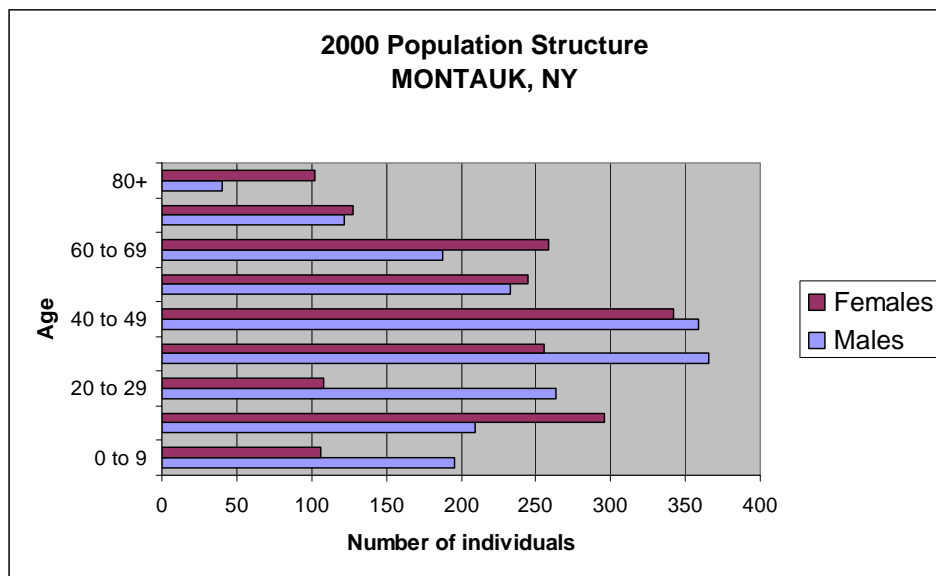


Figure 1. Montauk’s population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population of Montauk was White (88.2%), with 0.9% of residents Black or African American, 0.1% Native American, 0.8% Asian, and none Pacific Islander or Hawaiian (Figure 2). A reported 23.9% of the population identified themselves as Hispanic/Latino (Figure 3). Residents linked their backgrounds to a number of different ancestries including: Irish (26.5%), German (17.3%) and Italian (13.1%). With regard to region of birth, 61.1% were born in New York, 11.1% were born in a different state and 27.0% were born outside of the U.S. (including 21.2% who were not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.



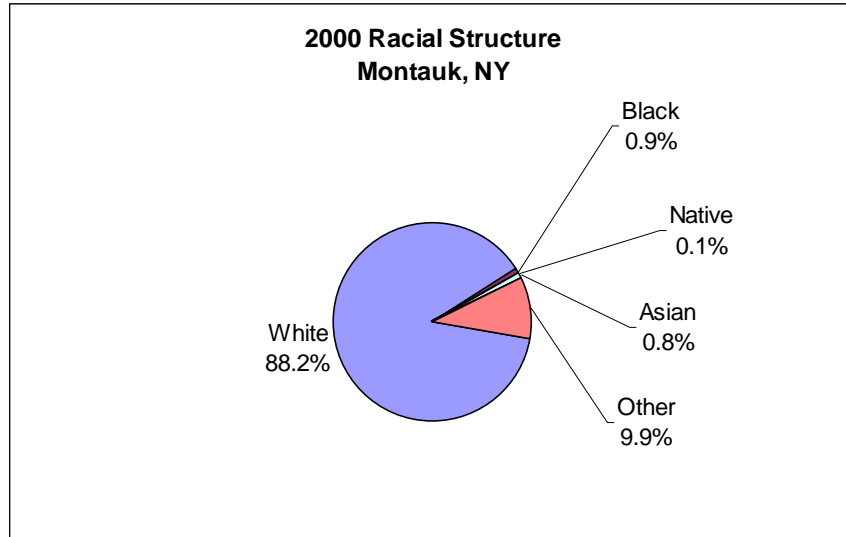


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

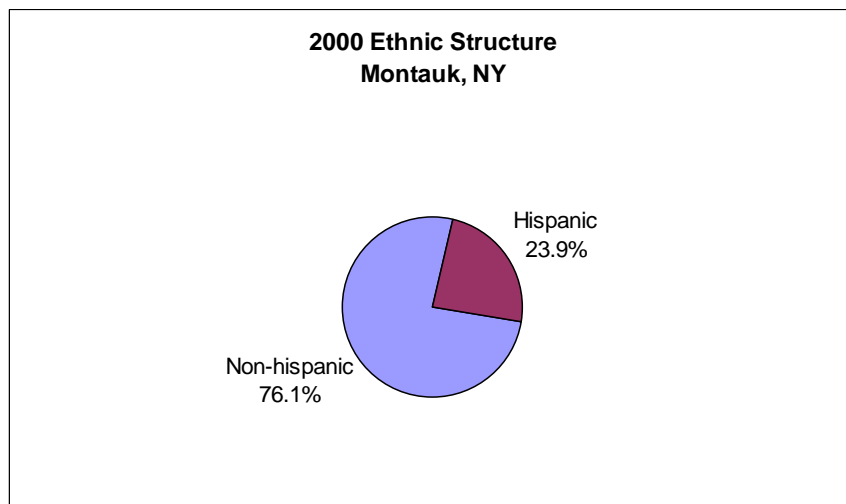


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 69.7% of the population, only English was spoken in the home, leaving 30.3% in homes where a language other than English was spoken, including 15.6% of the population spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 84% were high school graduates or higher and 24.8% had a bachelor’s degree or higher. Again of the population 25 years and over, 7.6% did not reach ninth grade, 8.4% attended some high school but did not graduate, 31.9% completed high school, 19.6% had some college with no degree, 7.8% received an associate’s degree, 17.0% earned a bachelor’s degree, and 7.8% received either a graduate or professional degree.

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in Suffolk County was Catholic with 72 congregations and 734,147 adherents. Other prominent congregations in the county were Jewish (48 with 100,000 adherents), United Methodist (47 with 22,448 adherents), Episcopal (40 with 16,234 adherents),

Evangelical Lutheran Church (26 with 19,378 adherents), and Muslim (9 with 12,139 adherents). The total number of adherents to any religion was up 3.8% from 1990 (ARDA 2000).

### **Issues/Processes**

Some fishermen are concerned about the accuracy of their assigned historical landings by species for fisheries (often used for promulgating new regulations), as the method used to land fish in New York varies from that in most other states. Called the “box method” it involves fish being boxed at sea, then landed at a consignment dock and from there shipped to Hunts Point Market in the Bronx, New York. Prior to the implementation of dealer electronic reporting NMFS port agents counted the number of boxes landed from each vessel and received a species breakdown from the dock manager (who did not open the boxes but rather based the breakdown on his knowledge of the vessel’s general fishing patterns). This system allowed greater potential for accidental misreporting. Now, the boxes are landed at the consignment dock and immediately shipped to Fulton, where the dealer opens the boxes and reports the landings. (Further, individual fishermen report using VTR, logbooks and other methods.)

While this method is more accurate in terms of the number and type of fish landed, it can still lead to another type of accidental reporting error. That is, landings are assigned to the incorrect state. This can have inequitable effects on states should an allocation scheme be developed, such as the one for summer flounder, that bases a state's allocation on the landings of a particular species in that state.

The docks make money by charging \$10-12 per box (2007 prices) and by selling fuel. Catch limits and trip limits reduce the number of boxes to be shipped, and have made it very difficult for the docks to stay in business. New York is losing much of its infrastructure, and many of the docks have closed or changed hands in recent years.<sup>4</sup>

Inlet Seafood, the largest seafood packing operation in the state, recently expanded their facility to include a restaurant and convenience store, which met with considerable opposition from those living in the surrounding neighborhood, as residents were concerned about a resulting increase in traffic (Packer and McCarthy 2005). There are very strict zoning regulations in the town, which make it very difficult for any industry located on the waterfront to expand (McCay and Cieri 2000). There was also a bill proposed recently to limit beach access by vehicles in areas where coastal erosion is a problem, which would restrict access to many of the spots favored by surf casters in Montauk (Anonymous 2005a). There is also concern that recent regulations reducing allowable catches of certain species by recreational fishermen will have a negative impact on the party and charter fishing industry (Anonymous 2004).

The Long Island Power Authority is seeking permission to construct a wind farm off Long Island, a proposal which has met with opposition from commercial fishermen in Montauk and elsewhere on the island, because the turbines will block access to a highly productive squid fishery (Anonymous 2005b). The lobstermen working out of Montauk have seen their industry decline largely because of the prevalence of shell disease in lobsters taken from Long Island Sound (von Bubnoff 2005).

### **Cultural attributes**

Montauk has several annual festivities that celebrate sport fishing and one that celebrates commercial fishing. The Blessing of the Montauk Fleet takes place in June. The Grand Slam Fishing Tournament has been in Montauk since 2002. The Harbor Festival at Sag Harbor, which

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<sup>4</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

is located next to Montauk, is celebrated in September. There is also a Redbone Fishing Tournament, the Annual Striped Bass Derby (13<sup>th</sup> year in 2005), and the Annual Fall Festival (24<sup>th</sup> year in 2005), which includes shellfish related activities such as a clam chowder festival and clam shucking (Montauk Chamber of Commerce nd). There is also a monument in Montauk dedicated to over 100 commercial fishermen from the East End who have lost their lives at sea over the years (Oles 2005).

## INFRASTRUCTURE

### Current Economy

The majority of the employers in Montauk are seasonal and dependent on the tourist industry, including restaurants and hotels. Probably the largest seasonal employer is Gurney’s Inn, which is a resort hotel, spa, and conference center, open year round, with 350 employees during the summer months.<sup>5</sup> “With the exception of a few resorts and retail businesses, (Inlet Seafood) is one of the only full-time, year-round employers in Montauk, employing between four and six dock workers, a secretary, and a manager. All of the employees live in Montauk or East Hampton, but housing is a problem due to the high cost of living in the area. Labor turnover is low due to the ability of the dock to provide equitable wages and predictable pay throughout the year. The dock does compete with landscaping and construction companies for labor, especially from among immigrant populations. All of the dock workers are immigrants from Central and South America” (Oles 2005). Many of the fishermen have had to learn Spanish to communicate with the dock workers. This has been a dramatic change within the last 5 years, said NMFS port Agent Erik Braun. He also stated that there are no new fishermen starting up, and the children of fishermen, even those that are doing well, are not encouraged to enter into this business.<sup>6</sup> The marinas here also employ a large number of people, including Montauk Marine Basin, with 21 employees during the summer months.<sup>7</sup>

According to the U.S. Census 2000<sup>8</sup>, 61.5% (1,944 individuals) of the total population 16 years of age and over were in the labor force (Figure 4), of which 7.7% were unemployed, none were in the Armed Forces, and 53.8% were employed.

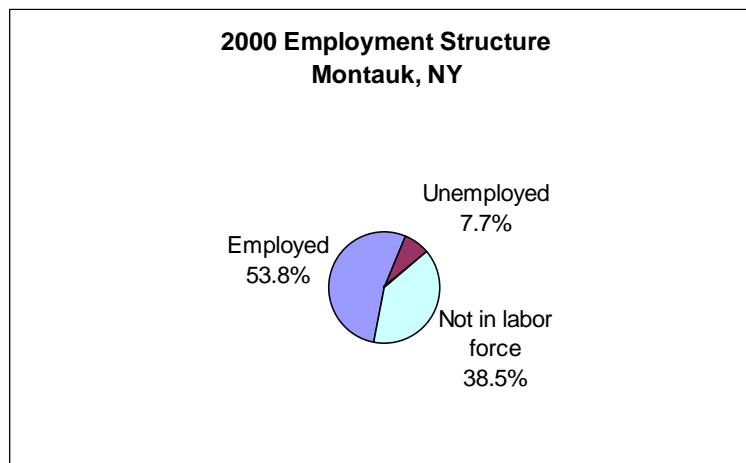


Figure 4. Employment Structure in 2000 (US Census Bureau 2000)

<sup>5</sup> Personal communication, Gurney’s Inn, 290 Old Montauk Highway, Montauk, NY 11954, July 19, 2005.

<sup>6</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

<sup>7</sup> Personal communication, Montauk Marine Basin, 426 W. Lake Dr., Montauk, NY 11954, July 19, 2005

<sup>8</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 103 positions or 6.1% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 314 positions or 18.5% of jobs. Arts, entertainment, recreation, accommodation and food services (20.3%), construction (18.5%) and retail trade (10.1%) were the primary industries.

Median household income in Montauk was \$42,329 (up 32.9% from \$23,875 in 1990 [US Census Bureau 1990]). For full-time year round workers, males made approximately 41.6% more per year than females.

The average family in Montauk consists of 2.90 persons. With respect to poverty, 8.3% of families (unchanged from 1990 [US Census Bureau 1990]) and 10.6% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239-35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 40.0% of all families (of any size) earned less than \$35,000 per year.

In 2000, Montauk had a total of 4,815 housing units of which 33.1% were occupied and 61.7% were detached one unit homes. Less than 10% (9.4%) of these homes were built before 1940. Mobile homes, boats, RVs, and vans accounted for 4.0% of the total housing units; 84.1% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$290,400. Of vacant housing units, 62.9% were used for seasonal, recreational, or occasional use, while of occupied units 34.3% were renter occupied.

## **Government**

Montauk is an unincorporated village within East Hampton Township. The Town Board runs the town (Town of East Hampton nd). The town was established in 1788. Although Montauk is not incorporated, there is one incorporated village situated within the East Hampton's borders, the Village of East Hampton, and part of a second village, Sag Harbor (Town of East Hampton nd).

### *Fishery involvement in government*

The Town Board of East Hampton organized a “Fishing Committee” to represent the fishing industry’s interests in the development of the town’s comprehensive plan (Oles 2005).

## **Institutional**

### *Fishing associations*

The Long Island Commercial Fishing Association, located in Montauk, promotes commercial fishing throughout Long Island (Oles 2005). The Montauk Tilefish Association (MTA) “is a registered non-profit organization whose objective is to provide an organizational structure for making collective decisions for its members. “The MTA also provides member protection under the Fishermen’s Collective Marketing Act” (Oles 2005). Further, it “has worked to create and foster a fisheries management regime that is efficient and encourages resource stewardship at the local level. Other important outcomes from this collaboration include fresher fish for the market and a more stable operating environment” (Kitts et al. 2007).

The New York Seafood Council is the larger association representing fishing interests in the state. “The New York Seafood Council (NYSC) is an industry membership organization comprised of individuals, businesses, or organizations involved in the harvesting, processing, wholesale, distribution or sale of seafood products or services to the seafood industry in New York” (NYSC 2008).

### *Fishing assistance centers*

Information on fishing assistance centers in Montauk is unavailable through secondary data collection.

### *Other fishing-related organizations*

The Montauk Boatmen's and Captain's Association has a membership of over 100 captains of charter and party boats, and is one of the only organized, politically active charter boat associations in New York (Oles 2005). The Montauk Surfcasters Association is an organization of surf fishermen with over 900 members who wish to preserve their access to surf casting on the East End beaches of Long Island. They hold beach clean-ups and educate the public about the proper use of the beach (Montauk Surfcasters Association nd).

### **Physical**

The fishing fleet is located in Lake Montauk, which opens to the north onto Block Island Sound. "Montauk is connected to points west via Route 27, and the Metropolitan Transportation Authority's Long Island Rail Road." Montauk Airport on East Lake Drive provides another mode of access to the area, but is strictly for small, private aircraft. On the easternmost tip of Long Island, Montauk is roughly 117 miles from New York City, but only about 20 miles by boat from New London, CT. There is one small airport in Montauk, and Long Island Islip MacArthur Airport is 67 miles away (MapQuest 2005). During the summers, a ferry service runs between Montauk and New London on weekends, daily to Block Island, RI, and occasionally to Martha's Vineyard (Viking Fleet nd). There are also three different ferry services that run between New London and nearby Sag Harbor (Easthampton.com nd). Most fish landed in Montauk is sold at the Fulton Fish Market in New York City (McCay and Cieri 2000).

The infrastructure needed for a commercial and sport fishing fleet is available in the village, including docks with off-loading facilities and other services that commercial fishermen need to land their catch (NYSC 2008). Montauk used to have five docks used by the commercial fishing industry for packing out fish, but they now only have two.<sup>9</sup> Inlet Seafood Company, a corporation owned by six Montauk fishermen (NYSC 2008), includes a dock with unloading and other services, and is the largest fish packing facility in the state (Easthampton Star 2003). There is another dock servicing commercial fishermen, but this dock is barely surviving financially.<sup>10</sup> There are also at least fourteen marinas used by the sportfishing industry (Oles 2005).

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<sup>9</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

<sup>10</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

## INVOLVEMENT IN NORTHEAST FISHERIES<sup>11</sup>

### Commercial

The village of Montauk is the largest fishing port in the state of New York. Montauk's main industry has been fishing since colonial times, and it continues to be an important part of its economy and traditions (Oles 2005). Montauk is the only port in New York still holding on to a commercial fishing industry.<sup>12</sup> Montauk's location naturally provides a large protected harbor on Lake Montauk and is close to important fishing grounds for both commercial and recreational fishermen.

Montauk has a very diverse fishery, using a number of different gear types and catching a variety of species; in 1998, there were a total of 90 species landed in Montauk (McCay and Cieri 2000). According to NMFS Landings Data, the top three valued fisheries in 2003 were Squid (\$2.3million), Golden Tilefish (\$2.1million), and Silver Hake (\$2.1million). There was a striking difference between the 2006 scallop landings value and the value for the 1997-2006 average. The 2006 values were over \$1.5 more than the nine year average (Table 1).

There used to be a number of longline vessels that fish out of Montauk, including 4-5 fishing for tilefish and up to 8 fishing for tuna and swordfish. Additionally, a number of longline vessels from elsewhere in New York State and New Jersey sometimes land their catch at Montauk (NYSC 2008). As of April 2007, there were 3 tilefish longliners in Montauk, one of which has bought out a fourth.<sup>13</sup> There were also 35-40 trawlers based in Montauk, with a number of others that unload their catch here, and between 10-15 lobster vessels (NYSC 2008). The six owners of Inlet Seafood each own 1-2 trawlers.<sup>14</sup> There are also a number of baymen working in the bays around Montauk catching clams, scallops, conch, eels, and crab as well as some that may fish for bluefish and striped bass. However, these baymen may move from one area to another depending on the season and fishery, and as a result may not be a part of the permanent fleet here (NYSC 2008).

The number of vessels home ported in Montauk showed a slightly decreasing trend between 1997 and 2006, while the number of vessels whose owner's city was Montauk showed a slight increasing trend over the same time period. Both the level of fishing home port and landed port also stayed fairly consistent, with a jump in 2005, but generally ranging from over \$9 million to over \$16 million for the 1997-2006 year period (Table 2).

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<sup>11</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

<sup>12</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

<sup>13</sup> José Montañez, MAFMC, April 18, 2007; NMFS landings data.

<sup>14</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

## Landings by Species

Table 1. Dollar value of Federally Managed Groups of landing in Montauk

	Average from 1997-2006	2006 only
Squid, Mackerel, Butterfish	3,146,620	3,640,565
Tilefish	2,366,489	2,942,310
Smallmesh Groundfish <sup>15</sup>	2,028,574	1,198,711
Summer Flounder, Scup, Black Sea Bass	1,964,880	3,900,690
Other <sup>16</sup>	1,652,214	1,379,958
Largemesh Groundfish <sup>17</sup>	646,634	426,272
Lobster	585,627	613,598
Monkfish	373,486	643,731
Scallop	366,169	1,869,196
Bluefish	91,346	123,277
Skate	29,360	40,981
Dogfish	9,895	1,323
Herring	413	874
Surf Clams, Ocean Quahog	20	150
Salmon	9	90
Red Crab	5	CONFIDENTIAL

## Vessels by Year<sup>18</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	165	89	9,222,288	13,556,572
1998	146	88	9,652,978	12,080,693
1999	158	98	10,863,508	12,124,707
2000	166	103	10,286,306	13,139,382
2001	160	103	12,302,916	13,231,619
2002	153	99	11,981,882	11,131,789
2003	152	104	12,405,663	11,033,366
2004	152	98	11,243,881	13,061,890
2005	144	96	14,104,902	16,475,642
2006	145	96	13,517,890	16,781,742

# Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>19</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location

<sup>15</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>16</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>17</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>18</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>19</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

## Recreational

Montauk is the home port of a large charter and party boat fleet, and a major site of recreational fishing activity (Oles 2005). The facilities supporting the recreational fishing industry include six bait and tackle shops and 19 fishing guide and charter businesses.

According to one website there are at least 27 fishing charters in Montauk. Montauk has been called the “sport fishing capital of the world”, and even has its own magazine dedicated to Montauk sportfishing (Montauk Sportfishing nd). Between 2001- 2005, there were 122 charter and party vessels making 18,345 total trips registered in logbook data by charter and party vessels in Montauk carrying a total of 185,164 anglers.

## Subsistence

Information on subsistence fishing in Montauk is either unavailable through secondary data collection or the practice does not exist.

## FUTURE

The comprehensive plan for the town of East Hampton recognizes the importance of the commercial and recreational fishing industries here, and includes a commitment to supporting and retaining this traditional industry (Oles 2005). There has been discussion of developing a large wholesale seafood market on Long Island similar to the Fulton Fish Market so that fish caught here could be sold directly on Long Island rather than being shipped to New York City (NY Sea Grant nd).

Nonetheless Erik Braun, the port agent for this part of New York, was not hopeful about the future of the fishing industry. He said there are no new fishermen getting into commercial fishing, and that even those who have done well are not encouraging their children to get into the industry. Much of the fishing infrastructure is disappearing, and those who own docks can make much more by turning them into restaurants. Montauk is the one port still holding on to a commercial fishing industry, however.<sup>20</sup>

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<sup>20</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005



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# HAMPTON BAYS/SHINNECOCK, NY<sup>1</sup>

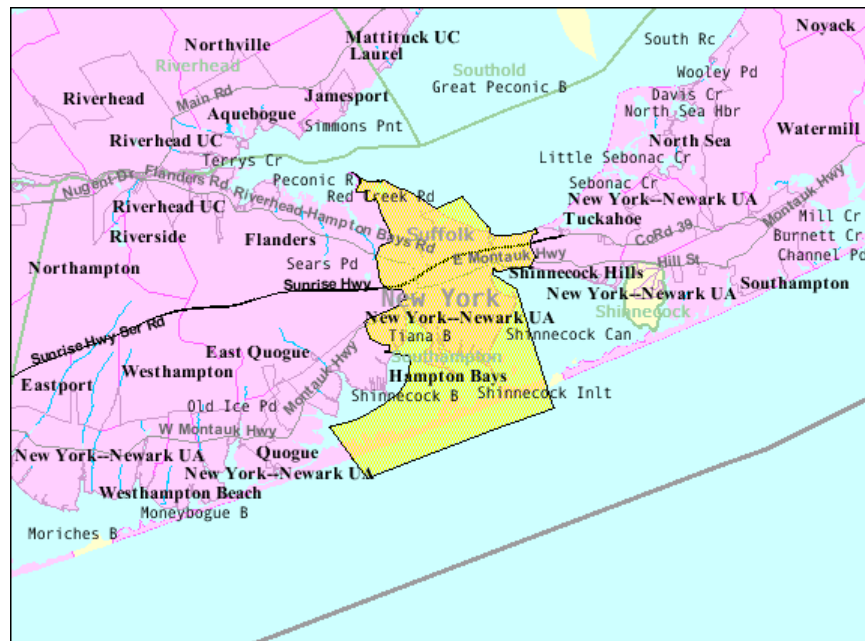
## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

Hampton Bays and Shinnecock here are considered to be the same community. Shinnecock is the name of the fishing port located in Hampton Bays on the barrier island next to Shinnecock Inlet, and does not actually refer to a geopolitical entity. Fishermen use either port name in reporting their catch, but they are considered to be the same physical place.

The hamlet of Hampton Bays is located on the southern coast of Long Island, NY in the town of Southampton. Southampton is a very large township, encompassing 128 square miles. Hampton Bays is on the west side of Shinnecock Bay, a bay protected from the Atlantic by a barrier island and accessed through Shinnecock Inlet. The Shinnecock Canal connects Shinnecock Bay with Great Peconic Bay to the north, allowing vessels to pass between the southern and northern sides of Long Island without having to travel east around Montauk (Town of Southampton nd).



Map 1. Location of Hampton Bays, NY (US Census Bureau 2000)

#### Historical/Background

The first inhabitants of this area were Native Americans from the Shinnecock tribe, people who still reside in Southampton today on the Shinnecock Reservation. The first

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: “Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov).”

European settlers arrived here in 1640, from Lynn, Massachusetts. Sag Harbor in Southampton was an important whaling port early on, and along with agriculture was the town's primary industry. Starting in the 18<sup>th</sup> century, residents would dig inlets between Shinnecock Bay and the Atlantic Ocean to allow water in the Bay to circulate, and to increase fish and shellfish productivity in the bay. The Shinnecock Canal, connecting Shinnecock Bay with Peconic Bay, was built in 1892 (Oles 2005). During the 1870s, as the Long Island Railroad running between New York City and Montauk was completed, the communities in Southampton became important tourist destinations where New York City residents built their summer homes, and it retains this distinction today as a vacation destination for New Yorkers. The population of Southampton grows considerably during the summer months, and at its peak is nearly triple the winter population (Town of Southampton nd). Hampton Bays is the most populous of eighteen unincorporated hamlets within Southampton (Oles 2005).

### Demographics<sup>3</sup>

According to Census 2000 data, Hampton Bays had a total population of 12,236, up 55.0% from 7,893 in 1990. Of this total in 2000, 50.4% were female and 49.6% were male. The median age was 38.8 years and 76.3% of the population was 21 years or older while 19.1% were 62 or older.

Hampton Bays' age structure showed the majority of residents to be in the 30-39 and 40-49 year old age categories (see Figure 1). There is a relatively even distribution of men and women in all age categories. A slight dip in the number of 10-19 year olds probably indicates students leaving for college at this time, but there is nothing to demonstrate significant migration either in or out of Hampton Bays.

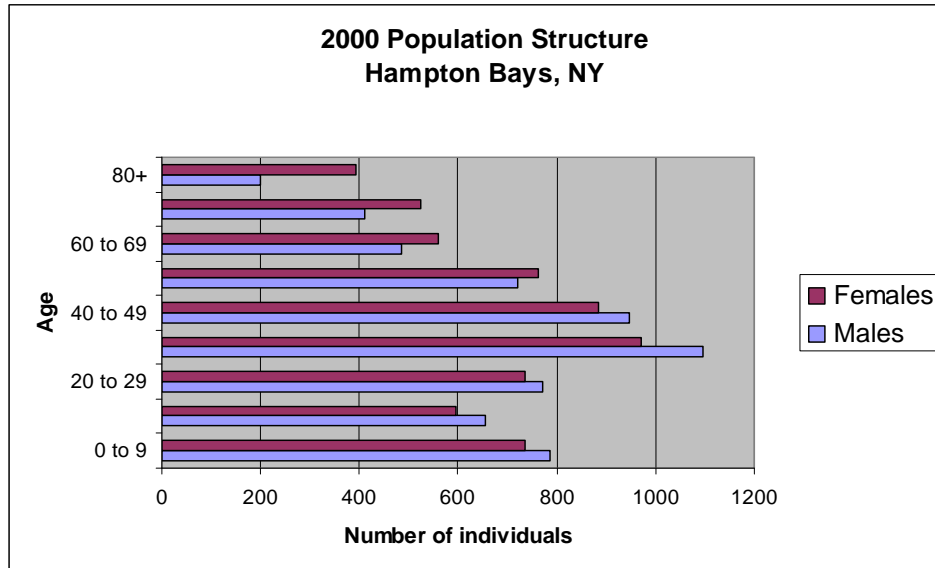


Figure 1. Hampton Bays' population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population of Hampton Bays in 2000 was white (92.8%), with 1.1% of residents Black or African American, 0.4% Native American, 0.9% Asian, and 0.1% Pacific

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

Islander or Hawaiian (Figure 2). A total of 12.5% of the total population identified themselves as Hispanic/Latino (Figure 3). Residents linked their heritage to a number of different ancestries including: Irish (25.7%), Italian (21.6%), German (17.3%), and English (11.6%). With regard to region of birth, 74.7% were born in New York, 10.8% were born in a different state and 13.4% were born outside of the U.S. (including 8.7% who were not United States citizens).

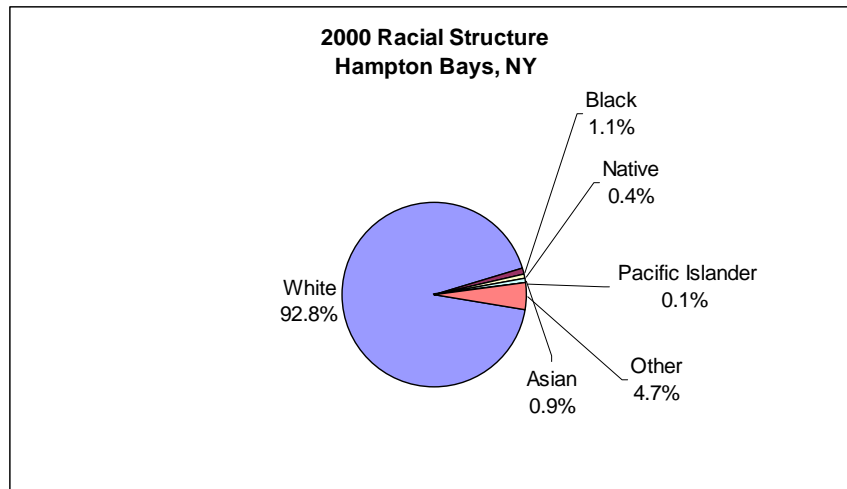


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

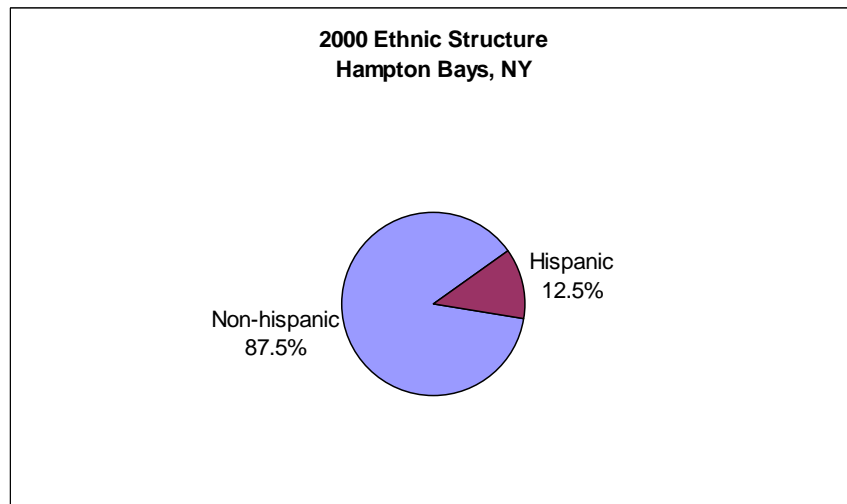


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 82.8% of the population 5 years old and higher in 2000, only English was spoken in the home, leaving 17.2% in homes where a language other than English was spoken, and including 9.2% of the population who spoke English less than 'very well'.

Of the population 25 years and over, 86.6% were high school graduates or higher and 25.9% had a bachelor's degree or higher. Again of the population 25 years and over, 5.3% did not reach ninth grade, 8.0% attended some high school but did not graduate, 33.2% completed high school, 20.8% had some college with no degree, 6.7% received an associate's degree, 16.0% earned a bachelor's degree, and 9.9% received either a graduate or professional degree.

Although religious percentages are not available through the U.S. Census, according to

the Association of Religion Data Archives (ARDA) in 2000 the religion with the highest number of congregations and adherents in Suffolk County was Catholic with 72 congregations and 734,147 adherents. Other prominent congregations in the county were Jewish (48 with 100,000 adherents), United Methodist (47 with 22,448 adherents), Episcopal (40 with 16,234 adherents), Evangelical Lutheran Church (26 with 19,378 adherents), and Muslim (9 with 12,139 adherents). The total number of adherents to any religion was up 3.8% from 1990 (ARDA 2000).

### **Issues/Processes**

The population of the town of Southampton has been growing steadily, and a number of seasonal home owners are choosing to live here year round. This is changing the population structure and dynamics of the town, and is likely to cause house prices to increase in an area where affordability is already a problem. The area around Shinnecock Inlet is one where much growth is expected to occur (Town of Southampton nd). As in many other coastal communities with a fishing industry, the soaring costs of waterfront property make it very difficult for fishermen and others in the industry to afford or retain necessary waterfront property for water access (Town of Southampton nd). Most of the infrastructure at Shinnecock has disappeared in the last few years; where there were at one time three docks for commercial fishermen to pack out at, now only one remains.

Some fishermen are concerned about the accuracy of their assigned historical landings by species for fisheries (often used for promulgating new regulations), as the method used to land fish in New York varies from that in most other states. Called the “box method” it involves fish being boxed at sea, then landed at a consignment dock and from there shipped to Fulton Fish Market in New York City. Prior to the implementation of dealer electronic reporting, NMFS port agents counted the number of boxes landed from each vessel and received a species breakdown from the dock manager (who did not open the boxes but rather based the breakdown on his knowledge of the vessel’s general fishing patterns). This system allowed greater potential for accidental misreporting. Now, the boxes are landed at the consignment dock and immediately shipped to Fulton, where the dealer opens the boxes and reports the landings. Further, individual fishermen report using VTR, logbooks and other methods.

While this method is more accurate in terms of the number and type of fish landed, it can still lead to another type of accidental reporting error. That is, landings are assigned to the incorrect state. This can have inequitable effects on states should an allocation scheme be developed, such as the one for summer flounder, that bases a state's allocation on the landings of a particular species in that state.

The docks make money by charging \$10-\$12 per box (2007 prices) and by selling fuel. Catch limits and trip limits reduce the number of boxes to be shipped, and have made it very difficult for the docks to stay in business. New York is losing much of its infrastructure, and many of the docks have closed or changed hands in recent years.<sup>4</sup>

In recent years some vessels have been repossessed, which signifies a great change in a fishery where there was always money to be made at one time. The rest of the fleet is aging badly, but fishermen cannot afford new vessels.<sup>5</sup>

As in many other areas of Long Island where clams and other shellfish are a significant part of the fishing industry, water quality is a consistent problem in the increasingly populated shallow bays where the clams are dug (New York Seafood Council n.d.) The bays have had

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<sup>4</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

<sup>5</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

several problems with algal blooms of *Aureococcus anophagefferens*, or brown tide, which killed off bay scallop populations here, and is believed to be related to nutrient depletion in the bay (Oles 2005).

Shinnecock Inlet needs to be dredged consistently because of siltation to allow commercial fishermen and recreational vessels to pass in and out of the inlet into the Atlantic Ocean, which is a costly process (Oles 2005). The Long Island Power Authority is seeking permission to construct a wind farm off Long Island, a proposal which has met with opposition from commercial fishermen in Hampton Bays and elsewhere on the island, because the turbines will block access to a highly productive squid fishery (Anonymous 2005).

### **Cultural attributes**

Sportfishing tournaments are a popular event in this area (Shinnecock Marlin and Tuna Club 2007).

## **INFRASTRUCTURE**

### **Current Economy**

The largest employer in Southampton Town is Southampton Hospital, which employs over 100 people. Other significant sources of employment for residents are in businesses related to tourism or the second home industry, including landscaping, pool maintenance, and construction.<sup>6</sup>

Many employers in the fishing industry have noted the difficulty in attracting employees here when many can make more money in the landscaping business, which has a high demand for laborers, particularly from April through November (Oles 2005). Port Agent Erik Braun said there has been an influx of Hispanic dock workers, and many of the fishermen have had to learn Spanish to communicate with them. This has been a dramatic change within the last 5 years, he said. He also stated that there are no new fishermen starting up, and the children of fishermen, even those that are doing well, are not encouraged to enter into this business.<sup>7</sup>

According to the U.S. Census 2000<sup>8</sup>, 60.6% (6028 individuals) of the total population 16 years of age and over were in the labor force, of which 3.4% were unemployed, 0.3% were in the Armed Forces, and 57.0% were employed (Figure 4).

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<sup>6</sup> Personal communication, Southampton Town Chamber of Commerce, 76 Main St., Southampton, Long Island, NY 11968, 7/13/05

<sup>7</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

<sup>8</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

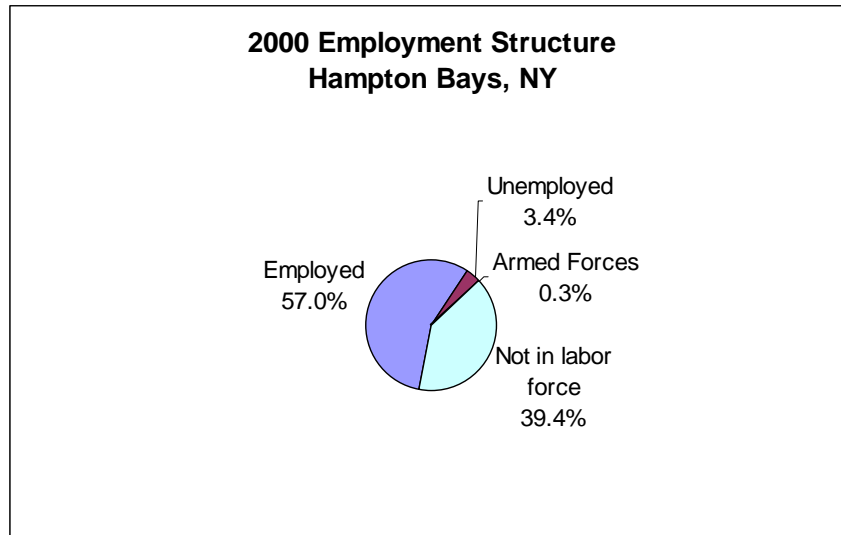


Figure 4. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 95 positions or 1.7% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 789 positions or 13.9% of jobs. Educational, health and social services (20.3%), construction (18.9%), and retail trade (14.4%) were the primary industries.

Median household income in Hampton Bays in 2000 was \$50,161 (up 40.0% from \$35,736 in 1990 [US Census Bureau 1990]) and per capita income was \$27,027. For full-time year round workers, men made approximately 56.6% more per year than women.

The average family in Hampton Bays consisted of 3.0 persons. With respect to poverty, 6.7% of families (up from 2.4% in 1990 [US Census Bureau 1990]) and 10.7% of individuals were below the U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 23.2% of families in 2000 earned less than \$35,000 per year.

In 2000, Hampton Bays had a total of 6,881 housing units of which 70.9% were occupied and 86.3% were detached one unit homes. Less than ten percent (7.1%) of these homes were built before 1940. Mobile homes accounted for 1.7% of the total housing units; 93.9% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$178,000. Of vacant housing units, 84.3% were used for seasonal, recreational, or occasional use. Of occupied units 29.8% were renter occupied.

## Government

A 5-person Town Board governs the town of Southampton. There is 1 supervisor, elected to a 2-year term, and the rest of the board is elected to staggered 4-year terms (Town of Southampton nd).

### *Fishery involvement in the government*

In addition to the Town Board, the town of Southampton has a Board of Trustees made up of five elected members, which is responsible for governing the laws of the waters and bay bottoms. Their jurisdiction includes boating activities, shellfishing licenses, shoreline protection,

and docks and other marine infrastructure. The laws of the Board of Trustees are enforced by the Bay Constables (Town of Southampton nd).

## **Institutional**

### *Fishing associations*

The New York Seafood Council, located in Hampton Bays, is the largest association representing fishing interests in the state. “The New York Seafood Council (NYSC) is an industry membership organization comprised of individuals, businesses, or organizations involved in the harvesting, processing, wholesale, distribution or sale of seafood products or services to the seafood industry in New York.” (NYSC 2008) The Southampton Town Baymen’s Association serves the interests of the inshore watermen utilizing Shinnecock Bay and the other bays within the town of Southampton. Also relevant to this area is the Long Island Commercial Fishing Association, which promotes commercial fishing throughout Long Island (Oles 2005). The Shinnecock Co-op dock was in operation for 30 years, but went bankrupt and closed two years ago.<sup>9</sup> There was also an organization called the Concerned Wives of Shinnecock Fishermen, that ceased to exist about 15 years ago.<sup>10</sup>

### *Fishery assistance centers*

Information on fishery assistance centers in Hampton Bays was unavailable through secondary data collection.

### *Other fishing related organizations*

The Shinnecock Marlin and Tuna Club is a recreational fishing club that sponsors tournaments. They also represent the interests of sportfishermen at meetings and fight for the improvement of Shinnecock Inlet and the preservation of local waters (Shinnecock Marlin and Tuna Club 2007).

## **Physical**

Hampton Bays is strategically positioned on Shinnecock Bay, protected from the Atlantic by a barrier island and accessed through Shinnecock Inlet. This allows fishermen access to both productive coastal and offshore fishing, and its proximity to markets in New York City is also important (NYSC 2008). It is roughly 30 miles from Montauk, NY on the eastern tip of Long Island, and about 90 miles from New York City (NYSC 2008). The Francis Gabreski Airport in Westhampton Beach is 10 miles away, Long Island Islip MacArthur Airport is 36 miles away, and JFK International Airport is 77 miles from Hampton Bays (MapQuest 2005). The Long Island Railroad stops in Hampton Bays and travels directly into New York City. Roughly 80% of the finfish landed in Hampton Bays/Shinnecock is sold at Fulton’s Fish Market in New York City (NYSC 2008).

The commercial fishing industry for Hampton Bays/Shinnecock is located on a thin strip of sand on the barrier island by Shinnecock Inlet, allowing the vessels to easily pass out of the Inlet into the sea, physically isolated from the rest of the town. Until recently (2005), there were three docks in Shinnecock including the Shinnecock Fish Dock, the fishermen’s cooperative dock, which provided labor, ice, boxes, and trucking for its members, as well as low-cost fuel, and one private dock (Oles 2005). These docks are still present, but only the private dock is still

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<sup>9</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

<sup>10</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005



operating and packing out fish. The other docks are abandoned; vessels still tie up to them but cannot receive any services. The cooperative dock has been turned into a restaurant.<sup>11</sup>

The majority of marinas and other infrastructure for recreational fishing as well as recreational boating within the town of Southampton are located in the Hampton Bays area alongside the Shinnecock Canal (Town of Southampton nd). The Shinnecock Canal County Marina is a publicly-owned marina along the canal (Town of Southampton n.d.), but it does not allow commercial vessels to tie up here (Oles 2005). There are at least two bait and tackle shops located in Hampton Bays, and several others within Southampton. There are also six fish retail markets located in Hampton Bays (NYSC 2008).

## INVOLVEMENT IN NORTHEAST FISHERIES<sup>12</sup>

### Commercial

Both landings data and vessel data have been combined for Hampton Bays/ Shinnecock for this profile because the fishing communities are indistinguishable. Hampton Bays/ Shinnecock is generally considered the second largest fishing port in New York after Montauk. The combined ports of Hampton Bays/Shinnecock had more landings of fish and shellfish in 1994 than at any other commercial fishing port in New York. Combined landings of surf clams and ocean quahogs were worth roughly \$1.6 million in 1994, and squid was at the time the most valuable species here (NYSC 2008). A 1996 report from the New York Seafood Council listed the following vessels for the combined port of Hampton Bays/Shinnecock: 30-35 trawlers, 2-8 clam dredge vessels, 1-2 longline vessels, 1-3 lobster boats, 4-5 gillnetters, as well as 10-15 fulltime baymen and at least 100 part-time baymen (NYSC nd). As of 2005, there was one longline vessel here and many of the trawlers were gone.<sup>13</sup>

Hampton Bays/Shinnecock had at one time a significant surf clam and ocean quahog fishery, evident in the 1997 data, which by 2006 had completely disappeared (Table 1**Error! Reference source not found.**). Oles notes that surf clam and ocean quahog landings in the past had been from transient vessels landing their catch here (Oles 2005). The level of home port fishing declined over the period from 1997 – 2004 for vessels listed with either Hampton Bays or Shinnecock as their home port, but increased slightly in 2005 and 2006 (Table 2Table). Shinnecock/Hampton Bays saw the highest landings in the squid, mackerel, butterfish grouping on average for 1997-2006, at just over \$2.5 million. Landings in 2006 were less than the average value, at just over \$2 million. Landings of smallmesh groundfish, another important species grouping, were considerably lower in 2006 than the ten year average value. However, landings

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<sup>11</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

<sup>12</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

<sup>13</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

of the summer flounder, scup, and black sea bass grouping had increased in 2006, and landings of “other” species and scallops were both considerably higher in 2006 than the average values. Generally, the level of landings in Hampton Bays/Shinnecock was much higher than the home port values. Landings declined from a high of close to \$10 million in 1997 down to \$6.5 million in 2002-2004, increasing again to \$8 million in 2005 and 2006. The number of vessels home ported in Hampton Bays/Shinnecock generally declined, from 65 in 1997 to 49 in 2003, increasing again to 54 in 2006.

There are a number of baymen who work in Shinnecock Bay, through permits granted by the town of Southampton, fishing for eels, conch, razor clams, scallops, and oysters, among other species (Oles 2005). The Shinnecock Indians had an aquaculture facility for cultivating oysters in the bay, but the oyster beds were largely destroyed through pollution and nutrient-loading; they are once again starting to recreate the oyster beds (DCR 2004).

### Landings by Species

Table 1. Dollar value by Federally Managed Groups of landings for Hampton Bays/Shinnecock

<b>HAMPTON BAYS / SHINNECOCK</b>	<b>Average from 1997-2006</b>	<b>2006 only</b>
<b>Squid, Mackerel, Butterfish</b>	2,524,001	2,039,202
<b>Summer Flounder, Scup, Black Sea Bass</b>	1,228,520	1,322,108
<b>Smallmesh Groundfish<sup>14</sup></b>	1,061,915	289,561
<b>Other<sup>15</sup></b>	934,568	1,525,033
<b>Monkfish</b>	640,566	651,960
<b>Scallop</b>	478,525	1,227,794
<b>Largemesh Groundfish<sup>16</sup></b>	473,771	271,480
<b>Tilefish</b>	468,683	377,301
<b>Bluefish</b>	216,681	241,080
<b>Skate</b>	71,269	59,764
<b>Surf Clams, Ocean Quahog</b>	56,708	0
<b>Dogfish</b>	48,407	498
<b>Lobster</b>	25,638	17,937
<b>Herring</b>	393	1,738

<sup>14</sup> Smallmesh Multi-Species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>15</sup> “Other” species includes any species not accounted for in a federally managed group

<sup>16</sup> Largemesh Groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

## Vessels by Year<sup>17</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	65	38	8,195,598	9,754,671
1998	60	30	8,040,050	9,671,692
1999	58	32	9,172,792	8,445,374
2000	58	31	8,361,761	9,472,731
2001	57	36	7,598,408	9,221,483
2002	51	35	6,996,831	6,528,459
2003	49	33	5,291,436	6,528,459
2004	51	32	4,412,092	6,590,465
2005	50	37	4,866,267	8,057,658
2006	54	42	4,930,913	8,025,456

# Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>18</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location

## Recreational

Recreational fishing is an important part of the tourist industry in Hampton Bays. The marinas here are well positioned for both inshore fishing in Shinnecock Bay and offshore fishing, and there are numerous charter and party boats that go fishing in both areas (Association of Marine Industries 1998). Many of those who own second homes in Southampton also own private boats for recreational fishing, and this contributed substantially to the marinas and other marine industries (Oles 2005). A website dedicated to fishing striped bass ([Stripers 247.com](http://Stripers247.com)) lists a number of locations in Hampton Bays for catching striped bass from on shore. One report estimated the value of recreational fishing at between \$32 million and \$66.8 million for the town of Southampton, which far exceeds the value of commercial fishing here. Recreational shellfishing is a popular activity in the area; at one time it was estimated that 50 percent of shellfishing in Southampton was done recreationally, both by residents and tourists (Town of Southampton nd).

## Subsistence

Oles noted in his report on the Hampton Bays/Shinnecock community (2005) that the recreational fishery has shifted from one focused on bagging as many fish as possible for consumption to one focused on catch-and-release, as many of those fishing in the area can easily afford to buy fish.

<sup>17</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>18</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

## FUTURE

The master plan for the Town of Southampton includes a commitment to preserving the town's fisheries by protecting the industry from growth and development pressures, recognizing the importance of fisheries to both the economy and character of the area (Town of Southampton nd). The Master Plan, adopted in 1999, includes a plan to expand the town's commercial fishing dock (Town of Southampton nd).

"The resilience of the commercial fishing industry in Hampton Bays is threatened by the cumulative effects of fisheries management and the forces of gentrification that are sweeping the area" (Oles 2005). One potentially positive note for the fishing industry is that the barrier island and beach where the commercial fishing industry is located are owned by Suffolk County and cannot be developed, so there is less direct competition for space here (Oles 2005).

Erik Braun, the port agent for this part of New York, was not hopeful about the future of the fishing industry. He said there are no new fishermen getting into commercial fishing, and that even those who have done well are not encouraging their children to get into the industry. The fleet is badly aging and much of it is in disrepair. Much of the infrastructure here is also gone, and those who own docks can make much more by turning them into restaurants.<sup>19</sup>

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<sup>19</sup> Personal Communication, Erik Braun, NMFS port agent, E. Hampton, NY, July 22, 2005

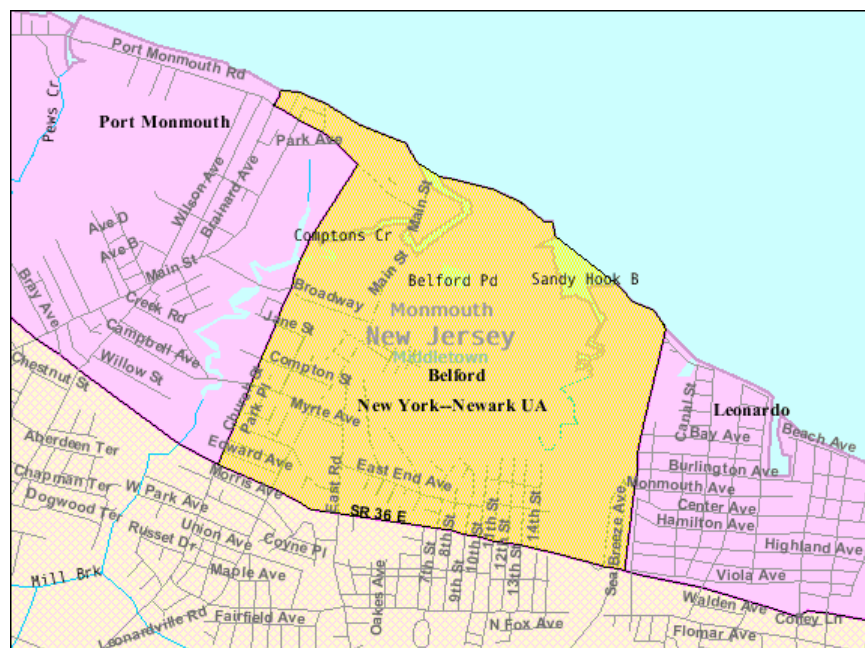
# BELFORD (MIDDLETOWN), NJ<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

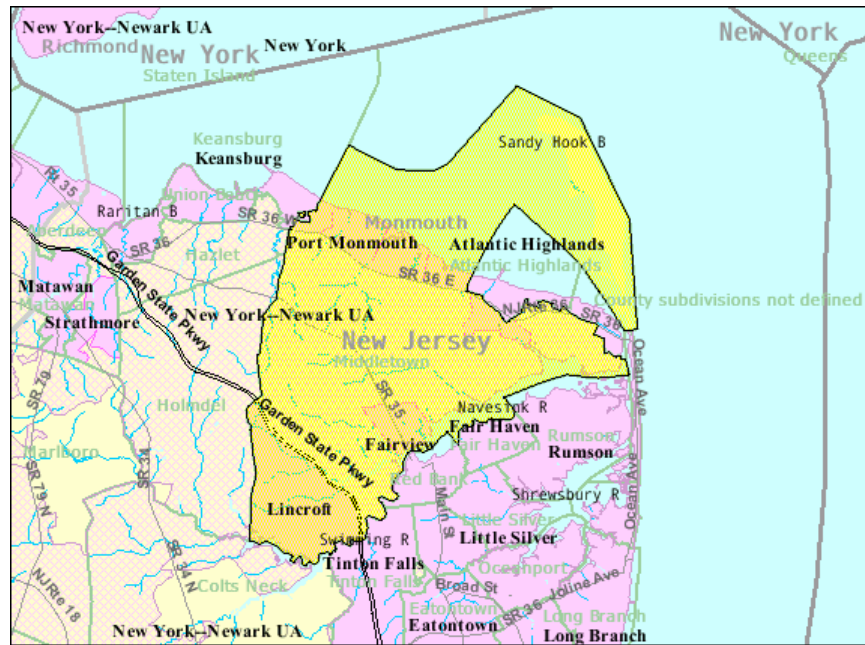
The community of Belford, New Jersey (40.42° N, 74.09°W) is located on the Bayshore in the township of Middletown, in Monmouth County. Middletown is bordered by Raritan Bay/Sandy Hook Bay in the north and the Navesink River to the southeast (McCay et al. 2005). Belford lies along Sandy Hook Bay (part of the Raritan Bay complex), and occupies 1.3 square miles of land (USGS 2008; see Maps 1 and 2) While most fishing activity takes place in Belford, some of the surrounding communities within Middletown also play a role in the fishery.



Map 1. Census reference map of the location of Belford, NJ (US Census Bureau 2000)

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: “Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov).”



Map 2. Census reference map of the location of Middletown, NJ

### Historical/Background information

Fishing has been a long tradition in this area; the Leni Lenape Indians fished in the bay here before white settlers arrived and the Dutch were fishing here in the 1600s (Jones 2004). Belford is part of the township of Middletown, which was first established as a township in 1664 (McCay et al. 2005). Middletown has 14 distinct villages, of which four, North Middletown, Port Monmouth, Belford, and Leonardo, lie along the Bayshore (McCay et al. 2005). The area known today as Belford, along with what is now Port Monmouth, was originally known as Shoal Harbor. Shoal Harbor was relatively isolated until the mid-1800s when the construction of a road here as well as a nearby railroad opened this area up allowing farmers and fishermen to sell their wares in New York City and other areas (Jones 2004). Belford was officially established in 1891 when a rail station was built here, separating from Port Monmouth (Township of Middletown nd). A menhaden processing plant was built in Belford in the late 1800s, which operated until 1982 (Jones 2004); this was once the town's largest employer (Township of Middletown nd). The presence and stench of the menhaden plant helped maintain Belford as a relatively unchanged fishing port while the rest of the shore around it was subject to intense development and tourism. Belford has notoriously been home to pirates, blockaders, rum runners, and even through the 1980s, fish poachers. There is a long tradition among some Belford fishermen of not obeying fisheries regulations (Jones 2004). Some consider Belford to be the longest continuously operating fishing village on the East Coast.

## Demographics<sup>3</sup>

### Belford CDP

According to Census 2000 data, Belford had a total population of 1,340<sup>4</sup>; 1990 population data was unavailable for Belford for comparison. Of this total in 2000, 50.4% were female and 49.6% were male. The median age was 35.8 years and 69.6% of the population was 21 years or older while 11.8% were 62 or older.

The population structure for Belford indicates that this is a community of young families. The largest percentages of residents were between 30-39 and 40-49 years of age (Figure 1). There were also a large number of children between the ages of 0-9, and a significant decline in the number of residents over the age of 60. Like many fishing communities, Belford's population showed a dip in the number of residents between the ages of 20-29 and even in the 10-19 age bracket, as young people left to go to school or in search of jobs. This is more prevalent for males than for females for the 20-29 age bracket.

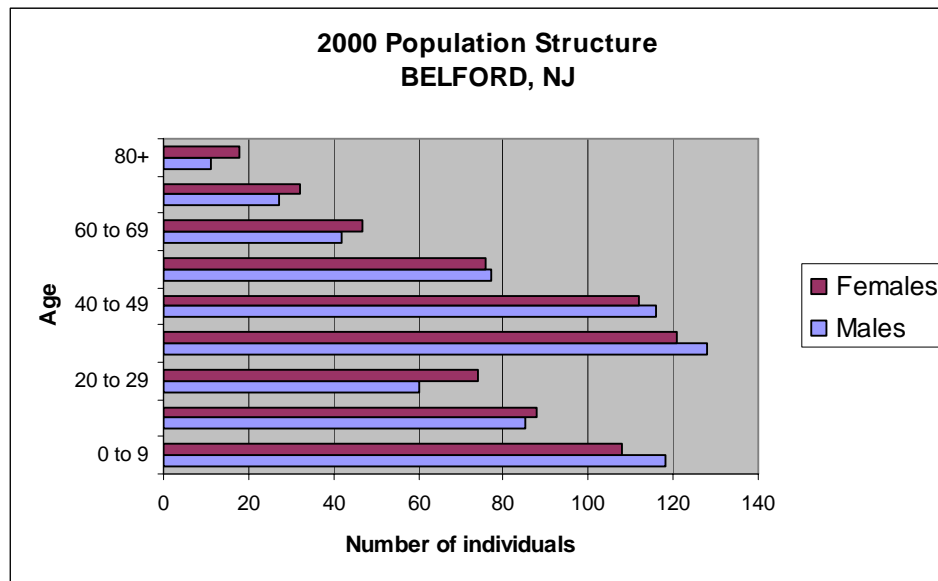


Figure 1. Population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population of Belford in 2000 was white (97.2%), with 0.3% of residents black or African American, 0.4% Native American, 0.7% Asian, and 0.1% of residents listed as Pacific Islander or Hawaiian (Figure 2). Only 4.7% of the total population identified themselves as Hispanic/Latino (Figure 3). Residents linked their heritage to a number of different ancestries including: Irish (44.0%), Italian (38.2%) German (23.6%), and Polish (8.6%). With regard to region of birth, 63.2% were born in New Jersey, 32.3% were born in a different state and 2.7% were born outside of the U.S. (including 0.4% who were not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

<sup>4</sup> These and all census data, unless otherwise referenced, can be found at <http://factfinder.census.gov/home/saff/main.html>; census data used are for Belford CDP



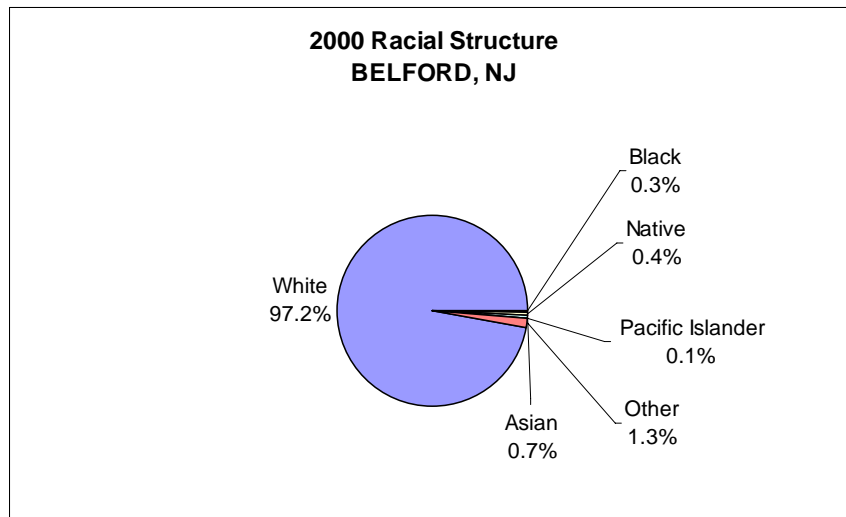


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

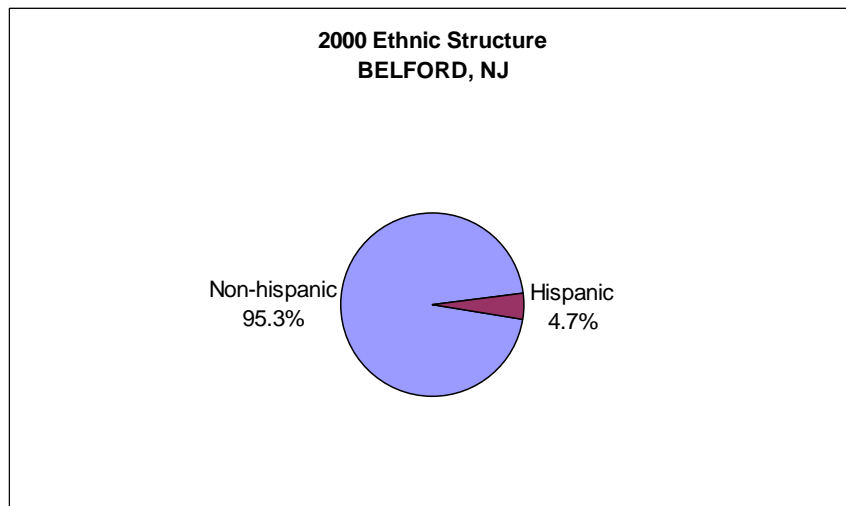


Figure 3. Ethnic Structure in 2000 (US Census Bureau)

For 90.0% of the population 5 years old and higher in 2000, only English was spoken in the home, leaving 10.0% in homes where a language other than English was spoken, and including 3.0% of the population who spoke English less than “very well.”

Of the population 25 years and over, 89.7% were high school graduates or higher and 16.8% had a bachelor’s degree or higher. Again of the population 25 years and over, 1.0% did not reach ninth grade, 9.3% attended some high school but did not graduate, 41.6% completed high school, 24.3% had some college with no degree, 7.0% received their associate’s degree, 13.3% earned their bachelor’s degree, and 3.4% received either a graduate or professional degree.



*Middletown*

According to Census 2000 data, Middletown township had a total population of 66,327, down 2.7% from 1990. Of this total in 2000, 51.4% were female and 48.6% were male. The median age was 38.8 years and 70.8% of the population was 21 years or older while 15.0% were 62 or older.

The population structure for Middletown indicates that this is a community of young families. The largest percentages of residents are between 40-49 years and 30-39 years of age. There are also a large number of children between the ages of 0-19, and a significant decline in the number of residents over the age of 60 (Figure 4). Like many communities, Middletown’s population has a dip in the number of residents between the ages of 20-29, as young people leave to go to school or in search of jobs.

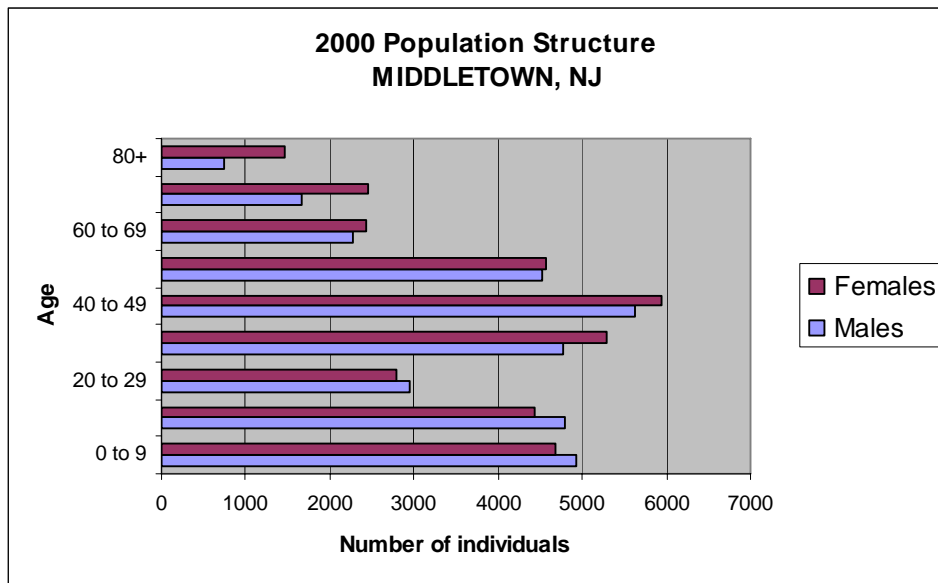


Figure 4. Population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population of Middletown in 2000 was white (94.6%), with 1.4% of residents Black or African American, 0.2% Native American, 2.9% Asian, and 0.1% of residents listed as Pacific Islander or Hawaiian (see Figure 5). Only 3.4% of the total population identified themselves as Hispanic/Latino (see Figure 6). Residents linked their heritage to a number of different ancestries including: Irish (32.9%), Italian (28.9%), German (17.4%), English (8.8%), and Polish (8.7%). With regard to region of birth, 58.7% were born in New Jersey, 34.1% were born in a different state and 6.4% were born outside of the U.S. (including 2.5% who were not United States citizens).

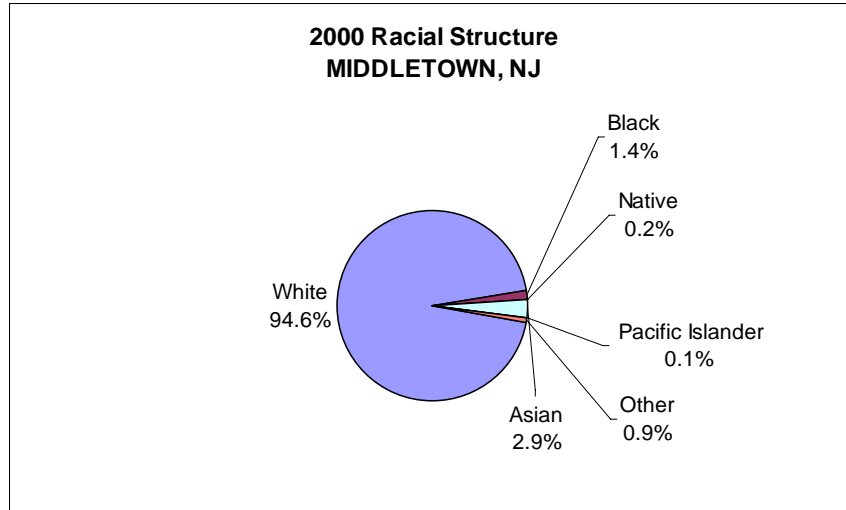


Figure 5. Racial Structure in 2000 (US Census Bureau 2000)

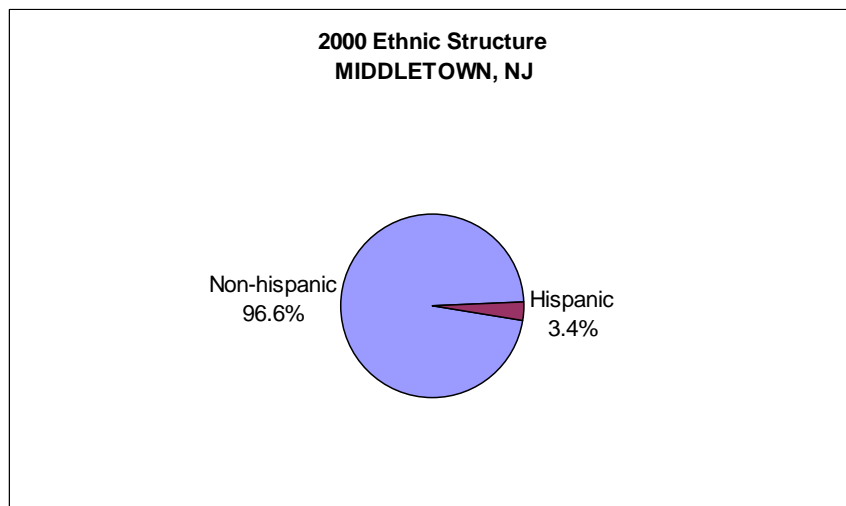


Figure 6. Ethnic Structure in 2000 (US Census Bureau 2000)

For 91.1% of the population 5 years old and higher in 2000, only English was spoken in the home, leaving 8.9% in homes where a language other than English was spoken, and including 2.3% of the population who spoke English less than “very well.”

Of the population 25 years and over, 90.7% were high school graduates or higher and 35.0% had a bachelor’s degree or higher. Again of the population 25 years and over, 2.7% did not reach ninth grade, 6.5% attended some high school but did not graduate, 29.2% completed high school, 19.7% had some college with no degree, 6.9% received their associate’s degree, 22.4% earned their bachelor’s degree, and 12.6% received either a graduate or professional degree.

Although religious percentages are not available through the U.S. Census, according to the American Religion Data Archive (ARDA) in 2000 the religion with the highest number of congregations and adherents in Monmouth County was Catholic with 50 congregations and 289,183 adherents. Other prominent congregations in the county were Jewish (42 with 65,000 adherents), United Methodist (47 with 12,992 adherents), and Muslim (5 with 9,455 adherents). The total number of adherents to any religion increased 38.9% from 1990 to 2000 (ARDA 2000).

## **Issues/Processes**

The promised clam depuration plant and renovation of the cooperative and other fishing infrastructure in Belford, which may be of great benefit to the fishing community here, have been continuously postponed, and fishermen are concerned that condominiums will be built on the property instead. The project was being headed by the Bayshore Economic Development Corporation, which later became surrounded with controversy and had some of its state funding cut off.

As Belford becomes more accessible to commuters to New York City and elsewhere, and as housing is increasingly scarce around the city, many people are moving to Belford and forcing up the price of homes. The resulting increase in property taxes may force some residents who have lived in Belford their entire lives to relocate (Jones 2004). Belford represents some of the last untouched waterfront real estate in New Jersey within commuting distance to New Jersey, and development pressures here are increasing (NJEDA nd).

There is frequently conflict between menhaden purse seine vessels from Belford and recreational fishermen, who criticize the vessels for catching large amounts of oysters and sport fish species along with the menhaden. For this and other reasons, there is frequently animosity between recreational and commercial fishermen (Jones 2004).

## **Cultural attributes**

The site of the Belford Fisherman's Co-op has an interpretive exhibit about the commercial fishing industry here (NPS nd). Monmouth County wishes to promote the co-op as a regional tourist attraction (van Develde 2003). The Leonardo Party and Pleasure Boatman's Association hosts fishing tournaments out of the Leonardo State Marina.

## **INFRASTRUCTURE**

### **Current Economy**

The largest employers in the township of Middletown are the following: AT&T (3,300+ employees; McCay et al. 2005), Food Circus Supermarkets, Inc. (1,263 employees), Brookdale Community College (737 employees), and T&M Associates (engineering - 200 employees). There are many other large employers throughout Monmouth County where Middletown residents are likely to be employed (Monmouth County nd). Additionally, many of Middletown's residents commute to work in New York City (McCay et al. 2005).

### *Belford CDP*

According to the U.S. Census 2000<sup>5</sup>, 76.4% (799 individuals) of the total population 16 years of age and over were in the labor force, of which 2.2% were unemployed, 1.1% were in the Armed Forces, and 71.3% were employed (see Figure 7).

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<sup>5</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

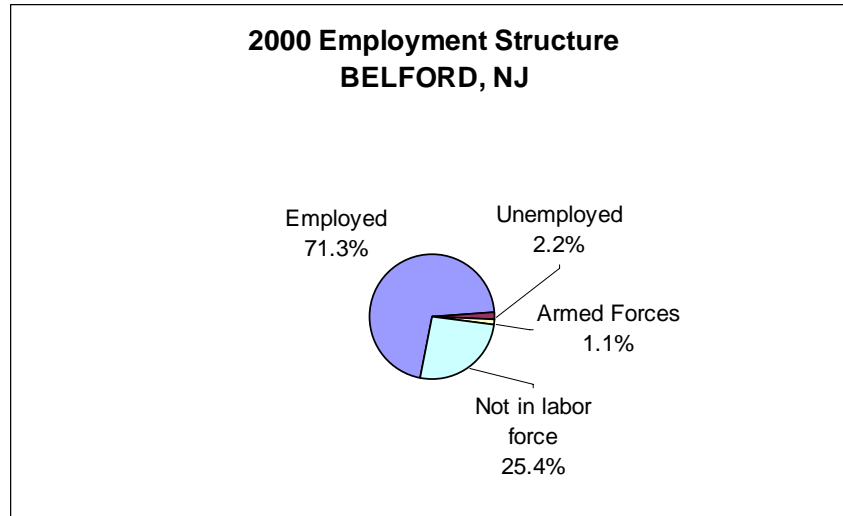


Figure 7. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, in Belford jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 17 positions or 2.3% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 46 positions or 6.2% of jobs. Construction (17.5%), educational, health, and social services (16.5%), professional, scientific, management, administrative, and waste management services (12.8%), and manufacturing (8.9%) were the primary industries.

Median household income in Belford in 2000 was \$66,964 (1990 population data was unavailable for Belford) and per capita income was \$25,412. For full-time year round workers, men made approximately 47.9% more per year than women.

The average family in Belford consisted of 3.29 persons. With respect to poverty, 1.3% of families (1990 population data was unavailable for Belford) and 3.2% of individuals were below the U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 14.4% of all families of any size earned less than \$35,000 per year.

In 2000, Belford had a total of 548 housing units, of which 95.2% were occupied and 94.2% were detached one unit homes. More than one-third (35.9%) of these homes were built before 1940. No mobile homes, boats, RVs, vans, etc. were found for Belford; 96.4% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$146,000. Of vacant housing units, 4.5% were used for seasonal, recreational, or occasional use, while of occupied units 13.5% were renter occupied.

### *Middletown*

According to the U.S. Census 2000<sup>6</sup>, 66.4% (33,789 individuals) of the total population 16 years of age and over were in the labor force, of which 2.2% were unemployed, 0.1% were in the Armed Forces, and 64.1% were employed (see Figure 8).

<sup>6</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

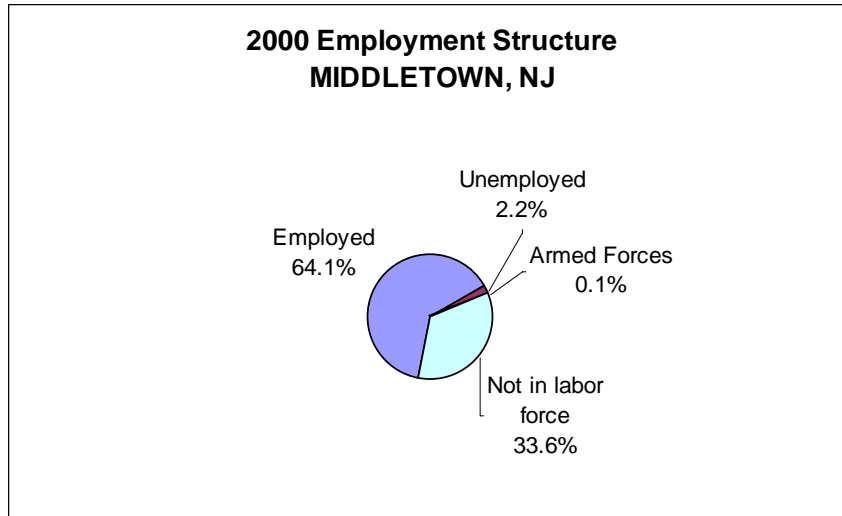


Figure 8. Employment Structure in 2000

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 95 positions or 0.3% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 1,587 positions or 4.9 % of jobs. Educational, health, and social services (18.6%), finance, insurance, real estate, and rental and leasing (13.4%), professional, scientific, management, administrative, and waste management services (12.6%), and retail (12.0%) were the primary industries.

Median household income in Middletown in 2000 was \$75,566 (up 38.6% from \$54,503 in 1990 [US Census Bureau 1990]) and per capita income was \$34,196. For full-time year round workers, men made approximately 67.7% more per year than women.

The average family in Middletown consisted of 3.27 persons. With respect to poverty, 1.9% of families (similar to 1.8% in 1990 [US Census Bureau 1990]) and 3.1% of individuals were below the U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 11.3% of all families of any size earned less than \$35,000 per year.

In 2000, Middletown had a total of 23,841 housing units of which 97.5% were occupied and 80.6% were detached one unit homes. Just over ten percent (12.1%) of these homes were built before 1940. Mobile homes, boats, RVs, vans, etc. accounted for 0.1% of housing; 80.0% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$210,700. Of vacant housing units, 12.3% were used for seasonal, recreational, or occasional use, while of occupied units 13.6% were renter occupied.

### **Governmental**

Middletown is governed by a five-member township committee, which includes the mayor, who is designated for one year by the other members. Each committee member serves a three-year term. Belford is one of about a dozen villages within the township of Middletown (Township of Middletown nd).

### *Fisheries involvement in government*

In 2006 the Town of Middletown was awarded a \$75,000 Smart Future planning grant from the state to study ways to improve the economic vitality of the fishing industry in Belford (Anon 2006).

## **Institutional**

### *Fishing associations*

“Belford is believed to have the oldest continually operating fishing cooperative on the east coast. It was founded in 1953... The Belford Seafood Cooperative handles members’ catches, purchases fish from non-members, arranges for the sale and transportation of the fish, and leases a lot of the docks to the fishermen” (Jones 2004).

[Garden State Seafood Association](#) in Trenton is a statewide organization of commercial fishermen and fishing companies, related businesses and individuals working in common cause to promote the interests of the commercial fishing industry and seafood consumers in New Jersey.

The [Jersey Coast Anglers Association](#) (JCAA) is an association of over 75 saltwater fishing clubs throughout the state. Founded in 1981, the purpose of the organization is to unite and represent marine sport anglers to work towards common goals. The JCAA website ([www.jcaa.org](http://www.jcaa.org)) also provides links for many NJ anglers associations.

### *Fishery assistance centers*

Information on fishery assistance centers in Middletown/Belford was unavailable through secondary data collection.

### *Other fishing related organizations*

The Leonardo Party and Pleasure Boatman’s Association hosts fishing tournaments. The [NY/NJ Baykeeper](#) is working to protect and preserve the Hudson/Raritan Estuary for the benefit of both natural and human communities. The organization worked unsuccessfully in conjunction with the Belford fishermen in an attempt to prevent the construction of the New York City ferry dock in Belford.

## **Physical**

Belford is located within the shelter of Sandy Hook (NJFishing nd). The Belford Seafood Cooperative “includes the Pirate’s Cove Restaurant and retail fish establishments, as well as a net house, the dock, and the boats. There is also a wholesale and retail lobster facility nearby called Shoal Harbor Lobster. The co-op is on Compton’s Creek, which runs directly into Raritan Bay. A relatively new wastewater facility and a brand-new ferry terminal share the creek with the fishermen.” When the New York City ferry was put into place in Compton Creek, the creek was widened and more bulkheads were put in, providing more docking space for fishing vessels (Jones 2004). The town of Middletown has at least three marinas and a boat ramp. Bayshore Waterfront Park, in Port Monmouth, has a large fishing pier and is home to the Monmouth Cove Marina (McCay et al. 2005). The Leonardo State Marina, located in the village of Leonardo, has 179 berths, a bait and tackle shop, fuel, and a boat ramp. There are both charter and party boats found here (NJDEP nd). There are bait and tackle and other marine-related businesses located along Route 36 in Belford (McCay et al. 2005).

The township of Middletown has a NJ Transit rail station and several NJ transit bus stops. Route 36 runs through Belford, and the Garden State Parkway and Route 35 run through Middletown (McCay et al. 2005). Belford is about 30 miles from Point Pleasant, 35 miles from Newark, and about 44 miles from New York City. The nearest airport is Newark Liberty International Airport. In 2002 [ferry service between Belford and Pier 11](#) in Manhattan began operation. There are 500 parking spaces available at the Belford Ferry terminal. The commute takes about 40 minutes.

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>7</sup>**

### **Commercial**

Belford is listed as one of the six major commercial fishing ports in the state of New Jersey (NJDA nd). Belford has a tradition of fishing for menhaden that dates back to the 1800s, when a processing plant was constructed here. Although the plant is no longer in existence, today menhaden are still pursued from Belford with trawlers fitted with purse seines (Jones 2004). Menhaden have experienced a resurgence recently (2006), primarily for use as bait (NJ Fishing nd). The commercial fishing activity is based out of Compton Creek. Commercial catches all go through the Belford Seafood Cooperative, which sells most of its product to Fulton Fish Market and to other markets along the East Coast. There are about 20-30 vessels associated with the Co-op, including about 14-15 draggers, about 12 lobster boats, and a number of crabbing boats. There are about 40 vessels in total located in Belford. Much of the fishing here is done less than a mile from shore; this is primarily a baymen's port. Shoal Harbor Lobster, also located in Belford, is an independent wholesaler; the lobsters sold here come from many different places (Jones 2004). They provide all lobsters sold in A&P Supermarkets in New Jersey and Long Island (Peet 2001). Shoal Harbor sells some lobsters from local vessels; they used to have their own boats but they sold them. There are 4 employees at this business.<sup>8</sup>

While some landings and vessel data are listed for Middletown, the majority are listed for Belford, and they have been combined in this profile. The number of vessels listed for Belford is relatively consistent, with a high of 39 in 2004 (see Table 2). The number of home ported vessels was higher in all years than the number of vessels with owners living in Belford/Middletown, indicating that some vessel owners live in other communities. On average for 1997-2006, the most valuable species grouping in Belford was summer flounder, scup, and black sea bass, followed by the "other" species grouping (see Table 1). For both the 2006 landings values were higher than the 1997-2006 average landings. Most years saw few if any landings listed for Middletown.

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<sup>7</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

<sup>8</sup> Shoal Harbor Lobster Company, personal communication, June 28, 2006

## Landings by Species

Table 1. Rank Value of Landings for Federally Managed Groups

<b>BELFORD/MIDDLETOWN</b>	<b>Rank Value of Average Landings from 1997-2006</b>
<b>Summer Flounder, Scup, Black Sea Bass</b>	1
<b>Other<sup>9</sup></b>	2
<b>Lobster</b>	3
<b>Largemesh Groundfish<sup>10</sup></b>	4
<b>Squid, Mackerel, Butterfish</b>	5
<b>Smallmesh Groundfish<sup>11</sup></b>	6
<b>Surf Clams, Ocean Quahog</b>	7
<b>Bluefish</b>	8
<b>Monkfish</b>	9
<b>Dogfish</b>	10
<b>Skate</b>	11
<b>Scallop</b>	12
<b>Herring</b>	13
<b>Tilefish</b>	14

(Note: Only rank value is provided because value information is confidential in ports with fewer than three vessels or fewer than three dealers, or where one dealer predominates in a particular species and would therefore be identifiable.)

## Vessels by Year<sup>12</sup>

Table 1. Federal Vessel Permits Between 1997-2006

<b>Year</b>	<b># Vessels (home ported)</b>	<b># Vessels(owner's city)</b>
<b>1997</b>	36	20
<b>1998</b>	31	20
<b>1999</b>	31	19
<b>2000</b>	36	21
<b>2001</b>	36	21
<b>2002</b>	35	21
<b>2003</b>	37	28
<b>2004</b>	39	30
<b>2005</b>	36	27
<b>2006</b>	34	26

(Note: # Vessels home ported = No. of permitted vessels with location as homeport  
# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>13</sup>)

<sup>9</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>10</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>11</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>12</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>13</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.



## **Recreational**

Recreational fishing is important to the Bayshore region; there are a number of bait and tackle shops and marinas located here. However, there is little recreational fishing in Belford itself (Jones 2004). Port Monmouth has a fishing pier and marina at Bayshore Waterfront Park (McCay et al. 2005). Leonardo State Marina has a bait and tackle shop as well as both charter and party boats which dock here (NJDEP nd). The Leonardo Party and Pleasure Boatman's Association hosts fishing tournaments out of the Leonardo State Marina.

In New Jersey the charter/party fleet is the largest on east coast. Many vessels are over 120 ft long and carry over 150 people.<sup>14</sup>

## **Subsistence**

Information about subsistence fishing in Belford/Middletown was either unavailable through secondary data collection or the practice does not exist.

## **FUTURE**

The Middletown Master Plan recognizes the importance of Belford as a fishing community and expresses a determination to maintain this character. There is a proposed fishing center for Belford called the Bayshore Technology Center, which would include a research and development facility, a fish farming center, and a clam depuration plant. The goals of the technology center would be to create jobs, promote growth in the Bayshore's commercial fishing industry, and secure the future of the cooperative (Jones 2004). The Bayshore Development Corporation has been working with the Port Authority of New York and New Jersey among others to encourage economic development in the Belford harbor area (McCay et al. 2005). There are also plans in the works to refurbish the cooperative itself (van Develde 2004). These plans have recently been stalled, but the town has just received a grant from the state to begin working on this project itself (Anon 2006). The township and county have been making major infrastructure improvements in and around Belford to roads, bridges, etc. in an effort to revitalize the community and to draw people from elsewhere (Jones 2004).

The community of Belford, despite its proximity to many large urban centers, had been relatively isolated and underdeveloped. However, recently ferry service began between Belford and New York City, and a large upscale condominium development was built, bringing an influx of people to the community. Fishermen anticipate the community will change a great deal. The town has expressed a desire to maintain fishing here, but commercial fishermen perceive this as referring to only recreational fishing activity. There is concern that the new residents won't like the sight and smell of the fisherman's co-op, and the resulting conflict will harm the fishing industry. Many fishermen believe the proposed construction of a clam depuration plant could boost the industry; currently all clams taken from the bay need to be purified to rid them of pollution, and the depuration plants in nearby communities don't have the capacity to take many clams from Belford (Jones 2004).

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<sup>14</sup> Community Review Comments, Bruce Freeman, NJ Coast Anglers Association, October 2, 2007

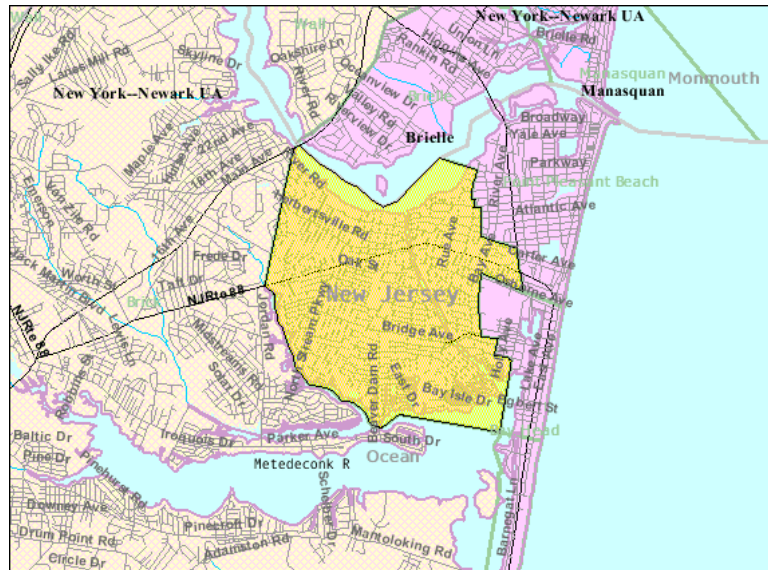
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# POINT PLEASANT and POINT PLEASANT BEACH, NJ<sup>1</sup> Community Profile<sup>2</sup>

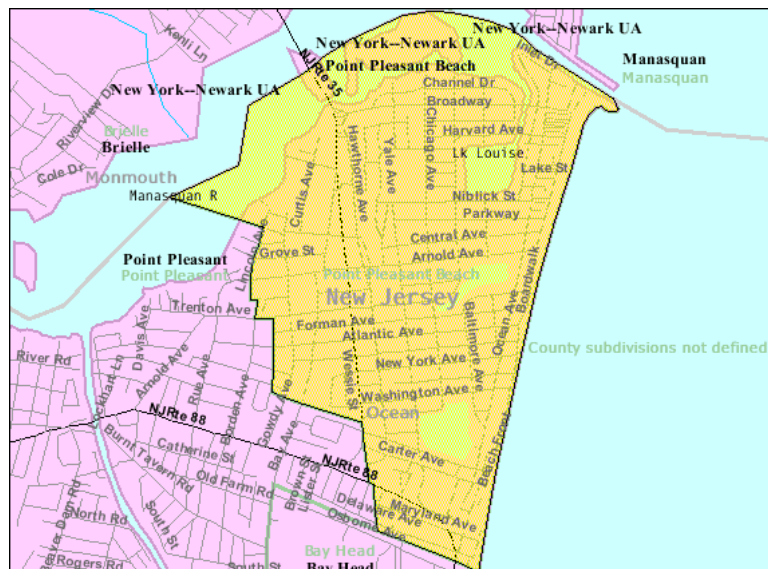
## PEOPLE AND PLACES

### Regional orientation

The community of Point Pleasant (40.08°N, 74.07°W) is located in Ocean County in the state of New Jersey. Point Pleasant encompasses the adjacent boroughs of Point Pleasant and Point Pleasant Beach and is situated 16 miles from Toms River. Due to the close relation between Point Pleasant and Point Pleasant Beach with regard to the commercial and recreational fishing industries, they are being considered here as a single community.



Map 1. Location of Point Pleasant, NJ (US Census Bureau 2000a)



Map 2. Location of Point Pleasant Beach, NJ (US Census Bureau 2000a)

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: "Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov)."

## Historical/Background

The first community in the Point Pleasant area was called Lovelandtown, and was made up of settlers who fished, clammed, hunted, and otherwise subsisted from the bay environment. The first of the Lovelands probably arrived in the 1810s, and were proficient in boat building, fishing, decoy carving, guiding and gunning (NJDA nd). Over the years, Point Pleasant has transitioned from an existence as a summer resort town to becoming a family and community of about 19,000 year-round residents (Borough of Point Pleasant nd). Point Pleasant Beach, NJ, located 1.5 miles from Point Pleasant, is known as a destination for recreational fishermen. Some of the most popular areas to fish are: the Manasquan Inlet Wall, which produces fish year round as it connects the Atlantic to the Manasquan River; the Manasquan River itself; and the “Canal” connecting the Manasquan River to the upper Barnegat Bay (NJMetroNET Inc nd). Point Pleasant supports a large recreational fishing fleet (Monmouth County nd), and a small commercial fleet targeting fluke, squid, silver and red hake, and scallops (mostly in local waters) and surfclams. Though the surfclam fishery was pioneered here and surf clams continue to be landed, there are no longer any processing plants in Point Pleasant (NJ Fishing nd).

## Demographics<sup>3</sup>

Point Pleasant - According to Census 2000 data<sup>4</sup>, Point Pleasant had a total population of 19,306, up 6.2% from the reported population of 18,177 in 1990. Of this 2000 total, 49.1% were male and 50.9% were female. The median age was 39.4 years and 73.5% of the population was 21 years or older while 17.2% was 62 or older.

Point Pleasant’s age structure (Figure 1) showed a preponderance of the 30 to 49 years age groups. The age group of 20-29 year old residents was smaller compared to the other age groups, showing that apparently young people are leaving the community after high school.

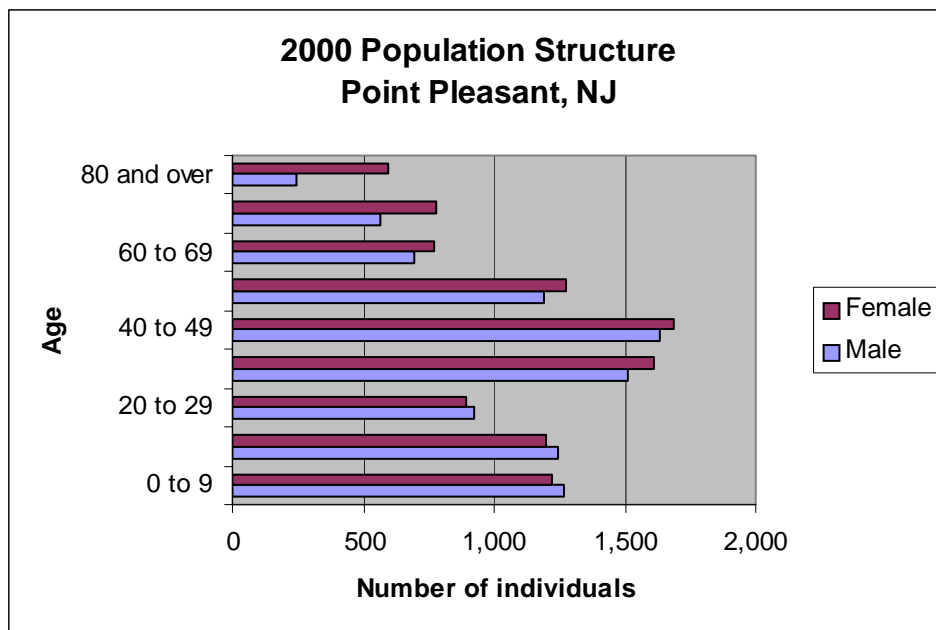


Figure 1. Point Pleasants population structure by sex in 2000

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

<sup>4</sup> These and all census data, unless otherwise referenced, can be found at U.S. Census: American Factfinder 2000 <http://factfinder.census.gov/home/saff/main.html>; census data used are for Point Pleasant borough and Point Pleasant Beach borough; (accessed June 28, 2007)

The majority of the population was white (97.8%) with 0.3% of residents black or African American, 0.5% Asian, 0.1% Native American, and none Pacific Islander or Hawaiian (see Figure 2). Only 2.4% of the population identified themselves as Hispanic/Latino (see Figure 3). Residents linked their background to a number of different ancestries including: Irish (32.7%), Italian (25.2%), German (21.5%), English (10%), and Polish (10%). With regard to region of birth, 79.7% were born in New Jersey, 16.5% were born in a different state and 3.1% were born outside of the U.S. (including 1.1% who were not United States citizens).

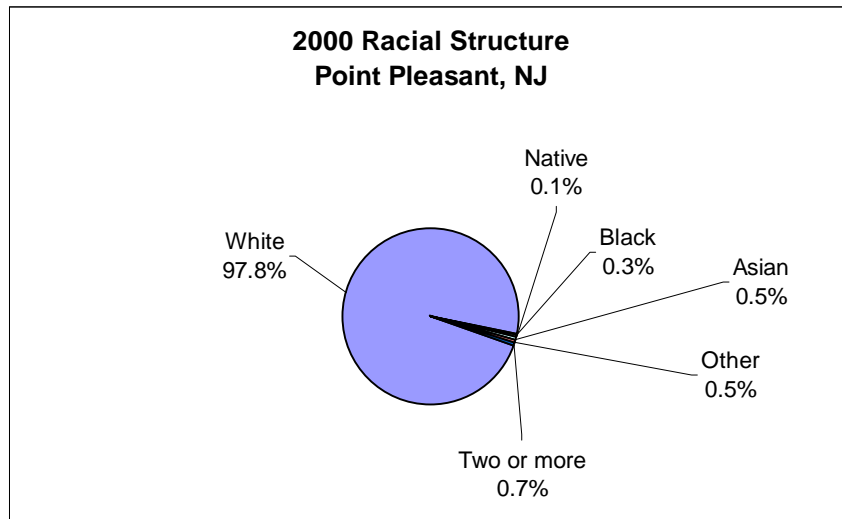


Figure 2. Racial Structure in 2000 (US Census Bureau 2000a)

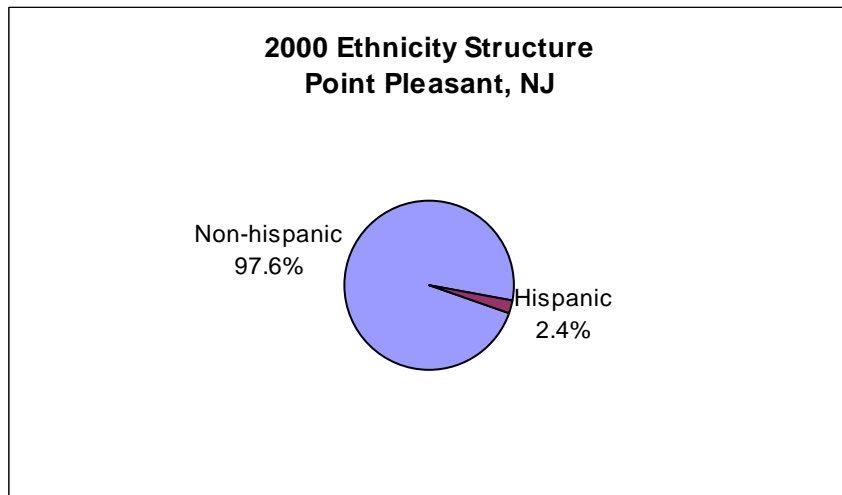


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000a)

For 94.5% of the population, only English was spoken in the home, leaving 5.5% in homes where a language other than English was spoken, including 0.9% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 88.5% were high school graduates or higher and 27.8% had a bachelor’s degree or higher. Again of the population 25 years and over, 2.6% did not reach ninth grade, 8.8% attended some high school but did not graduate, 34.7% completed high school, 20.2% had some college with no degree, 5.8% received an associate’s degree, 20.1% earned a bachelor’s degree, and 7.7% received a graduate or professional degree.

Point Pleasant Beach - According to Census 2000 data, Point Pleasant Beach had a total population of 5,314, up 4.0% from a reported population of 5,112 in 1990. Of this 2000 total, 50.4% were male and 49.6% were female. The median age was 42.6 years and 78.1% of the population was 21 years or older while 21.6% was 62 or older.

Point Pleasant Beach’s age structure (see Figure 4) was similar to that of Point Pleasant in that it showed a preponderance of those in the 30 to 59 year age groups. Again, like Point Pleasant, the age group of 20-29 was small compared to the other age groups, showing that apparently young people are leaving the community after high school. The median age, however, was three years older, and a higher percentage of the population was over 62, indicating that Point Pleasant Beach may be more of a retirement community.

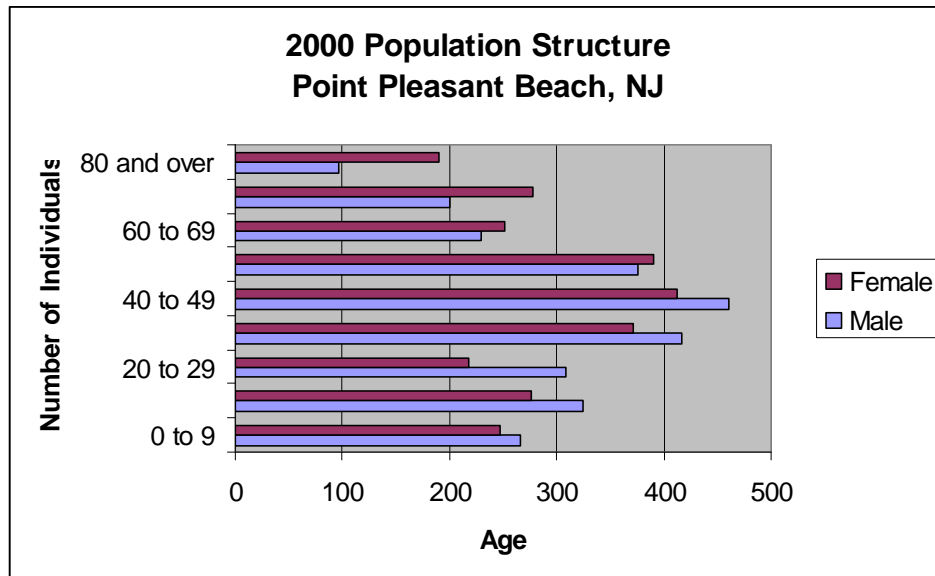


Figure 4. Population structure by sex in 2000 (US Census Bureau 2000a)

Like Point Pleasant, the majority of the population was white (96.7%) with 0.5% of residents black or African American, 1.0% Asian, 0.3% Native American, and 0.02% Pacific Islander or Hawaiian (see Figure 5). Only 4.4% of the population identified themselves as Hispanic/Latino (see Figure 6). Residents linked their backgrounds to a number of different ancestries including: Irish (28.5%), Italian (22.2%), German (19.5%), English (13.8%), and Polish (8.4%). With regard to region of birth, 68.6% were born in New Jersey, 24.7% were born in a different state and 5.8% were born outside of the U.S. (including 3.4% who were not United States citizens).

For 90.5% of the population, only English was spoken in the home, leaving 9.5% in homes where a language other than English was spoken, including 3.4% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 87.1% were high school graduates or higher and 34.1% had a bachelor’s degree or higher. Again of the population 25 years and over, 3.8% did not reach ninth grade, 9.1% attended some high school but did not graduate, 24.3% completed high school, 21.3% had some college with no degree, 7.5% received an associate’s degree, 22.5% earned a bachelor’s degree, and 11.6% received either a graduate or professional degree.



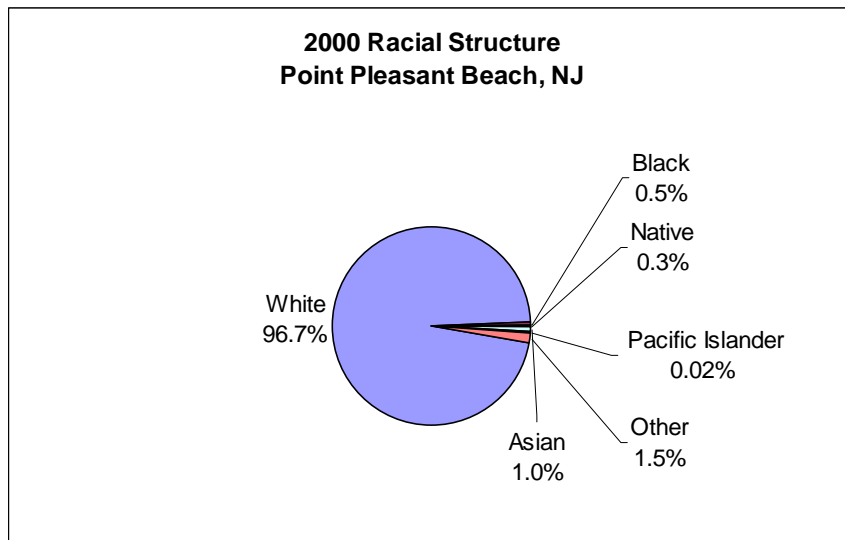


Figure 5. Racial Structure in 2000 (US Census Bureau 2000a)

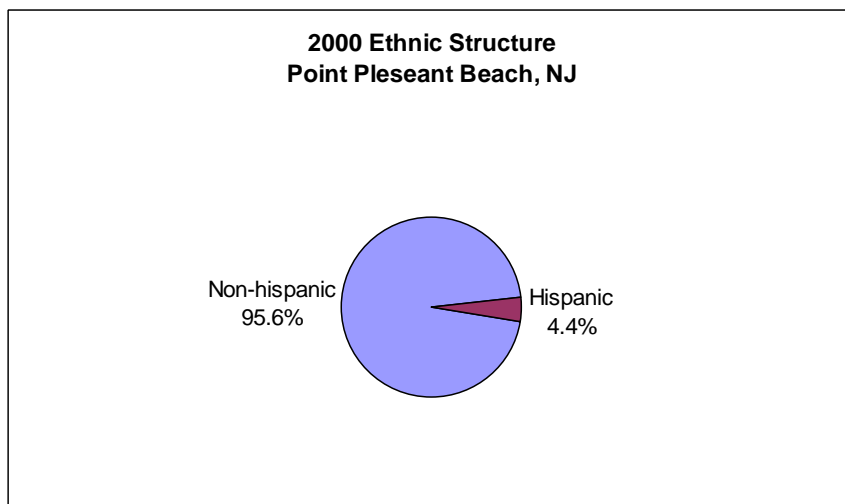


Figure 6. Ethnic Structure in 2000 (US Census Bureau 2000)

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in Ocean County was Catholic with 33 congregations and 212,482 adherents. Other prominent congregations in the county were Jewish (35 with 11,500 adherents), and the United Methodist Church (28 with 9,534 adherents). The total number of adherents to any religion was up 21.9% from 1990 (ARDA 2000).

### Issues/Processes

In 2005 a Virginia company was pushing to open the waters off New Jersey for pursuing menhaden with seine nets, an idea to which recreational fishermen were strongly opposed. Menhaden are a favorite bait fish for striped bass fishermen, and menhaden are also an important food source for striped bass (Asbury Park Press 2005).

There had been discussions in 2004 about further limiting the catch of certain recreationally targeted species, including striped bass (Freda 2004) and winter flounder, greatly concerning those involved in the recreational fishing business, whether as party boat captains or bait sellers. The Recreational Fishing Alliance has played a large role in lobbying the Atlantic States Marine Fisheries Commission and the State to minimize restrictions for the economic health of the recreational fishery (Moran 2005).

## Cultural attributes

[Festival of the Sea](#) is an event held every September since 1975, where area restaurants present local seafood dishes. The [Greater Point Pleasant Charter Boat Association](#) holds the yearly two-day Mako Mania, considered by many to be the premier shark-fishing tournament in New Jersey.

## INFRASTRUCTURE

### Current Economy

The majority of the docks, bait and tackle shops, and other infrastructure for the commercial fishing industry are located in Point Pleasant Beach. However, because real estate is likely to be much more expensive within the borough of Point Pleasant Beach, the majority of fishermen are likely to live in the borough of Point Pleasant. Point Pleasant, located along the Manasquan Inlet, is also in itself an important destination for recreational fishing, with numerous boats docked in Point Pleasant along the river.

Point Pleasant - According to the U.S. Census 2000<sup>5</sup>, 66.5% (10,113 individuals) of the total population 16 years of age and over were in the labor force (see Figure 7), of which 2.5% were unemployed, 0.1% were in the Armed Forces, and 63.9% were employed.

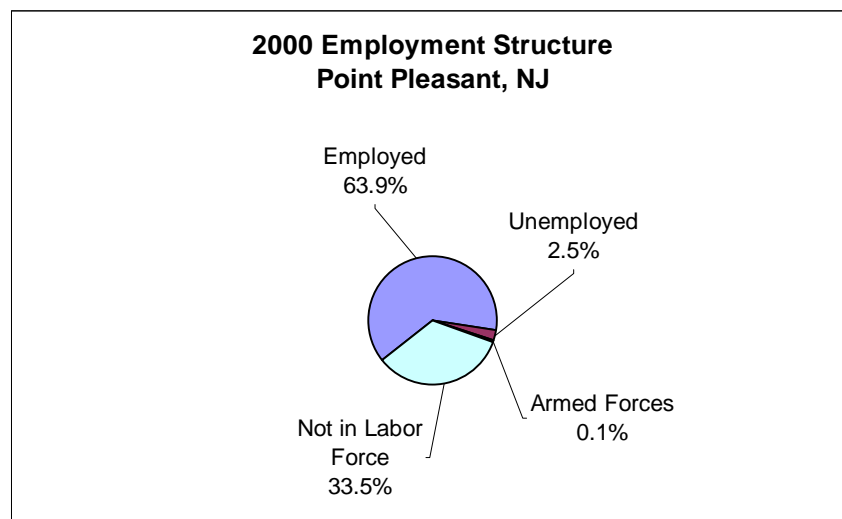


Figure 7. Employment structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 31 positions or 0.3% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 619 positions or 6.4% of jobs. Educational health and social services (23.4%), retail trade (12.4%), construction (10.9%), professional, scientific, management, administrative and waste management services (9.3%), arts, entertainment, recreation, accommodation and food services (8.2%), and finance, insurance, real estate and rental and leasing (7%) were the primary industries.

Median household income in Point Pleasant was \$55,987 (up 37.3% from \$40,798 in 1990 [US Census Bureau 1990]) and median per capita income was \$25,715. For full-time year round workers, males made approximately 54.5% more per year than females.

<sup>5</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.



The average family in Point Pleasant consisted of 3.06 persons. With respect to poverty, 2% of families (up from 1.6% in 1990) and 3.2% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 15.9% of all families (of any size) earned less than \$35,000 per year.

In 2000, Point Pleasant had a total of 8,350 housing units of which 90.5% were occupied and 83.1% were detached one unit homes. Less than 10% (8%) of these homes were built before 1940. Mobile homes, vans, boats accounted for none of the housing units; 92.2% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$160,100. Of vacant housing units, 6.4% were used for seasonal, recreational, or occasional use. Of occupied units 20.2% were renter occupied.

Point Pleasant Beach - Much of the economy of Point Pleasant and Point Pleasant Beach is based on tourism, and a substantial segment of the tourist population travel to this area to fish. Even during the winter, Point Pleasant will sometimes maintain some tourism during years when fish are more plentiful during the winter months (Stoffle et al. 2008). The largest employers in Point Pleasant Beach are mostly related to the tourist industry: Jenkinson’s Beach and Boardwalk (with a beach, amusement rides, aquarium, night club, and restaurants), Meridian Health Center, Food Town, Chef’s International (restaurant chain), and motels.<sup>6</sup> The most significant sources of employment in Point Pleasant, by contrast, are banks and car dealerships.<sup>7</sup>

According to the U.S. Census 2000<sup>8</sup>, 58.7% (2,617 individuals) of the total population 16 years of age and over were in the labor force (see Figure 8), of which 3.1% were unemployed, none were in the Armed Forces, and 55.6% were employed.

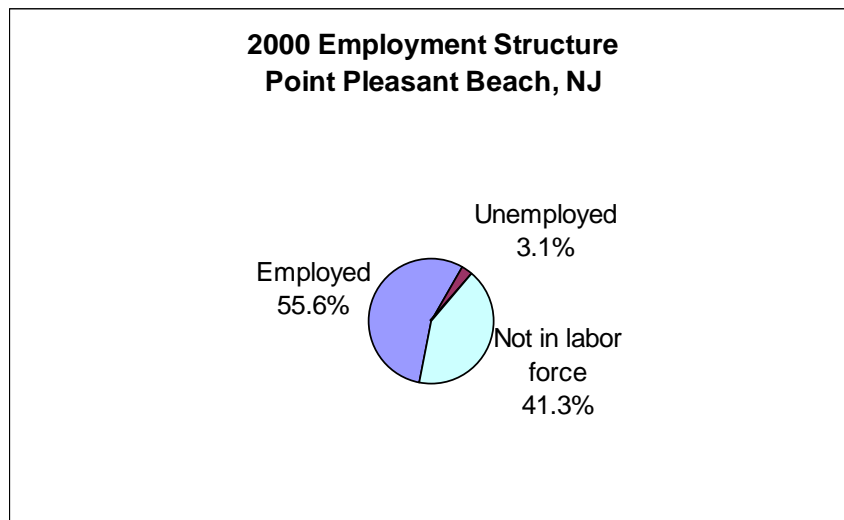


Figure 8. Employment structure in 2000 (US Census Bureau 2000)

<sup>6</sup> Personal Communication, Point Pleasant Beach Chamber of Commerce, 2810 Bridge Ave., Point Pleasant Beach, NJ 08742, 6/24/05

<sup>7</sup> Personal Communication, Point Pleasant Chamber of Commerce, 2803 Bridge Ave., Point Pleasant, NJ 08742, 6/27/05

<sup>8</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 65 positions or 2.6% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 104 positions or 4.4% of jobs. Educational health and social services (19.2%), arts, entertainment, recreation, accommodation and food services (14.6%), retail trade (11.8%), public administration (10.2%), professional, scientific, management, administrative and waste management services (9.4%), and finance, insurance, real estate and rental and leasing (7.2%) were the primary industries.

Median household income in Point Pleasant Beach was \$51,105 (up 48.9% from \$34,799 in 1990 [US Census Bureau 1990]) and median per capita income was \$27,853. For full-time year round workers, males made approximately 8.0% more per year than females (significantly different than in Point Pleasant).

The average family in Point Pleasant Beach consisted of 2.96 persons. With respect to poverty, 5% of families (up from 1.6% in 1990) and 6.1% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 18.3% of all families (of any size) earned less than \$35,000 per year.

In 2000, Point Pleasant Beach had a total of 3,558 housing units, of which 65.1% were occupied and 68.5% were detached one unit homes. Less than one third (28.4%) of these homes were built before 1940. Mobile homes, vans, boats accounted for none of the total housing units; 83.9% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$223,600. Of vacant housing units, 26.6% were used for seasonal, recreational, or occasional use. Of occupied units 37.1% were renter occupied.

## **Government**

The City of Point Pleasant operates under the Council/Manager form of government. There are six members of Council, in addition to the Mayor. The Mayor has a four-year term, and the Council has staggered three-year terms (Borough of Point Pleasant nd).

### *Fishery involvement in government*

Information on fishery involvement in government in Point Pleasant is unavailable through secondary data collection.

## **Institutional**

### *Fishing associations*

The [Fishermen's Dock Cooperative](#) on Channel Drive in Point Pleasant Beach is one of two active fishing cooperatives in New Jersey. Incorporated as a cooperative in the early 1950s, the "Co-op" is an integral part of the waterfront community of Point Pleasant Beach. The Co-op markets its members' catch, and offers them fuel, packing, and ice at a discounted rate. Becoming a member of the Co-op is difficult; it requires a vacancy and proof of being an able fishermen, as well as the purchase of a share in the Co-op (McCay et al. 1995). Many existing members of the Co-op are the sons of the original founders, and some are third or fourth generation fishermen (NJ Fishing nd).

[Garden State Seafood Association](#) in Trenton is a statewide organization of commercial fishermen and fishing companies, related businesses and individuals working in common cause to promote the interests of the commercial fishing industry and seafood consumers in New Jersey.

The [Jersey Coast Anglers Association](#) (JCAA) is an association of over 75 saltwater fishing clubs throughout the state. Founded in 1981, the purpose of the organization is to

unite and represent marine sport anglers to work towards common goals. The JCAA website ([www.jcaa.org](http://www.jcaa.org)) also provides links for many NJ anglers associations.

#### *Fishing assistance centers*

Information on fishing assistance centers in Point Pleasant is unavailable through secondary data collection.

#### *Other fishing related organizations*

The [Greater Point Pleasant Charter Boat Association](#) in Township was formed in 1981. Its goals are: “To enhance the recreational fishing industry on the Manasquan River, and to aid in the improvement of the coastal fishery and collectively voice concerns on marine conservation and environmental issues”

The [Manasquan River Watershed Association](#) is a non-profit organization focused on protecting and restoring the Manasquan River through public education, restoration, and regional planning initiatives.

### **Physical**

Point Pleasant is within easy reach of Newark Airport and Port Newark/ Elizabeth and only a bridge crossing away from both New York and Philadelphia (NJ Fishing nd). Specifically, Point Pleasant is located about 42 miles from Trenton, NJ and 67 miles from New York City. Point Pleasant is only a few miles from the Garden State Parkway which links to major highways such as I-195. The borough is about 2 miles from the open Atlantic Ocean, and is in close proximity to a portion of the large Barneget Bay. [New Jersey Transit](#) provides service from Point Pleasant to throughout the state and region. Because of its large recreational fishing component, there are many bait and tackle stores in town (Ocean City Maryland 1997; Okuma Fishing Tackle Co 2004).

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>9</sup>**

### **Commercial**

The fleet of the [Fishermen’s Dock Cooperative](#) is comprised mostly of smaller draggers, up to about 80 feet in length. They fish mostly in the New York Bight, in mixed trawl fisheries. “They primarily target fluke, silver hake and squid but in the past have also had significant landings of winter flounder, bluefish, monkfish and scallop. While most of the Co-op member's harvest is sold to wholesale markets in the Mid-Atlantic States and Southern New England, a significant amount makes its way directly to consumers via the seafood market and restaurant adjacent to the dock.” Members of the Co-op recently got together to raise \$1 million for necessary repairs to their dock (Stoffle et al. 2008).

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<sup>9</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

The development of the shellfishery here has been very important to maintaining a commercial fishing industry in Point Pleasant. Point Pleasant Beach was listed as the eighth largest commercial fishing port on the East Coast in 2003. There were no landings values listed for Point Pleasant Beach; home port landings values and data on vessels have been combined for Point Pleasant and Point Pleasant Beach here. The landings values for Point Pleasant show the highest value species as surf clams and ocean quahogs, followed by scallops and summer flounder, scup, black sea bass (see Table 1). The value of the sea scallop fishery was much higher in 2006 than in the 10-year average. Other fisheries have declined in both the commercial and recreational sectors resulting from both a decrease in catches and an increase in regulation, and facilities previously used for processing finfish are now used for offloading and trucking quahogs and surfclams. The ocean quahogs and scallops as well as most of the surfclams are trucked away elsewhere for shucking, as Point Pleasant no longer has a processing plant here with the exception of a small facility where some surfclams are shucked by hand. Otter trawls and gillnetting continue to be important for this fleet as well, and other important species include monkfish, *Loligo* squid, and summer flounder (Stoffle et al. 2008). Despite declining catches in some areas, the overall value of this fishery increased for both home-ported vessels and the value of landings brought into Point Pleasant from 1997-2006 (see Table 2). The number of vessels and the level of fishing increased over the 10-year time period for Point Pleasant and Point Pleasant Beach.

### Landings by Species

Table 1. Dollar value by Federally Managed Groups of landings in Point Pleasant

	<b>Average from 1997-2006</b>	<b>2006 only</b>
<b>Surf Clams, Ocean Quahog</b>	9,252,589	8,342,197
<b>Scallop</b>	3,931,203	7,875,964
<b>Summer Flounder, Scup, Black Sea Bass</b>	1,782,580	2,657,675
<b>Monkfish</b>	1,515,511	888,104
<b>Lobster</b>	800,994	1,322,967
<b>Other<sup>10</sup></b>	704,087	326,210
<b>Squid, Mackerel, Butterfish</b>	555,114	584,369
<b>Largemesh Groundfish<sup>11</sup></b>	354,799	456,840
<b>Smallmesh Groundfish<sup>12</sup></b>	250,357	66,052
<b>Dogfish</b>	132,702	0
<b>Bluefish</b>	97,360	69,352
<b>Skate</b>	37,860	36,549
<b>Tilefish</b>	2,757	CONFIDENTIAL
<b>Herring</b>	374	3,088

<sup>10</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>11</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>12</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

## Vessels by Year<sup>13</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006 for Point Pleasant / Point Pleasant Beach

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	66	28	6,172,651	16,905,177
1998	58	24	8,171,193	16,712,151
1999	63	23	10,612,851	17,862,091
2000	71	26	9,855,759	17,769,138
2001	78	27	8,245,705	18,924,389
2002	79	27	8,897,148	22,849,561
2003	71	29	10,994,699	22,849,561
2004	71	27	12,732,616	19,222,163
2005	72	24	15,733,873	21,653,319
2006	71	26	17,164,411	22,632,286

# Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>14</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location

## Recreational

Point Pleasant is the most important community in New Jersey for recreational fishing. Fishermen travel from all over the state and beyond to fish from the numerous party and charter boats, from their own private recreational boats, or to participate in surf-fishing from several key spots. The New Jersey Department of Environmental Protection, Division of Fish and Wildlife, which licenses party and charter boats, lists 29 for Point Pleasant and Point Pleasant Beach (Giordan et al. 2000), but in some cases fishermen may own a charter license but rarely if ever use their boat for charter trips (Stoffle et al. 2008). There are at least 18 charter boats listed as members of the [Greater Point Pleasant Charter Boat Association](#). Between 2001- 2005, there were 40 charter and party vessels making 8,032 total trips registered in NMFS logbook data by charter and party vessels in Point Pleasant carrying a total of 161,601 anglers.

In New Jersey, the charter/party fleet is the largest on east coast. Many vessels are over 120ft long and carry over 150 people.<sup>15</sup>

## Subsistence

Some owners of charter and party boats claim that before the bag limits for recreational fishing were increased, many of their clientele were coming fishing primarily as a means of consumption rather than sport, but that the clientele has shifted to represent more tourists fishing for the fun of it (Stoffle et al. 2008).

<sup>13</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>14</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

<sup>15</sup> Community Review Comments, Bruce Freeman, NJ Coast Anglers Association, 1201 Route 37 East, Suite 9, Toms River, NJ 08753, October 2, 2007

## **FUTURE**

Information on future plans or people's perception of the future in Point Pleasant is unavailable through secondary data collection.

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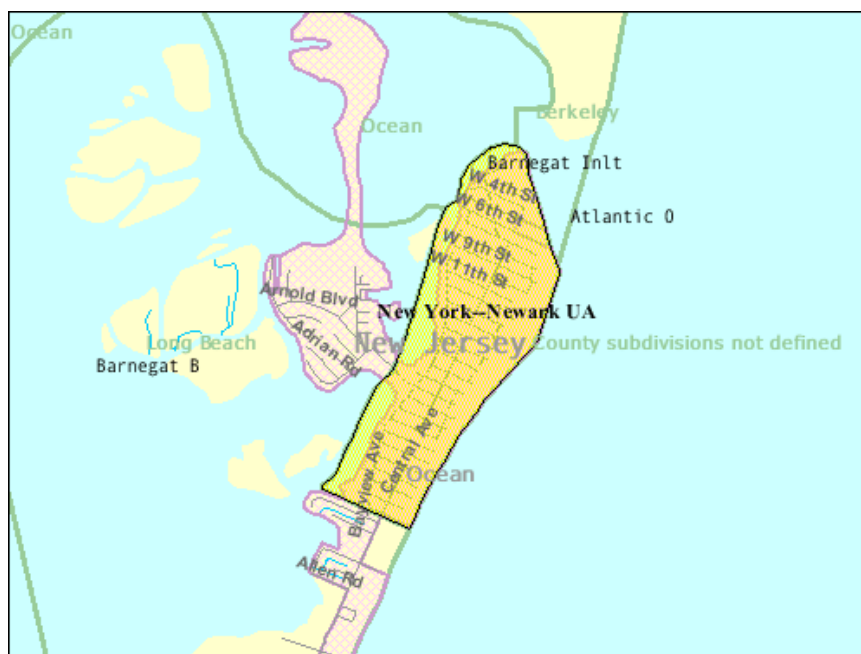
# LONG BEACH ISLAND/BARNEGAT LIGHT, NJ<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

Long Beach Island is an 18-mile barrier beach on New Jersey's eastern shore, about 4 to 6 miles from mainland New Jersey (LBInet 2008), within Ocean County. It is made up of the Township of Long Beach (39.69° N, 74.14° W), along with five independent boroughs: Barnegat Light, Beach Haven, Harvey Cedars, Ship Bottom, and Surf City. Long Beach Island includes the ports of Barnegat Light and Beach Haven and ports in the surrounding area on the mainland which include Tuckerton, Barnegat, Waretown, and Forked River. The city of Barnegat Light (39.75° N, 74.11° W) is a major commercial port (USGS 2008), while much of the rest of the island specializes in recreational fishing.

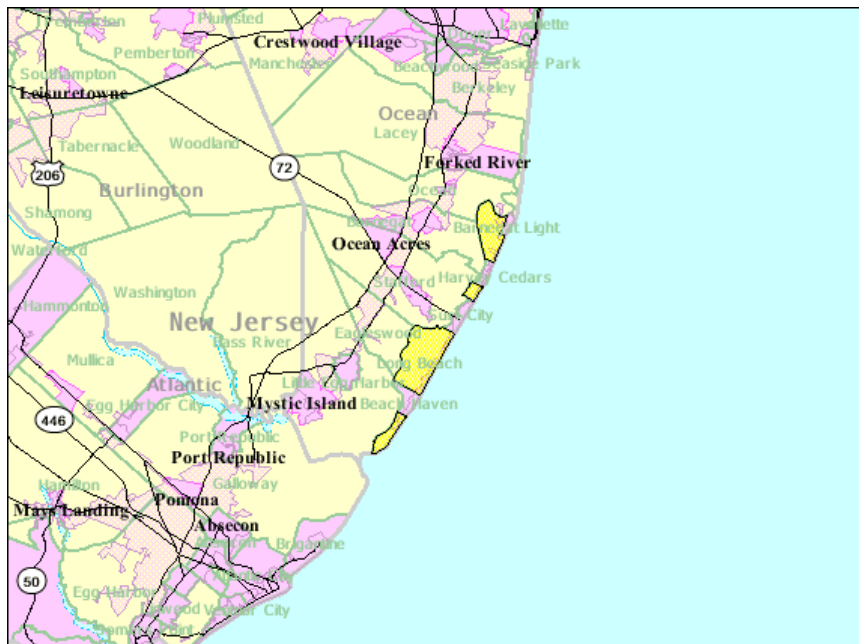


Map 1. Location of Barnegat Light, NJ (US Census Bureau 2000)

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: "Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov)."





Map 2. Location of Long Beach, NJ (US Census Bureau 2000)

### Historical/Background

The Dutch explorer Captain Cornelius Jacobsen May landed on Long Beach Island in the early 1600s. The island was long known for its many shipwrecks from the strong tides here, so a number of lifesaving stations were constructed along its length, including the Barnegat Light lighthouse. Long Beach Island was at one time an important fishing and whaling center, although it was accessible only by boat. Later it became a hunting and fishing playground for wealthy gentlemen. The island became more accessible in 1886 when a railroad trestle was built connecting it with the mainland. Long Beach Island consists of a number of communities. In 1899 several of these communities were combined into the township of Long Beach; the rest remained as independent boroughs (LBI.net 2008).

Barnegat Light is one of the 11 municipalities on Long Beach Island. A small town of less than one square mile in area, it is found at the northern tip of the barrier island. The town is named after the lighthouse located here, which has guided ships along the New Jersey coast for generations.

Until the 1995 construction of a jetty by the Army Corps of Engineers, boats on the other side of the island had to pass through one of several narrow and often dangerous inlets. This difficulty limited the growth of maritime industries along this part of the New Jersey shore, in contrast with the tourism industry, which has taken advantage of the area's numerous sandy beaches. Along with the jetty, the Corps project also produced a three-quarter-mile beach and a fishing pier, further developing the tourist appeal of Barnegat Light. Commercial and recreational fishing have a long tradition in this area, and both industries are still strong today (McCay and Cieri 2000).



## Demographics<sup>3</sup>

### Long Beach Township

According to Census 2000 data<sup>4</sup>, Long Beach township (which encompasses all of Long Beach Island with the exception of the five independent boroughs) had a total population of 3,329, down 3.6% from 3,452 in 1990 (US Census Bureau 1990). Of this total in 2000, 52.6% were female and 47.4% were male. The median age was 57.3 years and 86.6% of the population was 21 years or older while 42.7% were 62 or older. The population here can swell to more than 100,000 on a hot summer day (Tutelian 2006).

Long Beach's age structure in 2000 showed an aging population, with a preponderance of residents in the 60 to 69 years age group, followed by the 70-79 years age group, indicating a large retirement population. There were few residents here under the age of 30, and more women over the age of 80 than in any category from age 0-40 (see Figure 1).

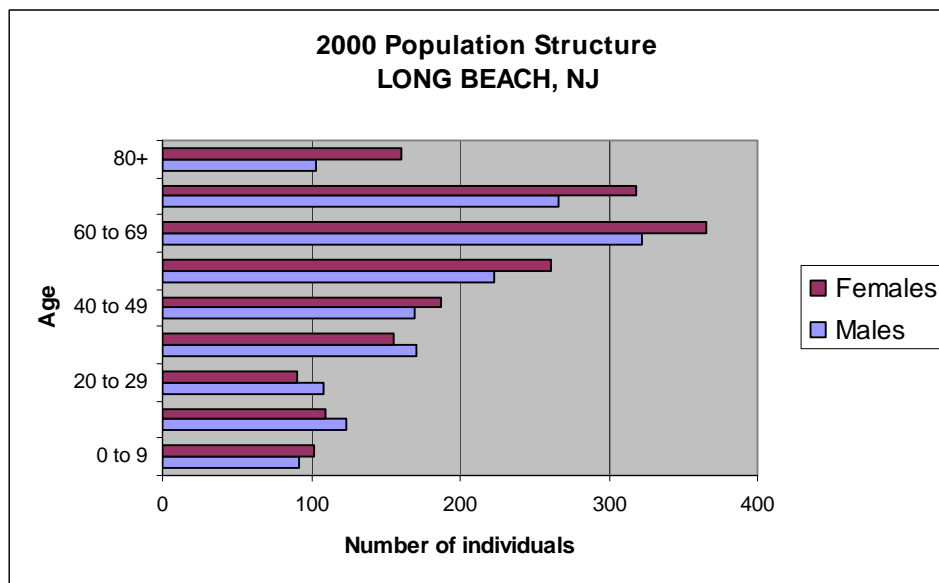


Figure 1. Long Beach's population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population of Long Beach in 2000 was white (98.5%), with 0.4% of residents black or African American, 0.1% Native American, 0.4% Asian, and 0.1% Pacific Islander or Hawaiian (Figure 2). Only 2.1% of the population identified themselves as Hispanic/Latino (Figure 3). Residents linked their heritage to a number of different ancestries including: Irish (25.0%), German (24.5%), English (16.5%), Italian (14.7%), and Polish (10.3%). With regard to region of birth, 56.8% were born in New Jersey, 39.2% were born in a different state and 3.7% were born outside of the U.S. (including 1.4% who were not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

<sup>4</sup> These and all census data, unless otherwise referenced, can be found at <http://factfinder.census.gov/home/saff/main.html>; census data used are for Long Beach township

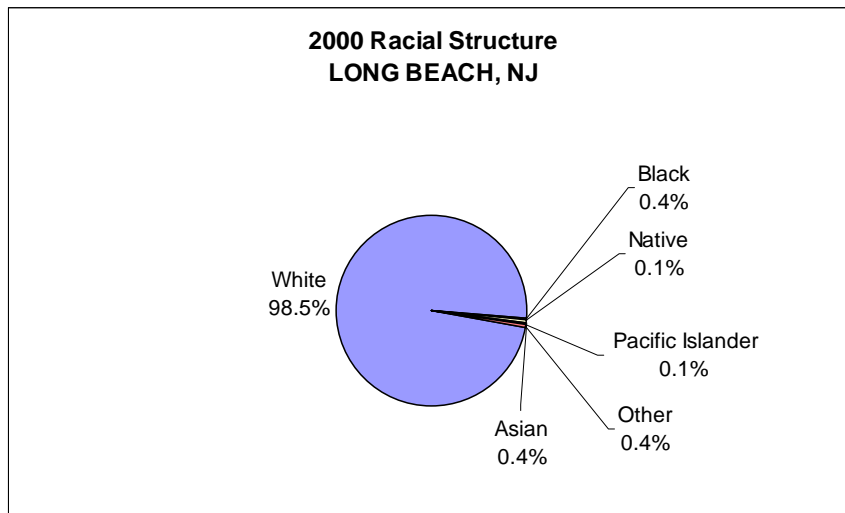


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

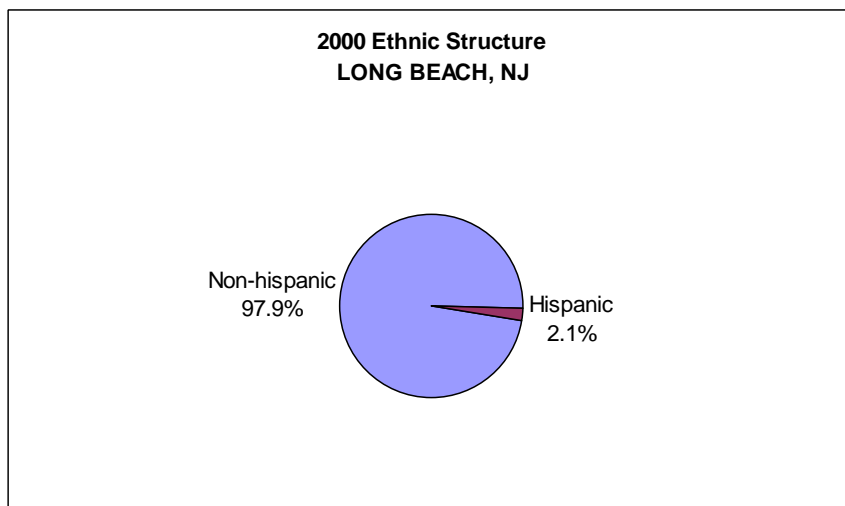


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 92.4% of the population 5 years old and higher in 2000 only English was spoken in the home, leaving 7.6% in homes where a language other than English was spoken, including 1.8% of the population who spoke English less than “very well.”

Of the population 25 years and over, 92.0% were high school graduates or higher and 36.7% had a bachelor’s degree or higher. Again of the population 25 years and over, 2.0% did not reach ninth grade, 5.9% attended some high school but did not graduate, 28.8% completed high school, 21.8% had some college with no degree, 4.7% received their associate’s degree, 23.9% earned their bachelor’s degree, and 12.8% received either a graduate or professional degree.

### *Barnegat Light*

According to Census 2000 data<sup>5</sup>, Barnegat Light (an independent borough on Long Beach Island) had a total population of 764, up 13.2% from 1990 (US Census Bureau 1990). Of this total in 2000, 49.1% were female and 50.9% were male. The median age was 54.9 years and 83.9% of the population was 21 years or older while 39.5% were 62 or older.

<sup>5</sup> These and all census data, unless otherwise referenced, can be found at <http://factfinder.census.gov/home/saff/main.html>; census data used are for Barnegat Light borough

Barnegat Light’s age structure showed a preponderance of 60 to 69 years age group, indicating a large retirement population. In a perhaps related phenomenon, the age group of 20-29 is very small, with almost no females (Figure 4). Among the already small numbers of children and young people, young females are apparently almost uniformly leaving the community after high school.

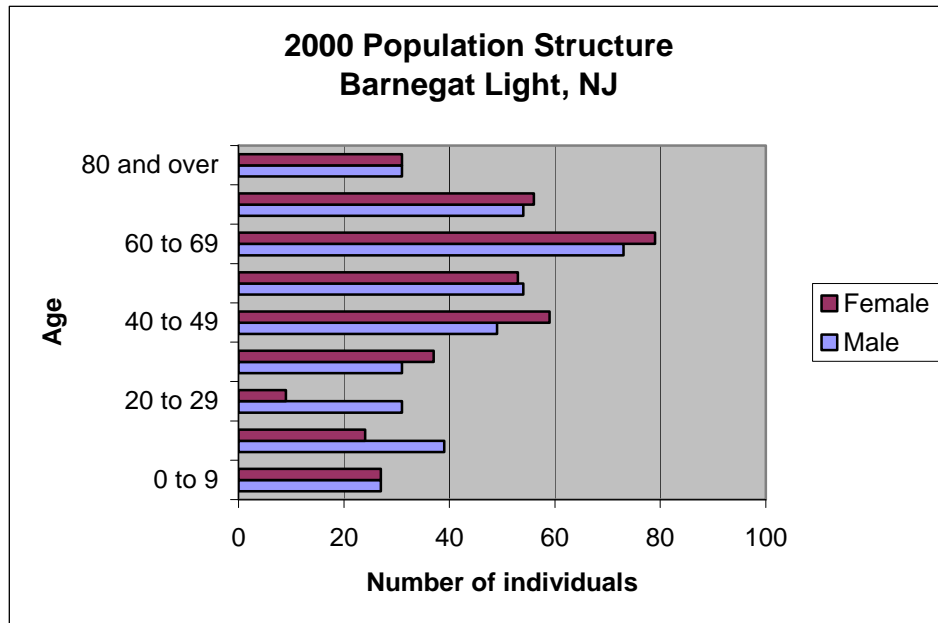


Figure 4. Barnegat Light’s population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population of Barnegat Light in 2000 was white (98.3%), with 0.5% of residents black or African American, no Native Americans, 0.3% Asian, and 0.3% Pacific Islander or Hawaiian (Figure 5). Only 0.8% of the total population was Hispanic/Latino (Figure 6). Residents linked their heritage to a number of ancestries including: Irish (28.0%), German (23.2%), English (17.4%), and Italian (14.6%). With regard to region of birth, 55.7% were born in New Jersey, 39.8% were born in a different state and 3.2% were born outside of the U.S. (including 0.4% who were not United States citizens).

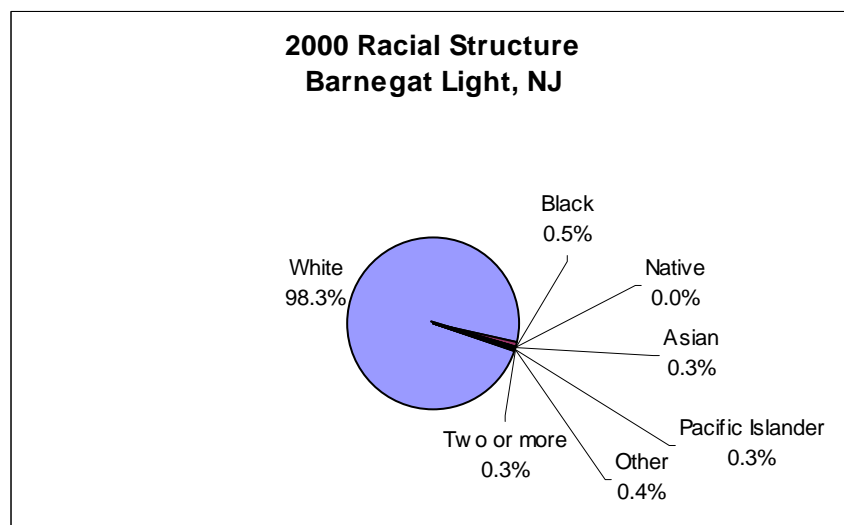


Figure 5. Racial Structure in 2000 (US Census Bureau 2000)

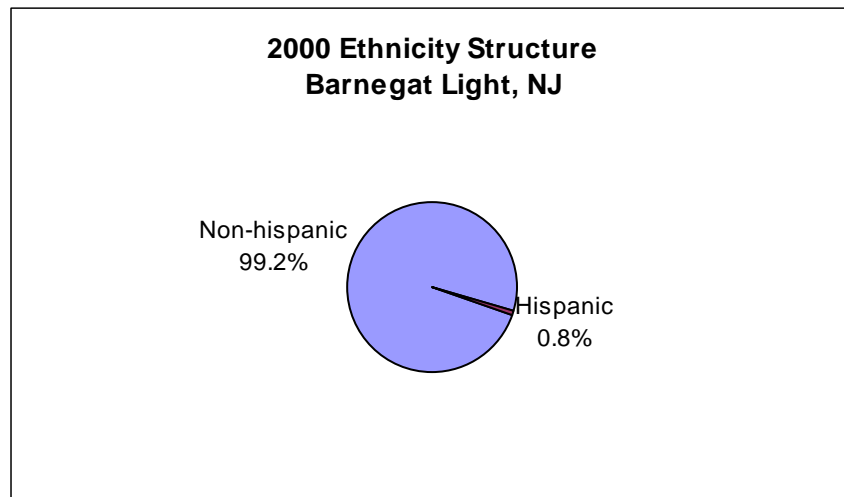


Figure 6. Ethnic Structure in 2000 (US Census Bureau 2000)

For 92.7% of the population, only English was spoken in the home, leaving 7.3% in homes where a language other than English was spoken, including 1.5% of the population who spoke English less than “very well.”

Of the population 25 years and over, 92.1% were high school graduates or higher and 38.9% had a bachelor’s degree or higher. Again of the population 25 years and over, 2% did not reach ninth grade, 5.9% attended some high school but did not graduate, 29.3% completed high school, 17% had some college with no degree, 6.9% received their associate’s degree, 21.5% earned their bachelor’s degree, and 17.4% received either a graduate or professional degree.

Although religious percentages are not available through the U.S. Census, according to the Association of Religion Data Archive (ARDA) in 2000 the religion with the highest number of congregations and adherents in Ocean County was Catholic with 33 congregations and 212,482 adherents. Other prominent congregations in the county were Jewish (35 with 11,500 adherents), The United Methodist Church (28 with 9,534 adherents), Evangelical Lutheran Church in America (11 with 6,731 adherents), and Presbyterian Church (U.S.A.) (11 with 6,489 adherents). The total number of adherents to any religion was up 21.9% from 1990 (ARDA 2000).

There are seventeen houses of worship listed on Long Beach Island, including six in Long Island Township, of which four are Catholic and one is Jewish, and the rest are Protestant (LBI.net 2008).

### Issues/Processes

As of 2006 the Army Corps of Engineers wishes to begin a beach nourishment project on Long Beach Island to restore the eroding beaches here, but is meeting with resistance from homeowners, who are concerned that the planned dunes will obstruct their water view, and that more beach space will mean more beach goes in front of their homes. The government would require easements from property owners to access the shore for construction, and the home owners are reluctant to provide them. If the beach nourishment project does not take place, the beach and the waterfront homes may soon be lost (Anon 2006).

One emerging trend (as of 2006) on Long Beach Island and in other similar summer resort areas is that as real estate prices soar, many year-round residents are selling their homes for bigger homes on the mainland, tempted by the large price they can get. These homes are bought up by those using them as summer homes. The results are dwindling year-

round populations on places like Long Beach Island, and a resulting loss in year-round businesses and students in local schools (AP 2005).

Like many other coastal communities, Barnegat Light must deal with the forces of rapidly increasing home prices and the resulting gentrification. Because the community is physically so small, there is very little land area for development, and the development of condominiums or other properties generally involves land in existing use. The high housing costs are encouraging many families to move to the mainland, and many of those employed in the commercial fishing industry now do not reside in Barnegat Light (Stoffle 2003).

Some beach areas on Long Beach are closed during the summers for piping plover nesting; local anglers complain this restricts them from prime beach area from which to cast (Patberg 2006).

### **Cultural attributes**

There are a number of events throughout the summer held all over Long Beach Island. [Long Beach Island Surf Fishing Tournament](#) is an annual competition that has been held for over fifty years. It takes place throughout most of October and November, with cash prizes and trophies being awarded in angling competitions for bluefish and striped bass, and includes a popular surfcasting seminar.

[Chowderfest](#) is an annual event that is held in Beach Haven in early October and features a competition between all the restaurants on Long Beach Island as they vie for the honor of creating the tastiest chowder. The [Alliance for a Living Ocean](#) hosts beach seining events and the annual FantaSea Festival to educate the public about the coastal resources surrounding Long Beach Island. Barnegat Light holds an annual Blessing of the Fleet in the Barnegat Light Yacht Basin each June to pray for the community's commercial fishermen (LBInet 2008). Viking Village has a very popular Dock Tour that has won several awards and in September 2007, hosted the New Jersey Mayors Conference.<sup>6</sup>

## **INFRASTRUCTURE**

### **Current Economy**

#### *Long Beach Township*

Tourism and real estate are the two major industries in Long Beach (Tutelian 2006). Total property values on the island exceed \$11 billion (Zedalis 2005). According to the U.S. Census 2000<sup>7</sup>, 44.7% (1,351 individuals) of the total population 16 years of age and over were in the labor force, of which 2.3% were unemployed, no residents were in the Armed Forces, and 42.5% were employed. It should be noted that 55.3% of the population 16 and over were not in the labor force at all (Figure 7). This high percentage relative to other locations further reinforces the nature of Long Beach as a retirement community.

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<sup>6</sup> Community Review Comments, Greg DiDomenico, Garden State Seafood Association, 212 West State Street, Trenton, NJ, 08608, August 24, 2007

<sup>7</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.



Figure 7. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 10 positions or 0.8% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 141 positions or 11.0% of jobs. Educational health and social services (18.2%), arts, entertainment, recreation, accommodation and food services (17.1%), construction (14.6%), and retail trade (11.5%) were the primary industries.

Median household income in Long Beach was \$48,697 (up 53.3% from \$31,775 in 1990 [US Census Bureau 1990]) and median per capita income was \$33,404. For full-time year round workers, men made approximately 33.2% more per year than women.

The average family in Long Beach consisted of 2.50 persons. With respect to poverty, 3.8% of families (down from 4.2% in 1990 [US Census Bureau 1990]) and 5.1% of individuals were below the U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 18.4% of all families (of any size) earned less than \$35,000 per year (the poverty threshold for a family of nine).

In 2000, Long Beach had a total of 9,023 housing units of which 18.4% were occupied and 74.1% were detached one unit homes. Only 5.0% of these homes were built before 1940. Mobile homes/vans/boats accounted for 4.3% of the total housing units; 88.6% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$334,400. Of vacant housing units, 83.3% were used for seasonal, recreational, or occasional use. Of occupied units, 13.9% were renter occupied.

### Barnegat Light

The small businesses of Barnegat Light are very reliant on the summer tourist economy and the year round fishing industry. The town relies heavily on its commercial fishing industry year round, but in winter it becomes the economic mainstay for the town – employing as many as 150 local people to work at the marinas (McCay and Cieri 2000). The most significant sources of employment in the town are the fishing industry and real estate.<sup>8</sup>

According to the U.S. Census 2000, 46.9% (305 individuals) of the total population 16 years of age and over were in the labor force, of which 1.2% were unemployed, 0.8% were in the Armed Forces, and 44.9% were employed. It should be noted that 53.1% of the

<sup>8</sup> Personal Communication, Borough of Barnegat Light, Municipal Office, 3 W 10<sup>th</sup> St., Barnegat Light, NJ 08006, June 21, 2005

population 16 and over are not in the labor force at all (Figure 8). This high percentage relative to other locations further reinforces the nature of Barnegat Light as a retirement community.

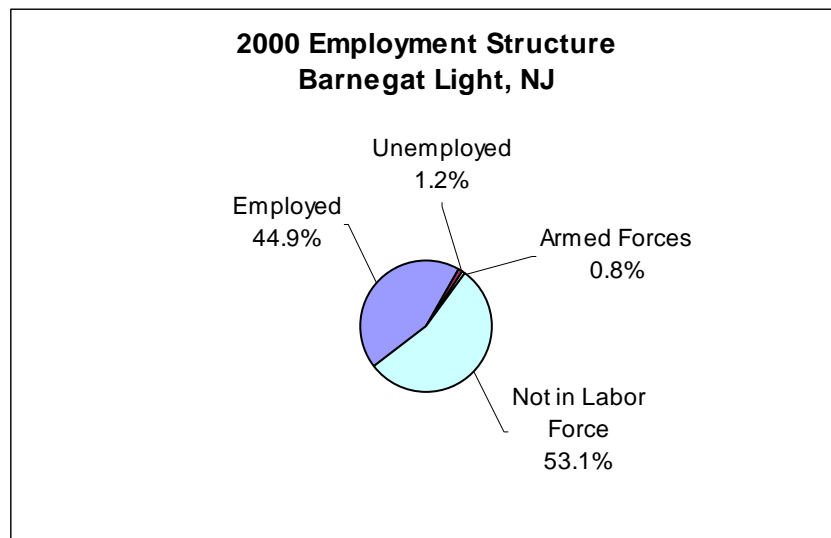


Figure 8. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 24 positions or 8.2% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 55 positions or 18.8% of the labor force. Educational health and social services (16.8%), arts, entertainment, recreation, accommodation and food services (11%), construction (10.3%), finance, insurance, real estate and rental and leasing (10.3%), and professional, scientific, management, administrative and waste management services (9.2%) were the primary industries.

Median household income in Barnegat Light was \$52,361 (up 17.3% from \$37,955 in 1990 [US Census Bureau 1990]) and median per capita income was \$34,599. For full-time year round workers, males made approximately 17.6% more per year than females.

The average family in Barnegat Light consisted of 2.6 persons. With respect to poverty, 2.6% of families (down from 4.2% in 1990 [US Census Bureau 1990]) and 4.7% of individuals were below the U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 33.7% of all families of any size earned less than \$35,000 per year (the poverty threshold for a family of nine).

In 2000, Barnegat Light had a total of 1,207 housing units of which 30.7% were occupied and 88.4% were detached one unit homes. Only 3.6% of these homes were built before 1940. Mobile homes/vans/boats accounted for 0.2% of the total housing units; 86.4% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$299,400. Of vacant housing units, 93.4% were used for seasonal, recreational, or occasional use. Of occupied units, 12.1% were renter occupied.

### Government

The township of Long Beach is located in Ocean County and is governed by a board of three commissioners, one of whom is the mayor (Township of Long Beach nd). An elected mayor and a six-person borough council run Barnegat Light's local governance (Barnegat Light nd).



### *Fishery involvement in government*

The local government is not directly involved in the fishing industry in Barnegat Light. However, the mayor himself owns several scallop boats.<sup>9</sup> The [Barnegat Bay National Estuary Program](#) is one of 28 estuaries of “national significance” designated and federally funded by the US Environmental Protection Agency. It is a partnership of federal, state, and municipal agencies as well as non-profit organizations and businesses working together to protect this estuary.

## **Institutional**

### *Fishing associations*

The [Beach Haven Charter Fishing Association](#) represents charter boats in the borough of Beach Haven and around Long Beach Island. [Blue Water Fishermen’s Association](#) is located in Barnegat Light. This association is made up of tuna and swordfishermen as well as others involved in the commercial fishery of highly migratory species. Every vessel at Viking Village is a member of the Garden State Seafood Association and the Monkfish Defense Fund. In addition, the scallop fleet are members of the Fisheries Survival Fund.<sup>10</sup>

[Garden State Seafood Association](#) in Trenton is a statewide organization of commercial fishermen and fishing companies, related businesses and individuals working in common cause to promote the interests of the commercial fishing industry and seafood consumers in New Jersey.

The [Jersey Coast Anglers Association](#) (JCAA) is an association of over 75 saltwater fishing clubs throughout the state. Founded in 1981, the purpose of the organization is to unite and represent marine sport anglers to work towards common goals. The JCAA website ([www.jcaa.org](http://www.jcaa.org)) also provides links for many NJ anglers associations.

### *Fishery assistance centers*

No fishing assistance centers were identified through secondary sources in this research.

### *Other fishing related organizations*

The [Alliance for a Living Ocean](#) on Long Beach Island is focused on promoting and maintaining clean water and a healthy coastal environment. They host a number of educational events including eco tours, beach walks, and seining, and also hold an annual festival. The [Recreational Fishing Alliance](#), a national lobbying group, is headquartered near Barnegat Light.

## **Physical**

Long Beach Island is a barrier island with the Atlantic Ocean on one side, and Barnegat Bay and Little Egg Harbor on the other. Ocean County has three general aviation airports – Eagles Nest Airport at West Creek, Lakewood Airport at Lakewood, and Robert J. Miller Airpark in Berkeley Township – but none of these has regularly scheduled service (Ocean County Library nd). Barnegat Light is at 52 miles from Atlantic City International Airport, 72 miles from Trenton Mercer Airport, 78 miles from the Philadelphia International Airport and 98 miles from the Newark Liberty International Airport. Toms River is 29 miles from Long Beach and Atlantic City is 47 miles away. New York City is about 102 miles by

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<sup>9</sup> Personal Communication, Borough of Barnegat Light, Municipal Office, 3 W 10<sup>th</sup> St., Barnegat Light, NJ 08006, June 21, 2005

<sup>10</sup> Community Review Comments, Greg DiDomenico, Garden State Seafood Association, 212 West State Street, Trenton, NJ, 08608, August 24, 2007



car. Route 72 is the only road connecting Long Beach Island with the New Jersey mainland; it connects Ship Bottom with Beach Haven West and Manahawkin.

Long Beach Island has a number of bait and tackle shops including [Jingles Bait and Tackle](#), [Surf City Bait and Tackle](#), and [Fisherman's Headquarters](#). There is also a number of marinas located along the island (LBIWC nd). [Sportsman's Marina](#) bills itself as a fishing and crabbing marina, and also offers boat rentals. Ocean County lists seven marinas in Long Beach Township and at least 30 more along the island (OCDP 2007). Hagler's Marina is one in Brant's Beach with 66 slips offering gas, bait, tackle, ice, and supplies; another is Escape Harbor Marina. There are also four boat ramps listed for Long Beach Island (LBIWC nd).

Barnegat Light is one of the most important fishing ports in Ocean County. Barnegat Light is 16.2 miles from Toms River, NJ, 67.2 miles from Jersey City, NJ, and 67.2 miles from New York, NY. Docking is available through five marinas in Barnegat Light. The two largest docks have 36 full-time resident commercial boats, working year round, as well as recreational vessels and transient vessels. One of these two largest docks is completely occupied by commercial boats; the owners are also commercial fishermen. These commercial boats include seven scallopers, ten longliners that fish for tuna, swordfish, and tilefish, and about nine inshore-fishing net boats. The dock also has three offloading stations. The second of the largest docks accommodates ten commercial boats, fifteen charter boats, and twenty-five recreational vessels. The three remaining docks can each accommodate approximately 30- 35 boats, most of which are recreational boats and charter boats. Most of the recreational and sport fishing boats that utilize this port are here for part of the year, usually from May or June through early October (Wilson et al. 1998).

## **Involvement in Northeast Fisheries<sup>11</sup>**

### *Commercial*

Barnegat Light, on the north end of Long Beach Island, is one of New Jersey's largest commercial fishing ports. Barnegat Light port has a significant offshore longline fishery, targeting tuna species (especially yellow fin and big eye) for most of the year, and swordfish part of the year. However, to avoid confidentiality issues due to a small number of dealers, all Barnegat Light/Long Beach landings are combined.

Located adjacent to the formerly infamous Barnegat Inlet, Barnegat Light's two commercial docks host a range of vessels from small, local day boats to globe-spanning longliners. Several fishermen in Barnegat Light pioneered the deep water tilefish fishery in the 1970s, successfully marketing this fish as the "poor man's lobster." Barnegat Light is the home port of many members of the East Coast's longline fleet. Barnegat Light longliners routinely fish in the high seas, targeting several species of tuna as well as swordfish on trips that last one to several weeks.

Barnegat Light is also home to several state-of-the-art scallop vessels and a fleet of smaller, inshore gillnetters (NJ Fishing nd). The scallop fleet is made up both of larger

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<sup>11</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

vessels which may spend several days at sea at a time, fishing for scallops throughout the Mid-Atlantic, and several vessels which engage in “day trip” scalloping closer to the coast. The day trips can also be an important means for full-time scallopers and some other fishermen to subsidize their catch, as scallop vessels do not need to use their days at sea to fish for scallops inshore (Stoffle 2003).

Viking Village, one of Barnegat Light’s two commercial docks, is one of the largest suppliers of fish and seafood on the Eastern Seaboard. Each year over 4 million pounds of seafood are packed out over the commercial dock of Viking Village and shipped locally and internationally. Viking Village is homeport to seven scallopers, ten longliners and about nine inshore-fishing net boats, which fish blues, weakfish, monkfish, dogfish and shad. Each boat is independently owned and uses Viking Village for pack-out, marketing and sale of the catch. Some local restaurants and seafood dealers purchase products from Viking Village directly, including Wida's, Surf City Fishery, Beach Haven Fishery and Cassidy's Fish Market. Viking Village and the boats docked there employ about 200 people (NJ Fishing nd). There are also a number of bait and tackle retailers located in town, such as [Barnegat Light Bait and Tackle](#) and Eric’s Bait and Boat (LBIWC nd). Viking Village is home to some of the last remaining larger gillnet vessels. While monkfish landings are quite high for this area, croaker and bluefish are also significant when compared to other areas. Due to management measures, dogfish, shad, and striped bass are no longer species fishermen can harvest out of this port.<sup>12</sup>

Landings and vessel data combine Barnegat Light with Long Beach Island data. The most valuable fisheries in Barnegat Light/Long Beach in 2006 were sea scallops (over \$18 million), monkfish (nearly \$3 million), and swordfish (listed in the “Other” category), according to NMFS landings data (see Table 1). Scallop landings were above the 10-year average in 2006. Tilefish was also an important species in 2006, with a significant increase in value from the 1997-2006 average. Overall, the value of the catch, both that of vessels with their homeport in Barnegat Light and those landing their catch here, increased over the 10-yr period (1997-2006; see Table 2). The number of vessels both home ported in Barnegat Light and whose owner’s city was Barnegat Light also increased over the same period.

## Landings by Species

Table 1. Dollar value of Federally Managed Groups of landings in Barnegat Light/Long Beach

	<b>Average from 1997-2006</b>	<b>2006 only</b>
<b>Scallop</b>	9,531,153	18,867,447
<b>Monkfish</b>	3,343,334	2,861,690
<b>Other<sup>13</sup></b>	2,534,483	2,167,254
<b>Tilefish</b>	448,777	CONFIDENTIAL
<b>Bluefish</b>	268,275	211,161
<b>Dogfish</b>	157,643	0
<b>Skate</b>	107,722	60,980
<b>Summer Flounder, Scup, Black Sea Bass</b>	79,292	202,918
<b>Squid, Mackerel, Butterfish</b>	53,644	5,501
<b>Largemesh Groundfish<sup>14</sup></b>	3,820	1,206
<b>Smallmesh Groundfish<sup>15</sup></b>	1,514	44
<b>Lobster</b>	861	0
<b>Herring</b>	620	4,365

<sup>12</sup> Community Review Comments, Greg DiDomenico, Garden State Seafood Association, 212 West State Street, Trenton, NJ, 08608, August 24, 2007

<sup>13</sup> “Other” species includes any species not accounted for in a federally managed group

<sup>14</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>15</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

## Vessels by Year<sup>16</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Barnegat Light (Year)	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	43	28	6,144,679	10,303,886
1998	38	27	6,054,709	10,171,814
1999	54	32	11,127,349	12,119,138
2000	65	38	14,417,637	14,594,799
2001	71	39	14,709,246	14,387,998
2002	72	38	14,657,863	14,568,116
2003	81	39	16,623,969	16,381,772
2004	79	38	20,657,786	20,560,559
2005	80	42	26,601,829	26,725,708
2006	78	42	24,203,962	25,497,592

# Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>17</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location

## Recreational

In New Jersey the charter/party fleet is the largest on east coast. Many vessels are over 120ft long and carry over 150 people.<sup>18</sup> Just a glance at the large number of marinas, charter operations, bait and tackle shops, and boat ramps on Long Beach Island makes it clear that recreational fishing is important here (see above). Between 2001- 2005, there were 40 charter and party vessels making 7,189 total trips registered in logbook data by charter and party vessels in Long Beach carrying a total of 172,212 anglers (NMFS VTR data). To further highlight the importance of the recreational fishing sector, at the request of the Ocean County government, the Beach Haven Charter Fishing Association estimated the total economic impact of the Associations member vessels. Values were estimated to exceed \$3 million per year for the community.<sup>19</sup>

[Hot Tuna Charters](#) is one charter boat in Long Beach that specifically targets tuna, and offers both inshore and canyon fishing. [Jersey Girl Sport Fishing](#) is another charter company with both inshore trolling and wreck fishing for tuna, skipjack, mahi mahi, seabass, croaker, fluke, porgies, and more. The [Beach Haven Charter Fishing Association](#) represents several different boats in Beach Haven and Long Beach. Many recreational and charter fishing boats can be found in Barnegat Light, along with marinas, boat rental facilities, and bait and tackle shops (Barnegat Light nd).

## Subsistence

Information on subsistence fishing in Barnegat Light/Long Beach is either unavailable through secondary data collection or the practice does not exist.

<sup>16</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>17</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

<sup>18</sup> Community Review Comments, Bruce Freeman, NJ Coast Anglers Association, 1201 Route 37 East, Suite 9, Toms River, NJ 08753, October 2, 2007

<sup>19</sup> Community Review Comments, Capt. Lindsay Fuller, Treasurer, Beach Haven Charter Fishing Association, September 25, 2007

## **FUTURE**

As of 2005 the New Jersey State Department of Transportation had plans to build a second bridge alongside the existing one to Long Beach Island, to address the poor structural conditions of the existing bridge. This would not affect the amount of traffic able to travel to the island (Larsen 2005). Also as of 2005, if the necessary easements are signed by property owners on the island, the Army Corps of Engineering will soon begin a \$75 million beach renourishment project expected to last 50 years (Zedalis 2005). Information has not yet been obtained regarding people's perception of the future in Long Beach.

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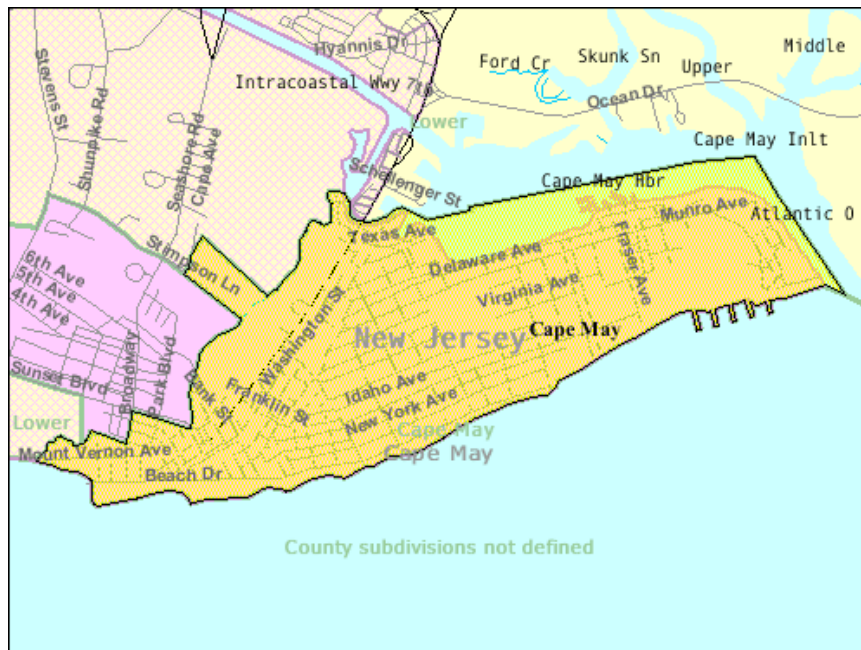
# CAPE MAY, NJ<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

The city of Cape May, New Jersey (38.94°N, 74.91°W), is located in Cape May County (see Map 1). It is at the southern tip of the state of New Jersey on Cape Island at the end of Cape May Peninsula, with the Atlantic Ocean to the east and Delaware Bay to the west (USGS 2008).



Map 1. Location of Cape May, NJ (US Census Bureau 2000a)

#### Historical/Background

Cape May is part of Cape Island at the southern tip of Cape May Peninsula. The island was artificially created in 1942 when the U.S. Army Corps of Engineers dredged a canal that passes through to the Delaware Bay (City of Cape May nd). Fishing and farming have been important in this area since its beginnings, and whaling, introduced by the Dutch, was a significant industry in Cape May for roughly a century beginning in the mid-1600s. In the 18<sup>th</sup> century, this area became a summer resort for wealthy residents of Philadelphia wishing to escape the crowded city during the summer months, and is known as “America’s oldest seaside resort.” Because of this history and because of a fire that destroyed much of the city in 1878, Cape May has numerous Victorian homes and hotels, and was declared a National Historic Landmark City in 1976 (Cape Publishing 2005). “Today commercial fishing is still the backbone of the county and is the second largest industry in Cape May

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: “Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov).”



County. The port of Cape May is considered one of the largest and busiest seaports along the eastern seaboard and generates more than \$500 million annually”(Cape May County nd).

### Demographics<sup>3</sup>

According to the Census 2000 data<sup>4</sup>, Cape May had a total population of 4,034, down from a reported population of 4,668 in 1990 (US Census Bureau 1990). Of this total in 2000, 49.3% were males and 50.7% were females. The median age was 47.4 years and 77.7% of the population was 21 years or older while 32.4% were 62 or older.

Cape May’s population structure by age group (see Figure 1) was similar for all age categories. However, men were dominant for the population between 0 and 29 years, and then the population for male and female was the same until age 40 when it switched to female dominance through 80 years and over. Further, unlike the U.S. as a whole, the middle years are overall in lower percentages than the youngest and oldest. This large number of males in the 20-29 age bracket followed by a drop in the ages 30-59 is also very unlike most other fishing communities.

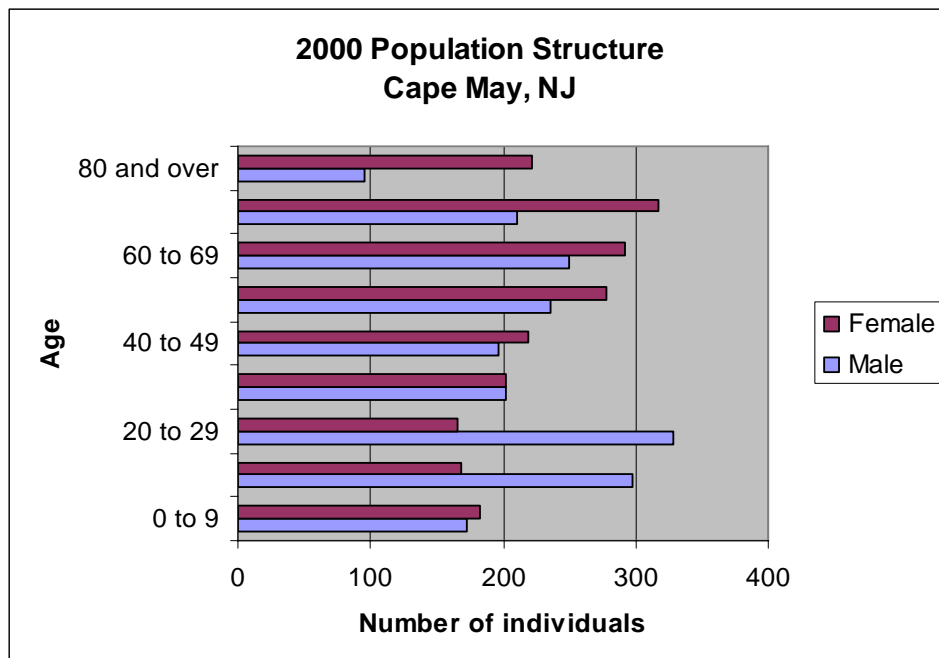


Figure 1. Cape May’s population structure by sex in 2000 (US Census Bureau 2000a)

The vast majority of the population of Cape May in 2000 was white (91.0%), with 5.9% black or African American, 0.6% Native American or Alaskan, 0.8% Asian, and 0.07% Pacific Islander or Hawaiian (see Figure 2). Only 3.8% of the population identified themselves as Hispanic/Latino (see Figure 3). Residents linked their heritage to a number of European ancestries including: Irish (26.9%), German (21.9%), English (16.2%), Italian (14.2%), Polish (6.9%), French (3.5%), and Scottish (2.7%). With regard to region of birth, 25.6% of residents were born in New Jersey, 66.9% were born in a different state, and 6.1% were born outside the U.S. (including 2.4% who were not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

<sup>4</sup> These and all census data, unless otherwise referenced, can be found at <http://factfinder.census.gov/home/saff/main.html>; census data used are for Cape May city

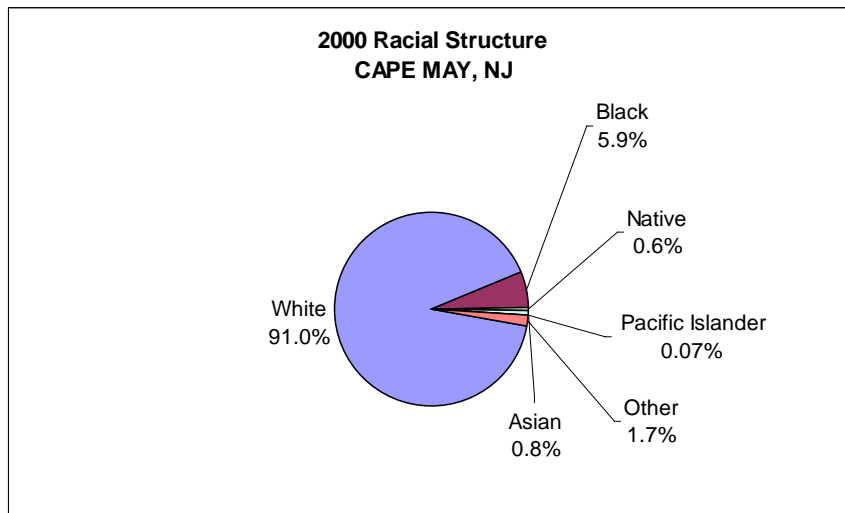


Figure 2. Racial Structure in 2000 (US Census Bureau 2000a)

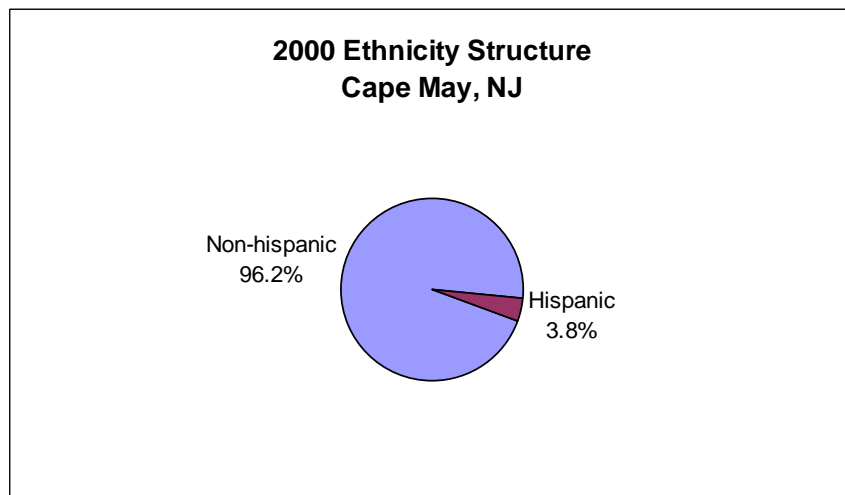


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 91.1% of the population in 2000, only English was spoken in the home, leaving 8.9% in homes where a language other than English was spoken, including 2.9% of the population who spoke English less than “very well” according to the US Census Bureau.

Of the population 25 years and over, 87.6% were high school graduates or higher and 30.8% had a bachelor’s degree or higher. Again of the population 25 years and over, 2.6% did not reach ninth grade, 9.8% attended some high school but did not graduate, 30.5% completed high school, 20.1% had some college with no degree, 6.2% received an associate’s degree, 19.0% earned a bachelor’s degree, and 11.8% received a graduate or professional degree.

Although religious percentages are not available through U.S. Census data, according to the Association of Religion Data Archive in 2000 the religion with the highest number of congregations in Cape May County was Catholic, with 15 congregations and 32,307 adherents. Other prominent congregations were United Methodist (25 with 5,133 adherents), Episcopal (6 with 1,588 adherents) and Evangelical Lutheran Church in America (6 with 2,142 adherents). The total number of adherents to any religion was up 15% from 1990 (ARDA 2000).



## **Issues/Processes**

Offshore wind farms have been proposed for four locations off of Cape May County, and fishermen are concerned about the impact wind turbines could potentially have on the fish or on their access to the fisheries (AP 2005). In 2006, rising fuel costs were having a detrimental effect on the charter fishing industry, especially on those boats going further out to go canyon fishing. The boat owners have been forced to raise their prices, and many potential customers were thinking twice about taking a trip offshore (McCann 2006).

Like in many other fishing communities with a significant tourism industry, commercial fishermen in Cape May are often competing with recreational fishing and with residential development for space. Lower Township, the municipality where the fishing industry is based, currently has three “marine development” zones in place, which are mostly used by recreational businesses; Schellenger’s Landing, where much of the commercial fishing industry is based, is specially zoned for “marine general business” to permit expansion of the fishing-related businesses located here (McCay and Cieri 2000).

## **Cultural attributes**

The Lobster House dock and fish packing plant operates a 45-minute tour to teach visitors about Cape May’s commercial fishing industry (CMCDT nd). The Cape May County Fishing Tournament is one of the longest continuously running fishing tournaments on the East Coast (Cape May County nd). Cape May has a fisherman’s memorial, with a woman and child looking out to sea, which was created thanks to a now defunct fishermen’s wives association (McCay and Cieri 2000). Cape May County holds an annual seafood festival each July (Cape May Lewes nd); the commercial fishing industry reportedly has little involvement in the festival (McCay and Cieri 2000). A significant seafood festival is being organized (August 2007) to promote Cape May seafood as well as preparing for the Annual Seafood Cook-off held in New Orleans, LA. The Garden State Seafood Association is helping to coordinate this event along with many local restaurants and other groups throughout the state.<sup>5</sup>

## **INFRASTRUCTURE**

### **Current Economy**

“Like many Jersey Shore communities, much of Cape May's and Wildwood's economies are dependent on seasonal tourism - which is dependent both on the weather and the overall state of the economy. The year-round character of commercial fishing is a major factor in keeping these communities going in the off-season” (CMCPCBA nd). Commercial fishing is the second largest industry in Cape May County after tourism (CMCDT nd). The tenth largest employer (140 employees) in Cape May County is [Snow’s/Doxsee Inc.](#) (NJDA nd; CMCCC nd), with an 86,000 square-foot plant in Cape May that produces clam products including chowder, soups, canned clams, clam juice, and seafood sauces. Cold Spring Fish and Supply employs 500 people, and is the third largest employer in the county. Other top employers in the county include Burdette Tomlin Memorial Hospital (now the Cape Regional Medical Center) (1100), Acme Markets (600), WaWa (485), Holy Redeemer Visiting Nurse (250), and Super Fresh (250) (CMCCC nd). Cape May also has the only basic training facility for the U.S. Coast Guard (USMilitary.com 2007).

According to the U.S. Census 2000, 57.5% (1,985 individuals) of the total population over 16 years of age and over was in the labor force (Figure 4), of which 3.8% were unemployed, 14.2% were in the armed forces, and 39.5% were employed.

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<sup>5</sup> Community Review Comments, Greg DiDomenico, Garden State Seafood Association, 212 West State Street, Trenton, NJ, 08608, August 24, 2007

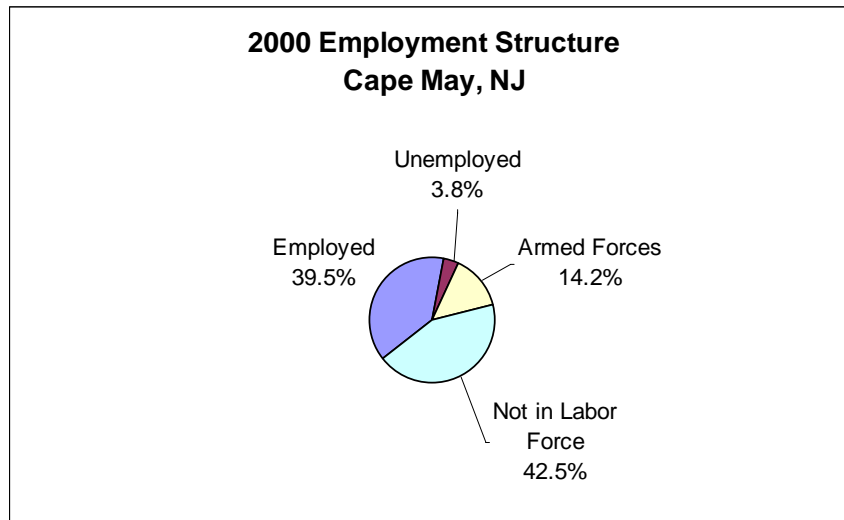


Figure 4. Employment Structure in 2000 (US Census Bureau 2000a)

According to the U.S. Census 2000<sup>6</sup>, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 5 positions or 0.4% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 205 positions or 15% of jobs. Arts, entertainment, recreation, accommodation and food services (21.1%), retail trade (16.4%), and educational, health and social services (13.6%), and finance, insurance, real estate and rental and leasing (10.6%) were the primary industries.

Median household income in Cape May in 2000 was \$33,462 (up 21.4% from \$27,560 in 1990 [US Census Bureau 1990]) and median per capita income was \$29,902. For full-time year round workers, males made approximately 13.0% more per year than females.

The average family in Cape May in 2000 consisted of 2.69 persons. With respect to poverty, 7.7% of families (up from 2.7% in 1990 [US Census Bureau 1990]) and 9.1% of individuals were below the U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 36.7% of all families in Cape May (of any size) earned less than \$35,000 per year.

In 2000, Cape May had a total of 4,064 housing units, of which 44.8% were occupied and 40.8% were detached one unit homes. Fewer than a third (29.1%) of these homes were built before 1940. Mobile homes and boats accounted for only 0.3% of the total housing units; 82.3% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$212,900. Of vacant housing units, 93.1% were used for seasonal, recreational, or occasional use. Of occupied units, 43.2% were renter occupied.

## Government

The City of Cape May operates under the Council/Manager form of government. Cape May voters directly elect the Mayor. The person elected serves a four year term. The mayor presides over the council and has a vote. There are four members of Council, in addition to the Mayor. Their terms are staggered, where the members of the first council draw lots to determine who serves a four year term. The remaining three will serve a two year term. Subsequently, all councilmen elected serve for four years (City of Cape May nd).

<sup>6</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

### *Fishery involvement in government*

The Cape May County Planning Board expresses in its comprehensive plan its policies regarding commercial fishing, which include promoting and encouraging land use policies which benefit the commercial fishing industry and protecting the fishing industry from economic or environmental harm by opposing projects which may have a negative effect (Cape May County nd).

NOAA Fisheries Statistics Office has port agents based in Cape May. Port agents sample fish landings and provide a ‘finger-on-the-pulse’ of their respective fishing communities (NOAA FSO nd).

## **Institutional**

### *Fishing associations*

[Garden State Seafood Association](#) (GSSA) in Trenton is a statewide organization of commercial fishermen and fishing companies, related businesses and individuals working in common cause to promote the interests of the commercial fishing industry and seafood consumers in New Jersey. Lunds, Atlantic Capes, and Cold Spring are all members of the GSSA. Lunds and Atlantic Capes are founding contributors of the National Fisheries Institute, Scientific Monitoring Committee, which raises millions of dollars through the Research Set-Aside Program. Rutgers University is a major contributor to these science-based efforts and has an office in Cape May.<sup>7</sup>

The [Jersey Coast Anglers Association](#) (JCAA) is an association of over 75 saltwater fishing clubs throughout the state. Founded in 1981, the purpose of the organization is to unite and represent marine sport anglers to work towards common goals. The JCAA website ([www.jcaa.org](http://www.jcaa.org)) also provides links for many NJ anglers associations.

### *Fishery assistance centers*

The Cape May County government, along with the State of New Jersey, developed the Cape May County Revolving Fishing Loan Program. Instituted in 1984, it is designed “to help commercial, charter and party boat fishermen with low interest loans for safety and maintenance of fishing vessels.” More than \$2.5 million has been loaned to date (Cape May County nd). The Cape May County Technical School integrates projects such as commercial fishing net mending and gear construction and operating a fish market in their curriculum to prepare students for careers in the commercial fishing industry (CMCTSD nd).

### *Other fishing related organizations*

The [Cape May County Party and Charter Boat](#) Association is an organization of small recreational fishing boats located along the coast of Southern New Jersey. The [Cape May Marlin & Tuna Club](#) hosts several tournaments throughout the year.

## **Physical**

Cape May, like all of New Jersey's seafood industry, is within easy reach of airports in Newark, New York and Philadelphia. All these offer next-day service for fresh seafood to virtually every major market in the world. The container port in Newark/Elizabeth handles hundreds of thousands of shipping containers each month, many of them packed with chilled or frozen food products (NJ Fishing nd). Cape May also has extensive bus service to the surrounding area as well as Philadelphia and Atlantic City (NJ Transit nd). There is also a [ferry terminal](#) connecting Cape May to Lewes, DE. It is 48 miles from Atlantic City, NJ, 87 miles from Philadelphia, PA, and 169 miles from New York City.

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<sup>7</sup> Community Review Comments, Greg DiDomenico, Garden State Seafood Association, 212 West State Street, Trenton, NJ, 08608, August 24, 2007

Commercial and recreational fishing docks are scattered around Cape May or, more properly, Lower Township, but centered in an area known as Ocean Drive (McCay and Cieri 2000), “a road which leaves the main highway and crosses the marshes toward the Diamond Beach section of Lower Township and Wildwood Crest, and Schellenger's Landing, just over a large bridge that connects the mainland with the center of Cape May and its beaches.”<sup>8</sup> The fishing industry is really based in Lower Township, rather than within Cape May proper. Schellenger's Landing has a dock and fish market; a number of large vessels are located here. In the vicinity are also a marine railway, two marinas, two bait and tackle shops, two marine suppliers, and a “marlin and tuna club”. Some commercial fishing boats also use Cape May's recreational marinas (McCay and Cieri 2000). [Two Mile Landing](#) is a marina with recreational boats and a restaurant; some commercial fishing activity is found here as well (McCay and Cieri 2000).

## INVOLVEMENT IN NORTHEAST FISHERIES<sup>9</sup>

### Commercial

The combined port of Cape May/Wildwood is the largest commercial fishing port in New Jersey and is one of the largest on the East Coast. Cape May/Wildwood is the center of fish processing and freezing in New Jersey. Some of the largest vessels fishing on the East Coast are home ported here. Cape May fishing vessels have frequently been responsible for developing new fisheries and new domestic and international markets. The targeted species are diverse; fisheries focus on squid, mackerel, fluke, sea bass, porgies, lobsters and menhaden. Some of the boats out of Wildwood are also targeting surf clams and ocean quahogs (NJ Fishing nd).

[F.H. Snow's Canning Co/Doxsee](#) is a large clam cannery based in Lower Township (not Cape May)<sup>10</sup>, and the only domestic manufacturer to harvest its own clams. Snow's/Doxsee has the nation's largest allocation for fishing and harvesting ocean clams. Established in 1954 in Cape May, [Lund's Fisheries, Inc.](#), is a freezer plant and a primary producer of various species of fish found along the Eastern Seaboard of the USA. It is also a member of the [Garden State Seafood Association](#). There is one other exporter of seafood in Lower Township<sup>11</sup>, the Atlantic Cape Fisheries Inc. which exports marine fish and shellfish, oysters, scallops, clams and squids (NJDA nd). The Axelsson and Johnson Fish Company Inc. which used to export shad, marine fish, conch, American lobster, lobster tails, scallops and whole squid went out of business several years before the creation of this profile.<sup>12</sup>

The top species landed in Cape May in 2006 were scallops (over \$23 million), squid, mackerel, butterfish (over \$12 million) and summer flounder, scup, and black sea bass (over \$1.9 million) (Table 1). Between 1997 and 2006 home ported vessels increased from 109 to 184 while the number of vessels whose owner's city was Cape May also increased from 73 to

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<sup>8</sup> Community Reviewer Comments, James Smith, Cape May County Planning. Comments received September 12, 2007.

<sup>9</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

<sup>10</sup> Community Reviewer Comments, James Smith, Cape May County Planning. Comments received September 12, 2007.

<sup>11</sup> Community Reviewer Comments, James Smith, Cape May County Planning. Comments received September 12, 2007.

<sup>12</sup> Community Review Comments, Walter Makowski, NMFS Port Agent, August 8, 2007

88 vessels. Additionally, home port value and landed port value also steadily increased over the same time period, with the exception of a decline in the later category in 2006 (Table 2).

### Landings by Species

Table 1. Dollar value of Federally Managed Groups of Landings for Cape May

	Average from 1997-2006	2006 only
Scallop	22,263,937	23,677,160
Squid, Mackerel, Butterfish	7,584,550	12,375,958
Summer Flounder, Scup, Black Sea Bass	2,044,420	1,979,899
Other <sup>13</sup>	1,696,617	1,637,321
Surf Clams, Ocean Quahog	588,296	0
Lobster	420,312	8,861
Herring	412,103	2,896,122
Monkfish	322,895	397,841
Red Crab	40,358	0
Smallmesh Groundfish <sup>14</sup>	23,939	2,997
Bluefish	20,626	4,267
Skate	12,299	4,387
Largemesh Groundfish <sup>15</sup>	8,067	3,705
Dogfish	6,574	0
Tilefish	597	1,230

### Vessels by Year<sup>16</sup>

Table 1. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	109	73	27,687,667	23,636,983
1998	105	68	27,614,763	25,770,007
1999	106	72	29,153,706	22,353,284
2000	116	74	30,488,271	23,936,235
2001	116	71	32,923,798	27,155,864
2002	118	72	34,529,920	28,312,296
2003	129	78	42,777,501	36,372,658
2004	135	73	62,308,441	60,630,752
2005	155	82	69,641,897	63,298,068
2006	184	88	75,058,370	42,989,748

# Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>17</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location

### Recreational

In NJ the charter/party fleet is the largest on east coast. Many vessels are over 120ft long and carry over 150 people.<sup>18</sup> The Cape May County Party and Charter Boat Association lists several dozen charter and party vessels based out of the City of Cape May. There are 35

<sup>13</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>14</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>15</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>16</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>17</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

<sup>18</sup> Community Review Comments, Bruce Freeman, NJ Coast Anglers Association, 1201 Route 37 East, Suite 9, Toms River, NJ 08753, October 2, 2007

vessels listed carrying 1-6 passengers, six vessels which can carry more than six passengers, and three party boats (NJ Fishing nd). The [Miss Chris](#) fleet of party boats makes both full- and half-day trips, targeting largely fluke and stripers for most of the year. The [Porgy IV](#), another party boat, targets sea bass, blackfish, and flounder. Many of the charter boats go offshore canyon fishing (McCay and Cieri 2000). Between 2001- 2005, there were 56 charter and party vessels making 6,599 total trips registered in NMFS logbook data by charter and party vessels in Cape May, carrying a total of 116,917 anglers (NMFS VTR data). There are several fishing tournaments held throughout the year sponsored by the [Cape May Marlin and Tuna Club](#).

### **Subsistence**

Information on subsistence fishing in Cape May is either available through primary data collection or the practice does not exist.

### **FUTURE**

Information on the future in Cape May was unavailable through secondary data collection.

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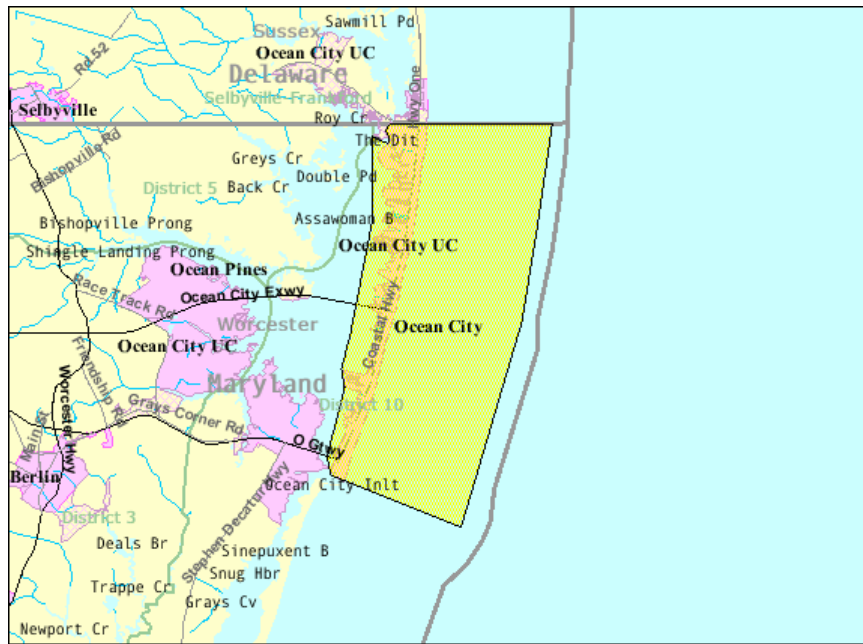
# OCEAN CITY, MD<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

Ocean City, Maryland (38.33° N, 75.09° W) is a town located in Worcester County, in Ocean Pines, an unincorporated area in the County. It is bordered to the east by the Atlantic Ocean and to the west by the Assawoman Bay and Isle of Wight Bays. The town has a total area of 36.4 mi<sup>2</sup>, 4.6 mi<sup>2</sup> of that is land and 31.8 mi<sup>2</sup> is water (USGS 2008). West Ocean City is across the bay from the southern portion of Ocean City.



Map 1. Location of Ocean City, MD (US Census Bureau 2000a)

#### Historical/Background

The first European came to Ocean City in 1524 from France, but the town wasn't truly settled until the late 17<sup>th</sup> century with an influx of Virginians from the Eastern Shore. The area of land belonging today to Worcester county Maryland changed many times over the years, belonging at times to Delaware and Somerset County, Maryland. In 1869, a man named Isaac Coffin came to Ocean City and built a cottage to house guests who wanted to go to the beach or to fish. People quickly came and the area became a popular summer resort, eventually adding dancing and amusements. In 1933, a storm formed the Ocean City Inlet and engineers decided to make this act of nature permanent. This decision helped to establish Ocean City as an important

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: "Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov)."



fishing port, offering easy access to both the bay and the Atlantic Ocean (OCCVB n.d.). Most of the fishing today is offshore, however there are substantial inshore and coastal bay fisheries (blue crabs, hard clams, and gillnetting for spot, bunker, trout, and striped bass).<sup>3</sup> West Ocean City, while on the other side of the bay and not part of the town, is generally not considered by locals to be a distinct entity from Ocean City.<sup>4</sup>

### Demographics<sup>5</sup>

**Ocean City** – According to the Census 2000 data, Ocean City town had a population of 7,173, up 41.4% from a reported population of 5,074 in 1990 (US Census Bureau 1990). Of this 2000 total, 51.3% were males and 48.7% were females. The median age was 47.2 years and 86.5% of the population was 21 years or older while 30.0% of the population was 62 or older.

The population structure for Ocean City (see Figure 1) showed an older population, with the largest percentage of residents between the ages 60-69, and significant numbers of residents in the 50-59 and 70-79 age categories. This indicates that many people may retire to Ocean City. There were also, however, a significant number of residents between the ages of 20-49 as well. Ocean City had surprisingly few children in the 0-9 and 10-19 age categories.

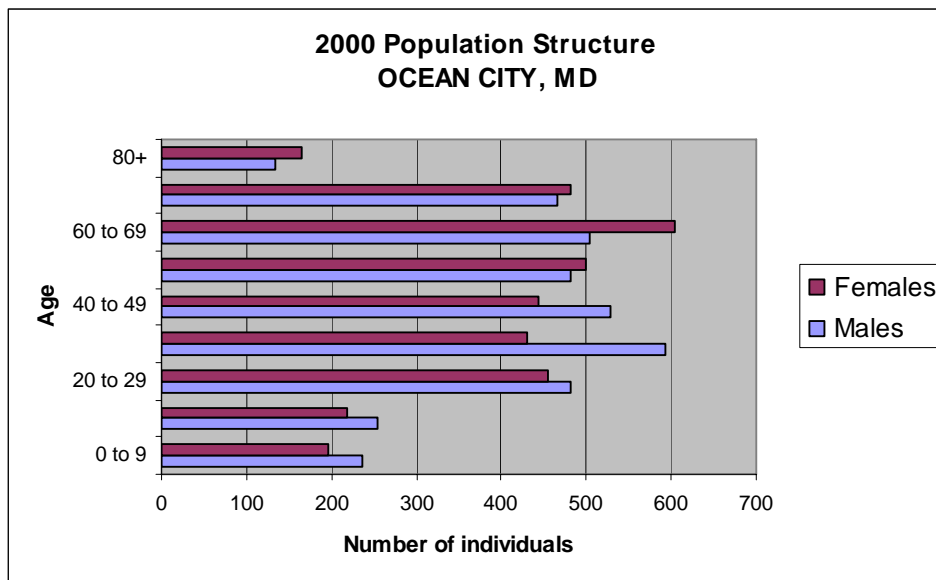


Figure 1. Ocean City's population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population was white (96.3%) with 2.5% black or African America, 0.7% Asian, 0.1% Native American, and 0.01% Native Hawaiian or Pacific Islander (see Figure 2). Of the total population, 1.2% identified themselves as Hispanic/Latino (see Figure 3). Residents linked their backgrounds to a number of different ancestries including: German (25.6%), Irish (21.0%), English (16.0%), and Italian (8.7%).

<sup>3</sup> Community Review comments, Dave Blazer, Executive Director, Maryland Coastal Bays, 9199 Stephen Decatur Highway, Suite 4, Ocean City, MD 21842, October 12, 2007

<sup>4</sup> Personal communication, Vincent Malkoski, Division of Marine Fisheries, 1213 Purchase Street New Bedford, MA 02740.

<sup>5</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

With regard to region of birth, 51.5% were born in Maryland, 43.7% were born in a different state and 4.5% were born outside of the U.S. (including 3.0% who were not United States citizens).

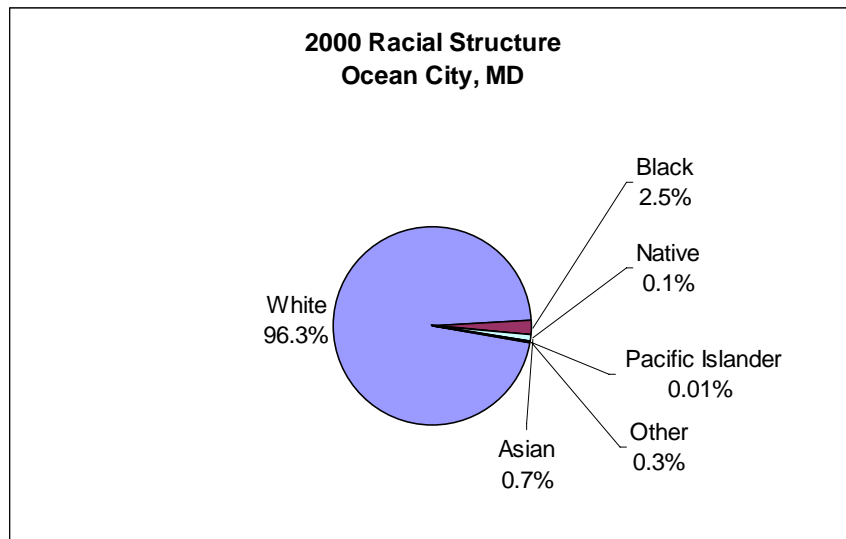


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

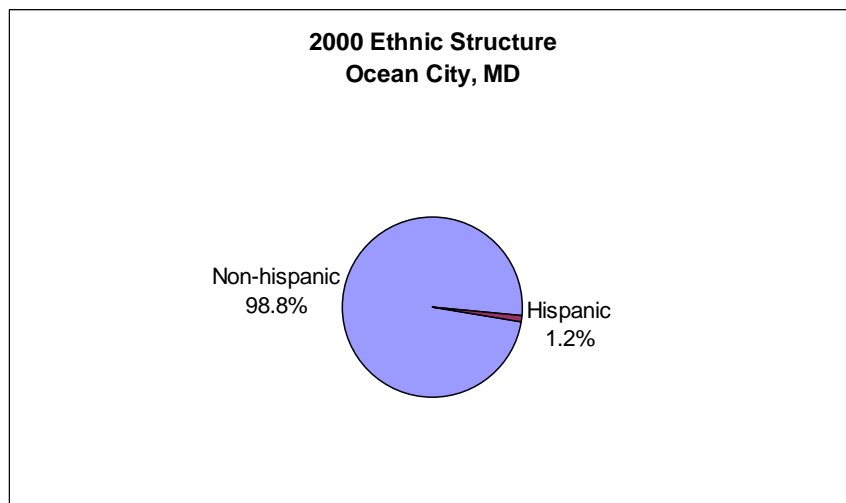


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 93.0% of the population in 2000, only English was spoken in the home, leaving 7.0% in homes where a language other than English was spoken, including 2.9% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 87.1% were high school graduates or higher and 28.0% had a bachelor’s degree or higher. Again of the population 25 years and over, 2.6% did not reach ninth grade, 10.3% attended some high school but did not graduate, 31.7% completed high school, 22.7% had some college with no degree, 4.8% received their associate’s degree, 20.1% earned their bachelor’s degree, and 7.9% received either their graduate or professional degree.

West Ocean City CDP – According to the Census 2000 data, West Ocean City CDP had a population of 3,311, up 65.5% from a reported population of 2,000 in 1990 (US Census Bureau 1990). Of this total in 2000, 49.3% were males and 50.7% were females. The median age was 43.5 years and 77.9% of the population was 21 years or older while 23.3% of the population was 62 or older.

The population structure for West Ocean City (see Figure 4) showed essentially two peaks; the first was between ages 30-39, and the second between ages 60-69. Interestingly, men between the ages of 30-39 outnumbered women of the same age, and conversely women aged 60-69 out-numbered their male counterparts. This patterns suggests two possible trends; one is that younger adults, and particularly males without children aged 20-39 are moving to West Ocean City, and the other is that many people are retiring here, judging by the large number of residents in the 60-69 and 70-79 age categories. There were not many children in West Ocean City, compared to what one might expect to see considering the number of residents here.

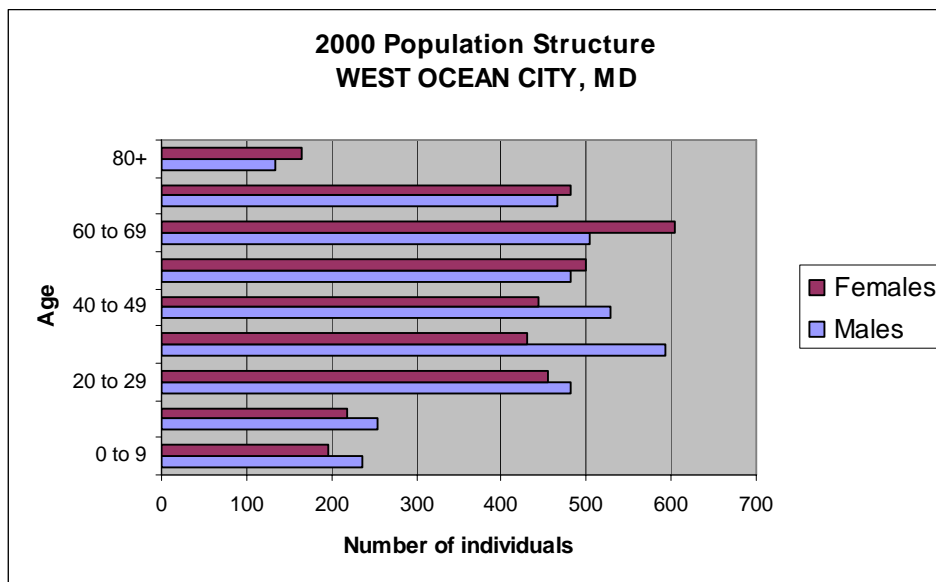


Figure 4. Ocean City's population structure by sex in 2000

The majority of the population of West Ocean City in 2000 was white (95.9%) with 2.0% of residents black or African American, 0.8% Native American, 1.0% Asian, and 0.1% Pacific Islander or Hawaiian (see Figure 5). Of the total population, only 1.4% identified themselves as Hispanic/Latino (see Figure 6). Residents linked their backgrounds to a number of different ancestries including: German (22.1%), English (19.0%), and Irish (16.7%).

With regard to region of birth, 57.2% were born in Maryland, 38.2% were born in a different state and 4.4% were born outside of the U.S. (including 2.2% who were not United States citizens).

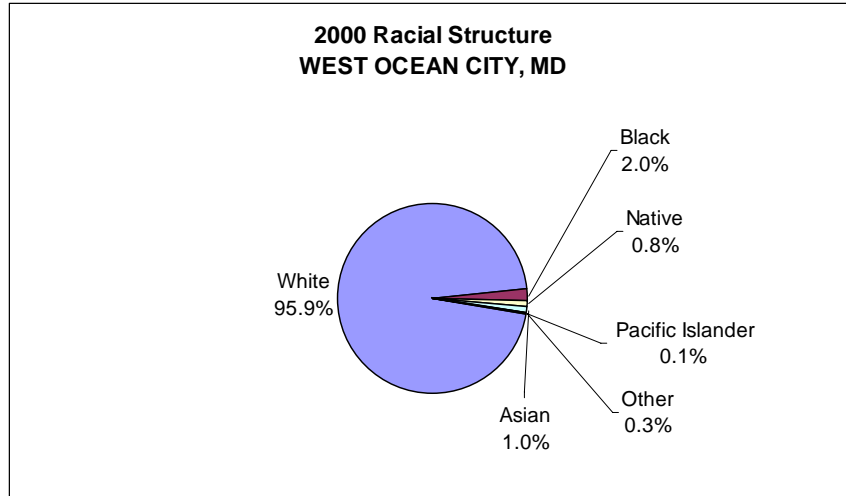


Figure 5. Racial Structure in 2000 (US Census Bureau 2000)

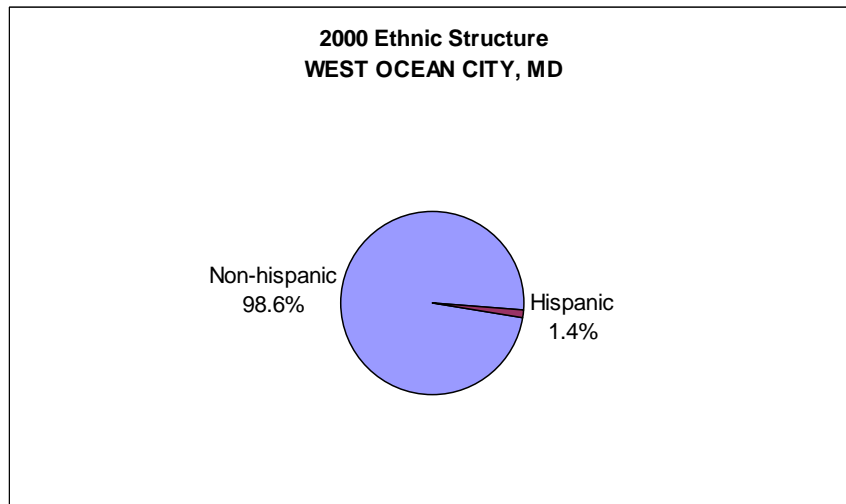


Figure 6. Ethnic Structure in 2000 (US Census Bureau 2000)

For 93.2% of the population, only English was spoken in the home, leaving 6.8% in homes where a language other than English was spoken, including 2.8% of the population who spoke English less than “very well” according to 2000 Census.

Of the population 25 years and over, 81.2% were high school graduates or higher and 20.7% had a bachelor’s degree or higher. Again of the population 25 years and over, 3.6% did not reach ninth grade, 15.2% attended some high school but did not graduate, 31.5% completed high school, 21.1% had some college with no degree, 7.9% received their associate’s degree, 12.6% earned their bachelor’s degree, and 8.1% received either their graduate or professional degree.

Although religious percentages are not available through U.S. Census data, according to the Association of Religion Data Archives (ARDA) in 2000, the religions with the highest number of congregations in Worcester County included Catholic with 5 congregations and 7,700 adherents. Other prominent congregations in the county were United Methodist (39 with 7,628 adherents) and Southern Baptist Convention (8 with 3,009 adherents). The total number of adherents to any religion was up 59.6% from 1990 (ARDA 2000).

## Issues and Processes

Ocean City is primarily a resort town. The real estate market has long been a problem for those seeking to buy a first home, especially blue collar workers (Lerner 2002, Guy 2003, Vandiver 2004). Many people are also concerned about aquaculture developing in the area. They are concerned that if it does develop, it will be run by the large poultry companies in the area, as has happened in areas further to the south (McCay and Cieri 2000:90). Also a concern with respect to aquaculture is competition for space and resources. Concerns are also present regarding allocation of marine resources between the commercial and recreational sectors, as well as potential commercial fishing gear impacts on habitat in the area.<sup>6</sup>

Dock space in West Ocean City, where the commercial fishing fleet is based, is limited; fortunately protective zoning by Worcester County means the docks are not immediately threatened. Some processing plants and a clam dock in the area recently closed as a result of a consolidation of surf clam and ocean quahog boats, particularly a decline in owner-operated boats, after the implementation of ITQs in this fishery (Oles 2003).

## Cultural attributes

Ocean City hosts many fishing tournaments each year. In 2006, the tournaments began in June with the Mako Mania Shark Tournament. In July comes the Ocean City Tuna Tournament, which features nightly weigh-ins as well as food, entertainment, crafts and fishing related games for children. In August, the town hosts the world's largest billfish tournament, the White Marlin Open, which offers cash prizes for white marlin, blue marlin, tuna, wahoo, dolphin and shark; nightly weigh-ins are a popular event. In 2006, \$2.3 million was given away in prizes. Later in the month is the only local Ladies Only fishing tournament, Captain Steve Harman Poor Girl's Open Fishing Tournament. In September the Mid-Atlantic Bartenders Open Fishing Tournament is another popular event (Ocean City 2008). Other tournaments are held as well, many hosted by [The Ocean City Marlin Club](#).

Each year the [Maryland Watermen's Association](#) sponsors the East Coast Commercial Fishermen's and Aquaculture Trade Exposition in Ocean City, which features aquaculture and commercial fishing seminars, gear, equipment, and boats. The Seaside Boat Show is held in February. May brings the Annual White Marlin Festival and Crab Soup Cookoff (Town of Ocean City 2008). One of the fish docks in West Ocean City sponsored a "Mid-Atlantic Commercial Fishing Skills Contest", which included competitions in rope tying, net mending, rope splicing, survival suit-donning, and other fishing-related activities (Oles 2003). January brings the Nautical and Wildlife Art Festival and October brings Harbor Day at the Docks ~ a Waterfront Heritage Festival and Phillips Annual Seafood Dinner (OCCVB nd).

## INFRASTRUCTURE

### Current Economy

Many of the people in the Ocean City area work in restaurants and hotels that have made this area popular with tourists. In fact, the six major employers in Ocean City are all in tourism and property management/development industries: Harrison Group (hotels), Phillips

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<sup>6</sup> Community Review comments, Dave Blazer, Executive Director, Maryland Coastal Bays, 9199 Stephen Decatur Highway, Suite 4, Ocean City, MD 21842, October 12, 2007

(restaurants/seafood), Bayshore Development (hotels, amusements), OC Seacrets, Inc. (night club), KTG LLC (restaurants), and Clarion Resort Fountainbleu (hotels).<sup>7</sup>

There are three packing houses in West Ocean City, which combined employ about sixteen people. There are probably at least 230 people employed on the charter and party boats in Ocean City, not including additional support staff or those that work at related businesses like bait and tackle shops. Recreational fishing is one of the more important aspects of Ocean City's tourist economy (Oles 2003). "Worcester County's 2,040 businesses employ 20,300 workers; an estimated 13 of these businesses have 100 or more workers. Chicken growing and processing is the major industry in Worcester County. Major private sector employers include Bel-Art Products [plastic components, laboratory equipment], Perdue Farms [poultry processing], and Tyson Foods, Inc [poultry processing]" (Worcester County 2008) [Tyson's was located in Berlin but closed down<sup>8</sup>]. Other major employers include Harrison Hotels, Atlantic General Hospital and Walmart (Worcester County 2008).

Ocean City – According to the U.S. Census 2000<sup>9</sup>, 60.4% (3,909 individuals) of the total population 16 years of age and over were in the labor force (see Figure 7), of which 5.6% were unemployed, 0.2% were in the Armed Forces, and 54.6% were employed.

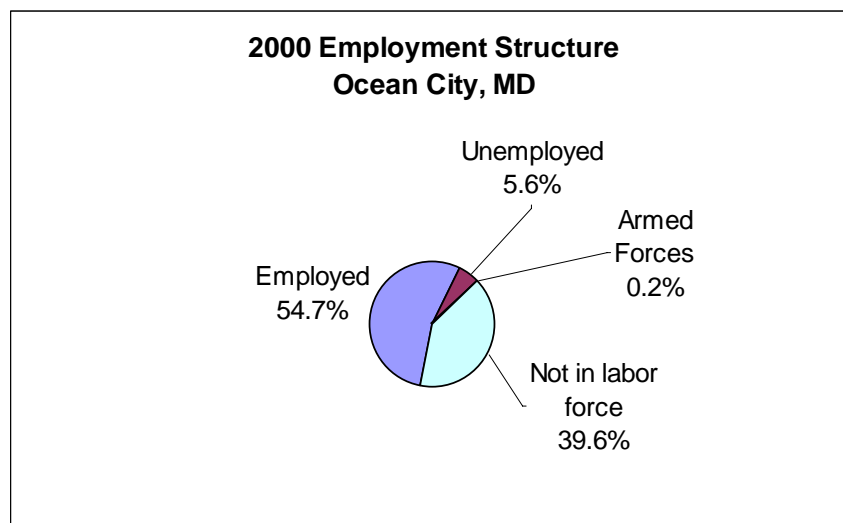


Figure 7. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 12 positions or 0.3% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 392 positions or 11.1% of jobs. Arts, entertainment, recreation, accommodation and food services (29.5%), retail trade (12.9%), finance, insurance, real estate, and rental and leasing (12.0%), and educational, health, and social services (11.1%) were the primary industries.

<sup>7</sup> Community Review comments, Jesse Houston, Director of Planning and Community Development, PO Box 158, Ocean City, MD 21843, October 10, 2007

<sup>8</sup> Community Review Comment, Donna Abbott, Public relations, Ocean City Department of Tourism, 4001 Coastal Highway, Ocean City, MD 21842, October 22, 2007

<sup>9</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

Median household income in Ocean City was \$35,772, up 37.8% from \$25,959 in 1990 (US Census Bureau) and median per capita income was \$26,078. For full-time year round workers, males made approximately 4.2% more per year than females.

The average family in Ocean City consisted of 2.47 persons. With respect to poverty, 6.0% of families, down 6.4% from 1990 (US Census Bureau 1990) and 8.4% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 37.7% of all families of any size earned less than \$35,000 per year.

In 2000, Ocean City had a total of 26,317 housing units of which 14.2% were occupied and 9.4% were detached one unit homes. A few (2.2%) of these homes were built before 1940. Mobile homes, boats, RVs, vans, etc. accounted for 6.9% of the total housing units; 96.9% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$152,200. Of vacant housing units, 54.3% were used for seasonal, recreational, or occasional use. Of occupied units, 32.6% were renter occupied.

West Ocean City CDP – According to the U.S. Census 2000, 61.9% (1,724 individuals) of the total population 16 years of age and over were in the labor force (see Figure 7), of which 4.2% were unemployed, none were in the Armed Forces, and 57.7% were employed.

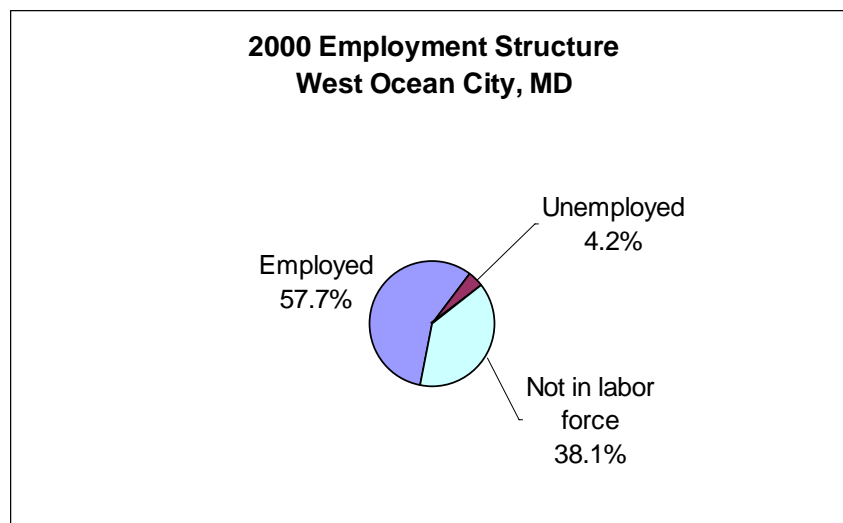


Figure 8. Employment structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 15 positions or 0.9% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 145 positions or 9.0% of jobs. Arts, entertainment, recreation, accommodation and food services (24.1%), retail trade (15.8%), finance, insurance, real estate, and rental and leasing (11.6%), educational, health, and social services (10.7%), and construction (10.7%) were the primary industries.

Median household income in West Ocean City was \$42,279, up 33.7% from \$31,632 in 1990 (US Census Bureau 1990) and median per capita income was \$28,132. For full-time year round workers, males made approximately 11.8% more per year than females.

The average family in West Ocean City consisted of 2.77 persons. With respect to



poverty, 3.0% of families, down from 9.3% in 1990 (US Census Bureau 1990) and 5.0% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 27.1% of all families (of any size) earned less than \$35,000 per year.

In 2000, West Ocean City had a total of 2,075 housing units of which 68.7% were occupied and 77.0% were detached one unit homes. Less than 5% (3.1%) of these homes were built before 1940. Mobile homes accounted for 10.1% of the total housing units; 88.6% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$157,500. Of vacant housing units, 14.2% were used for seasonal, recreational, or occasional use. Of occupied units, 20.1% were renter occupied.

## **Government**

Ocean City is run by a City Manager and Council form of government. The mayor and Town Council include a Council President, Council Secretary and five general Council Members (Town of Ocean City 2008). West Ocean City is governed by Worcester County, which has a seven-member board of County Commissioners (Worcester County 2008).

### *Fishery involvement in government*

Worcester County manages a commercial dock in West Ocean City. The Worcester County Commission has zoned the harbor area here as a commercial marine district, to protect commercial fishing operations from being pushed out by condominiums and other private development. The Worcester County Comprehensive Development Plan (WCPC 2006) also recognizes commercial fishing as one of the County's economic assets (p. 31) and has a goal of preserving fisheries and their nurseries (p. 33) and has 5 goals specifically aimed at retaining commercial fishing and seafood processing in the County (p. 60). Ocean City's comprehensive plan encourages water uses on the bay and marina construction (Oles 2003). It also recognizes the importance of water quality and commercial fishing to the town (OCPB 2007).

The State of Maryland Division of Natural Resources (DNR) manages fisheries in Ocean City and West Ocean City. The DNR has a Coastal Fisheries Advisory Committee which provides advice on fishery issues, preparing management plans, and works to develop objectives and management options for specific fisheries. The Committee has representation from Ocean City, West Ocean City, and different fishing groups.<sup>10</sup> Ocean City also has a harbor master.

## **Institutional**

### *Fishing associations*

There is a statewide fishermen's organization called the [Maryland Watermen's Association](#) (MWA) but few of the ocean fishermen belong to it because it emphasizes helping the Chesapeake Bay fishermen rather than the ocean fishermen. The organization focuses more on the Bay fishermen because there are more bay crabbers, clammers, and gill netters than there are ocean fishermen. However, the MWA still broadly represent all those who work on the water in/of Maryland. The President of the Association also serves on the Mid-Atlantic Fishery

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<sup>10</sup> Community Review comments, Dave Blazer, Executive Director, Maryland Coastal Bays, 9199 Stephen Decatur Highway, Suite 4, Ocean City, MD 21842, October 12, 2007



Management Council (MAFMC) which focuses on bay and ocean fisheries issues.<sup>11</sup> The ocean fishermen are concerned that they are not prepared for what may happen and they lack representation (McCay and Cieri 2000). The Maryland Saltwater Sport Fishermen's Association also has a Chapter in Ocean City.<sup>12</sup>

There are some sportfishing groups in Ocean City that work to promote sportfishing in the area. One is the [Ocean City Marlin Club](#), which began in 1936. The club is primarily a social one, although they are becoming increasingly political. They also host several tournaments. The OC Surf Anglers hosts surf fishing tournaments. The Ocean Pines Fishing Club is made up of members of Ocean Pines, a planned community in West Ocean City. The captains of the charter boats located at the Ocean City Fishing Center are all members of the Ocean City Charter Captain's Association (Oles 2003).

#### *Fishing assistance centers*

Information on fishery assistance centers in Ocean City is unavailable through secondary data collection.

#### *Other fishing related organizations*

The [Marine Trades Association of Maryland](#) is involved in providing information for boaters and fishermen in the state of Maryland. They hold safety classes and have a wide variety of information for boaters in their website. They represent marine issues in front of the state legislature, participate on governmental boards and committees related to boating and fishing, they also provide information and host boat shows in the area. The OC Reef Foundation is working to provide artificial reefs around Ocean City for the area's recreational fishermen (Oles 2003). A Coast Guard Auxiliary is located in Ocean City and holds safety classes as well as it's normal duties.

### **Physical**

Ocean City is located about 30 minutes from the Salisbury-Wicomico County Regional Airport and has locally the Ocean City Municipal Airport for private flights (Worcester County 2008; OCCVB nd). It is accessible from Routes 50 and 90 from the west, and Delaware Route 1 from the north. Ocean City is located about 4.5 hours from New York City, about 3 hours from Washington D.C. and about 3 hours from Philadelphia, PA. A large park and ride facility has been established outside of Ocean City which allows visitors to park here and catch a bus into town (Oles 2003; OCCVB nd).

The commercial fishing industry in Ocean City is actually located in West Ocean City, an unincorporated segment of Worcester County just across the bay from Ocean City. The harbor here has a commercially-owned dock, a recreational fishing marina, and three commercial packing houses. Some private dock owners also lease space to the commercial vessels (Oles 2003). The [Sunset Marina](#) has a sheltered 18 acre deep water basin that can accommodate vessels up to 100 feet in length. There are 20 charter boats located here, as well as a bait and tackle shop and marine supplies shop. The [Ocean City Fishing Center](#), also located in West

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<sup>11</sup> Community Review Comments, Kelly Clements Barnes, Administrative Assistant, Maryland Watermen's Association, 1805A Virginia Street, Annapolis, MD 21401, September 13, 2007

<sup>12</sup> Community Review comments, Dave Blazer, Executive Director, Maryland Coastal Bays, 9199 Stephen Decatur Highway, Suite 4, Ocean City, MD 21842, October 12, 2007

Ocean City, has 170 slips, free parking and security. It is home to the largest charter fleet in the town, comprising 30 boats. It also has a bait shop, restaurant and repair service.

There are nine recreational marinas located in Ocean City and West Ocean City; 75% of the charter boats are found in three marinas, along with two of the largest ocean-going party boats. There are also a number of places along the shore frequented by anglers, including three pay piers (the Ocean Pier and the Oceanic Pier), the Route 50 Bridge, a number of public piers and bulkheads, and a public crabbing and fishing area on Isle of Wight. There are four public boat launches found in West Ocean City harbor. The Ocean City area also has a number of fish cleaning businesses (Oles 2003). The government of Ocean City owns the Bayside Boardwalk/9th St Fishing Pier and the Bering Road Boat Ramp (WCPC 2006).

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>13</sup>**

### **Commercial**

The commercial fishing industry in Ocean City is actually located in West Ocean City (McCay and Cieri 2000:89). However, the landings are declared for Ocean City and most vessels are listed as having their home port in Ocean City. The most valuable species in Ocean City in 2006 was scallops, followed by the surf clam and ocean quahogs. Overall, the landings values for 2006 were higher than the 10-year average values for the surf clam and ocean quahog category, and for scallops but were lower for the “other” category (see Table 1).

The number of vessels listing Ocean City as their home port was highly variable from 1997 to 2006, ranging from a low of 17 in 1999 to a high of 47 in 2006. There were more boats listing Ocean City as their home port than there were vessels with owners residing in Ocean City, indicating that many people from outside Ocean City dock their boats there. Overall, the value of landings to home ported vessels showed a consistent increase for the years provided as did the level of fishing landed port (see Table 2). The level of home port fishing for Ocean City vessels was less in most years than the level of landings for Ocean City, pointing to the fact that many people from outside Ocean City are dropping off their catches in the town.

Ocean City is a popular place for fishermen in the area to unload their catches because it is the only major ocean port between Cape May, NJ and Hampton Roads, VA. Even the people who are considered to be locals do not live in Ocean City itself but live about 30 minutes away on the land side of the harbor (McCay and Cieri 2000). Some of the fishermen who land their catch here are from Delaware, as there are no packing facilities in Delaware (Oles 2003).

In 2003 West Ocean City was home to five surf clam and ocean quahog boats, at least seven draggers, and at least fifteen small boats that engaged in potting, gillnetting, dredging, and/or handlining. Conching is a common practice among the smaller vessels. Twenty years

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<sup>13</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

ago, there were 30 surf clam and ocean quahog boats docked here, but consolidation resulting from the use of ITQs drastically reduced this number. Most of these are small, owner-operated vessels with the exception of four surf clam and ocean quahog boats owned by J.H. Miles Co., a clam harvesting and processing operation based in Norfolk, VA. There are three fish and shellfish packing facilities here, one of which is a satellite operation of J.H. Miles. Two of these fish houses opened recently, however one of these was a “re-opening” of an older fish house.<sup>14</sup> Another fish house has existed there since 1957. The older packing house mostly buys from local boats, and has two draggers that land here. Some of the seafood here is sold at their retail market or to local restaurants, but most is sold to buyers in Hampton, VA, Philadelphia, or New York City (Oles 2003).

### Landings by Species

Table 1. Dollar value of Federally Managed Groups of landings in Ocean City

	<b>Rank Value of Average Landings from 1997-2006</b>
<b>Other<sup>15</sup></b>	1
<b>Surf Clams, Ocean Quahog</b>	2
<b>Scallop</b>	3
<b>Summer Flounder, Scup, Black Sea Bass</b>	4
<b>Monkfish</b>	5
<b>Dogfish</b>	6
<b>Lobster</b>	7
<b>Squid, Mackerel, Butterfish</b>	8
<b>Bluefish</b>	9
<b>Skate</b>	10
<b>Smallmesh Groundfish<sup>16</sup></b>	11
<b>Largemesh Groundfish<sup>17</sup></b>	12
<b>Tilefish</b>	13
<b>Herring</b>	14
<b>Red Crab</b>	15

*(Note: Only rank value is provided because value information is confidential in ports with fewer than three vessels or fewer than three dealers, or where one dealer predominates in a particular species and would therefore be identifiable.)*

<sup>14</sup> Community Review comments, Dave Blazer, Executive Director, Maryland Coastal Bays, 9199 Stephen Decatur Highway, Suite 4, Ocean City, MD 21842, October 12, 2007

<sup>15</sup> “Other” species includes any species not accounted for in a federally managed group

<sup>16</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>17</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

## Vessels by Year<sup>18</sup>

Table 1. Federal Vessel Permits Between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)
1997	28	18
1998	19	16
1999	17	14
2000	20	10
2001	25	9
2002	23	7
2003	27	9
2004	27	8
2005	40	12
2006	47	15

(Note: # Vessels home ported = No. of permitted vessels with location as homeport, # Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>19</sup>)

### Recreational

Ocean City is famous for its recreational fishing and hosts many fishing tournaments every year. The most popular species to fish are bigeye and yellowfin tuna, mako and dolphin, white marlin, blue marlin and sailfish (OCCVB nd). Ocean City is known as the “White Marlin Capital of the World” (McCay and Cieri 2000). There are also many sportfishing associations such as the [Ocean City Marlin Club](#) and the [Maryland Saltwater Sport Fishing Association](#). Ocean City has at least five large ocean-going party boats and around six party boats that fish in the bay. There are an estimated 100 charter boats in Ocean City’s six major marinas. Tuna fishing is especially popular here; marlin tends to be a more elite fishery targeted by more expensive and exclusive charter boats. Ocean City is also popular with recreational anglers who fish from their own boats, from rental boats, or from shore; many of these are targeting summer flounder. There are numerous jetties, pay piers, and bridges from which anglers may fish, in addition to surf fishing from the beach. Crabbing and clamming are also important recreational activities. According to NMFS VTR data, between the years 2001-2005 there were a total of 31 charter and party boats which logged trips in Ocean City, carrying a total of 83,505 anglers on 3,137 different trips.

### Subsistence

Fishing for something to take home for dinner is less common in Ocean City now than it once was, and catch-and-release fishing is increasingly popular (Oles 2003).

### FUTURE

The Ocean City Development Corporation, appointed by the Mayor and Council, has many plans for the Downtown area of Ocean City. Current plans include more parking and mass transportation such as busses to help bring people to the downtown area. They are also planning

<sup>18</sup> Numbers of vessels by owner’s city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>19</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

on building a new wraparound boardwalk. A bayfront public park was completed in 2006.<sup>20</sup> New zoning will help to bring in more businesses and improvement of the roadways and signs will make getting around much easier (OCPB 2007).

Some people who live in the Ocean City area have been worried about being priced out because the area is a resort destination, though recent drops in real estate prices may at least temporarily mitigate that (Latshaw 2007, 2008; Shane 2008).

Fishermen in the area are also concerned about rezoning in the harbor. One major concern is that the docks will become non-conforming meaning that replacement or fixing of the structures will be impeded. The fishermen are interpreting this rezoning to mean that people in the area are trying to force out the fishermen; much of the rezoning has been because of new condominiums being built in the area (McCay and Cieri 2000). Despite protective zoning measures, gentrification of the waterfront is a concern. Commercial fishing here does, however, serve as a tourist attraction and is important to the community in that respect (Oles 2003; OCPB 2007).

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<sup>20</sup> Community Review Comment, Donna Abbott, Public relations, Ocean City Department of Tourism, 4001 Coastal Highway, Ocean City, MD 21842, October 22, 2007

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# CHINCOTEAGUE, VA<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

The town of Chincoteague (37.93°N, 75.38°W), is located in Accomack County in the state of Virginia on Assateague Island. The town has a total area of 37.1mi<sup>2</sup>, of which 27.4 mi<sup>2</sup> is water (USGS 2008). It is located about 3.5 hours from Washington D.C., about 4 hours from Philadelphia and about 5.5 hours from New York (AssateagueIsland.com nd).



Map 1. Location of Chincoteague, VA (US Census Bureau 2000)

#### Historical/ Background

Chincoteague is named for the local Indian tribe that originally lived in the area called the Gingo-Teague Tribe. The first settlement came about in the mid- 17<sup>th</sup> Century when Colonel Daniel Jenifer applied for a grant to transport people to both Chincoteague and Assateague Islands. The first people to settle here were farmers who raised stock. The town grew slowly and lived mostly in isolation, with residents only traveling to the mainland for trading. This continued until the late 1800s. People would trade as much as possible, gathering numerous supplies so they could make as few trips as possible to the mainland.

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: “Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov).”

One of Chincoteague’s main exports was oysters and due to the railroad in 1876, seafood trading expanded significantly. During the 1900s, large homes, shops and hotels sprung up and the people on the island no longer lived in such isolation. By the 1920s, Chincoteague suffered two devastating fires, one in 1920 and one in 1924. The fires burnt down many businesses and homes including an oyster house, factories and the railroad (Chincoteague Chamber of Commerce nd). In 1922 Chincoteague was connected to the mainland by a causeway, which increased tourism to the island especially sport fishing interests, which had been a popular activity here since the construction of the railroad (Oles 2005). Today, Chincoteague is still known for its oysters and is a resort island with tourism driving its economy (Chincoteague Chamber of Commerce nd).

### Demographics<sup>3</sup>

According to Census 2000 data, Chincoteague had a total population of 4,317, up 20.9% from the reported population of 3,572 in 1990. Of this 2000 total, 48.6% were male and 51.4% were female. The median age was 56.1 years and 79.4% of the population was 21 years or older while 25.6% was 62 or older.

Chincoteague’s age structure (see Figure 1) shows a preponderance of residents in the 50 to 59 years age grouping. The age group of 20-29 is smaller compared to the other age groups showing that apparently young people are leaving the community after high school.

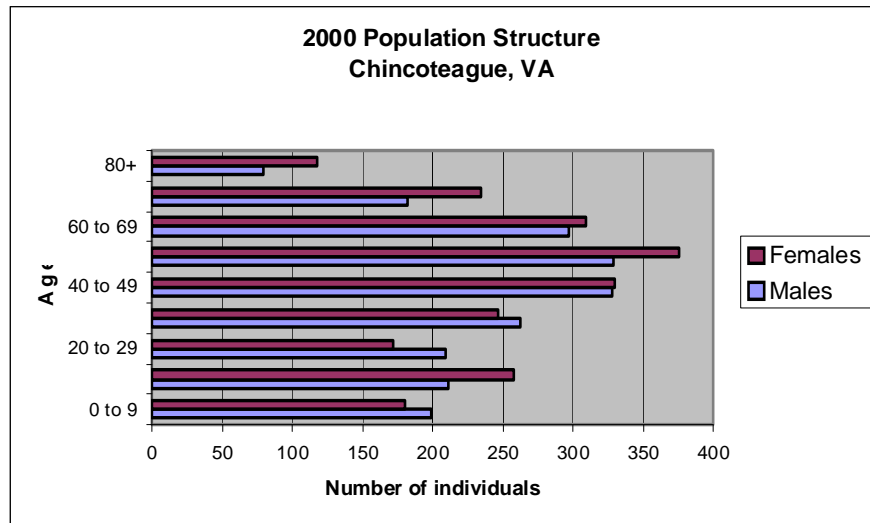


Figure 1. Chincoteague’s population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population was white (96.9%) with 1.4% of residents black or African American, 0.4% Asian, 0.9% Native American, and 0.0% Pacific Islander or Hawaiian (see Figure 2). Also, 0.5% (23 people) of the total population is Hispanic/Latino. Residents link their heritage to a number of ancestries including the following: English (18.8%), American (15.1%), German (14.3%), and Irish (11.3%) (see Figure 3). With regard to region of birth, 44.2% were born in Virginia, 53.6% were born in a different state and 1.7% were born outside of the U.S. (including 0.7% who are not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.



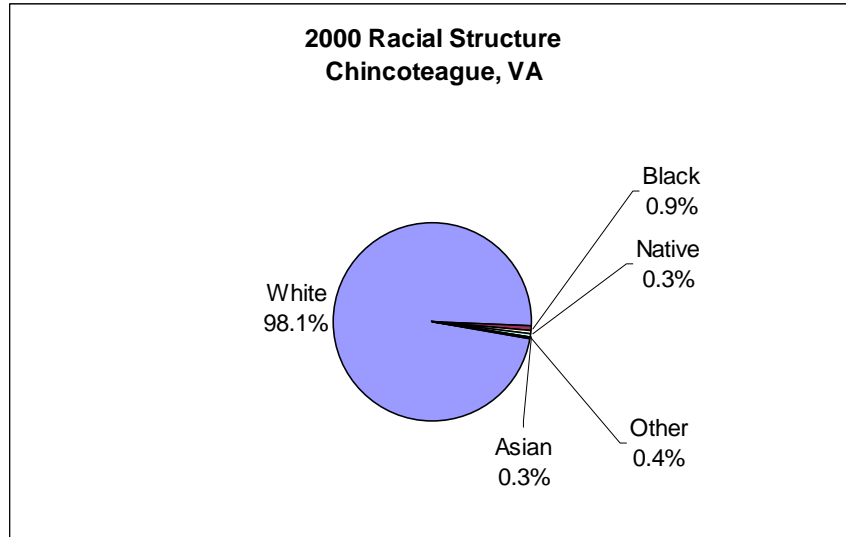


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

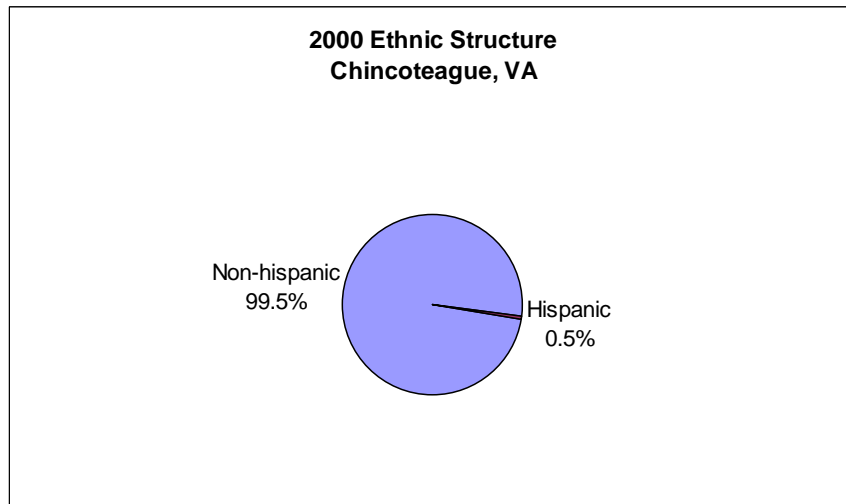


Figure 3. Ethnic Structure (US Census Bureau 2000)

For 96.0% of the population, only English was spoken in the home, leaving 4.0% in homes where a language other than English was spoken, including 1.2% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 71.4% were high school graduates or higher and 15.1% had a bachelor’s degree or higher. Again of the population 25 years and over, 10.0% did not reach ninth grade, 18.6% attended some high school but did not graduate, 34.7% completed high school, 17.6% had some college with no degree, 3.9% received an associate’s degree, 9.8% earned a bachelor’s degree, and 5.4% received either their graduate or professional degree.

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in Accomack County was United Methodist with 47 congregations and 7,338 adherents. Other prominent congregations in the county were Southern Baptist Convention (17 and 3,868 adherents), and Catholic (2 and 952 adherents). The total number of adherents to any religion was down 6.1% from 1990 (ARDA 2000).

## **Issues/Processes**

When the town of Chincoteague began to flourish, oysters became a very important commodity on the island. At one point there were eight oyster packing houses on the island, but due to an infection of the screw bore parasite, the number of consumable oysters seriously declined. There is only one packing house left at present. Also, packing houses for fish have also been reduced in number in recent years because of regulations regarding the fluke fishery. There have also been restrictions placed on the dogfish fishery, limiting the types of harvestable fish, increasing the competition between fishermen for a limited number of species. This competition also causes the market to become flooded which lowers the price per pound to going to fishermen (Oles 2005).

Another problem in Chincoteague is fishing gear storage. Fishermen operating out of the town harbor are not allowed to store their gear there, and must transport it to and from their own property, despite the fact that the harbor is intended for commercial use. There are also potential conflicts between commercial and recreational fishermen in the town. One recreational fishermen reported that, “commercial fishermen can do no wrong here [in Chincoteague],” because of the island’s historical connection to the commercial fishing industry (Oles 2005).

## **Cultural attributes**

Chincoteague has several fishing related attributes including the Maritime Museum, the Seafood Festival, and an Oyster Festival. In addition, there is also the tradition of ‘pony penning’ in the town dating back to the early settlers.

The Maritime and Oyster Museum was expanded in 1996 and tells the story of the town’s seafood and oystering history. It was started by a group of women on the island in 1965 and today is houses many exhibits relating to the town’s past. The Seafood Festival is an all you can eat event where the town’s seafood is on display by local restaurants. In addition to food, there is entertainment such as music and an information tent. The Oyster festival was started by the Chamber of Commerce to promote the town’s seafood. This is also an all you can eat event where oysters are prepared in a wide variety of ways. Proceeds from the event go to promoting the island (Chincoteague.com nd).

The town of Chincoteague is also known for their breed of horses known as the Chincoteague pony. Early settlers practiced penning as a way for livestock owners “to claim, brand, break and harness their loose herds.” By the 1700s, it was a town event and today the event includes food and entertainment in addition to the traditional penning. The event is held in July during the Chincoteague Volunteer Firemen's Carnival to raise money for the fire company and to keep the wild population of horses at a certain level. The tradition involves "Salt Water Cowboys" which herd the horses across the Assateague Channel then through town to a corral at the Carnival Grounds where they are auctioned to interested buyers (Chincoteague.com nd).

There is also a Blessing of the Fleet on Memorial Day Weekend and many fishing tournaments held throughout the year.

## **INFRASTRUCTURE**

### **Current Economy**

While employer information for Chincoteague or Accomack County was not identified through secondary data collection, the top employers for the Eastern Shore of Virginia, including Accomack County may include jobs held by Chincoteague residents. The top employers for the Eastern Shore were: Perdue Farms (1,600 employees), Tyson Farms (950 employees), Accomack

County Public Schools (950 employees), NASA Wallops Flight Facility (750 employees), and Shore Health Services Inc. (750 employees) (ANPDC nd).

According to the U.S. Census 2000<sup>4</sup>, 62.0% (2,272 individuals) of the total population 16 years of age and over were in the labor force (see Figure 4), of which 6.6% were unemployed, 0.8% were in the Armed Forces, and 57.2% were employed.

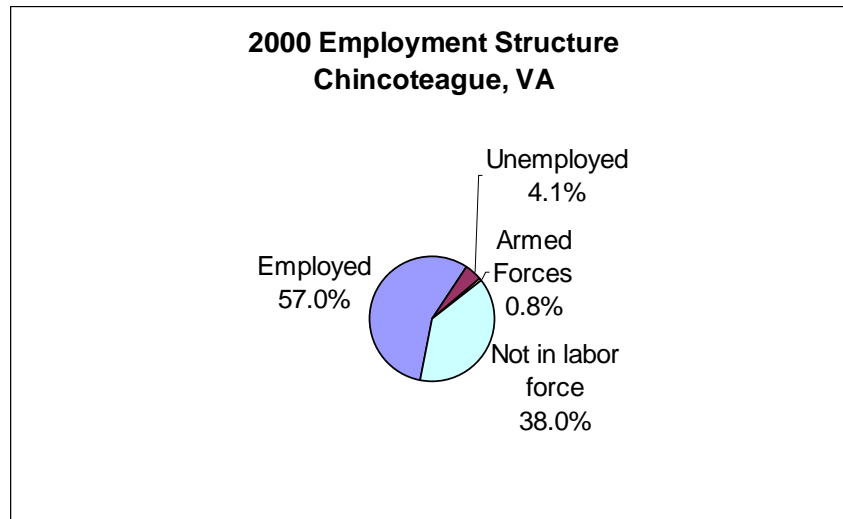


Figure 4. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 122 positions or 5.8% of all jobs. Self-employed workers, a category where fishermen might be found, accounted for 302 positions or 14.4% of all jobs. Arts, entertainment, recreation, accommodation and food services (20.6%), retail trade (15.9%) construction (13.6%) and educational health/ social services (10.0%) were the primary industries.

Median household income in Chincoteague was \$28,514 (up 29.6% from \$21,996 in 1990 [US Census Bureau 1990]) and median per capita income was \$20,367. For full-time year-round workers, males made approximately 29.8% more per year than females.

The average family in Chincoteague consisted of 2.63 persons. With respect to poverty, 9.7% of families (down from 10.0% from 1990 [US Census Bureau 1990]) and 12.7% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) [US Census Bureau 2000b]. In 2000, 53.8% of all families (of any size) earned less than \$35,000 per year.

In 2000, Chincoteague had a total of 3,970 housing units of which 52.1% were occupied and 62.6% were detached one unit homes. Less than twenty percent (13.6%) of these homes were built before 1940. Mobile homes, vans, and boats accounted for 23.5% of the total housing units; 97.4% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$105,600. Of vacant housing units, 43.2% were used for seasonal, recreational, or occasional use. Of occupied units, 20.7% were renter occupied.

<sup>4</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

## **Government**

The town of Chincoteague is governed by a mayor and town council. The town council is made up of six councilmen. They are all elected to four-year terms with three councilmen being elected every two years so that the elections are staggered. The Town Manager is appointed and also acts as the Clerk to the Council (Town of Chincoteague nd).

### *Fishery involvement in government*

The Virginia Shellfish Growers' Association has clout with the government and often have their concerns addressed when otherwise commercial fishermen are not included in the process. Additionally, the Town of Chincoteague has sent its own representatives to meetings of the VMRC to support the local sport fishing industry in the town. Both the town and Accomack County have declared their commitment to protecting both commercial and recreational fishing interests here (Oles 2005). Chincoteague also has a harbormaster.

The Virginia Marine Resources Commission (VMRC) is a state agency established in 1875 to preserve Virginia's marine and aquatic resources, including all tidal waters. The VMRC's Fisheries Management Division aids in the planning of state, interstate, and federal management organizations. Its Fisheries Advisory Council helps agencies create and implement management plans for both commercial and recreational fishery species. The Commission's headquarters are located in Newport News (VMRC nd).

## **Institutional**

### *Fishing associations*

The Virginia Shellfish Growers' Association works on behalf of shellfish growers in the state. The Eastern Shore Working Waterman's Association is also located in Chincoteague. Members meet for monthly meetings and to express concerns regarding management of packing houses and docks (Oles 2005).

Chincoteague also has the Chincoteague Island Charterboat Association, which represents the interests of sportfishermen and is engaged in the fisheries management process (Oles 2005).

### *Fishing assistance centers*

Information on fishing assistance centers in Chincoteague is unavailable through secondary data collection.

### *Other fishing related organizations*

The [Assateague Mobile Sportfishermen Association](#) has a number of recreational fishermen from Chincoteague as members (Oles 2005). This group sponsors fishing tournaments, beach clean-ups, a scholarship program, and other events, and is involved in activism to preserve public access to beaches for sportfishermen.

## **Physical**

Chincoteague is accessible from the mainland via Rt. 175, which extends over a bridge and is the only road to the mainland. Buses travel through the town and the nearest airport is the Salisbury Airport in Maryland. US Air serves this small airport and offers travel to Washington D.C., Baltimore and Philadelphia (Chincoteague Chamber of Commerce nd). Chincoteague is

about 40 miles from Wachapreague, 50 miles from Ocean City, MD, and 168 miles from Washington, DC (MapQuest 2005).

There are currently six marinas in Chincoteague. Some of these marinas, like Capt. Bob's Marina, seem to focus on charter tours and dockage is available at Curtis Merritt Harbor. Curtis Merritt Harbor is the primary dockage area for Chincoteague and is owned by the town. There are 70 slips here, and commercial fishermen are given priority in the assignment of slips, as are charter and party boats. Commercial fishing vessels generally unload their own catch into coolers and transport it to fish packers themselves. Chincoteague has a substantial infrastructure devoted to sport fishing. In addition to the marinas there are also many tackle and bait shops and a number of public boat launches (Oles 2005).

## INVOLVEMENT IN NORTHEAST FISHERIES<sup>5</sup>

### Commercial

Commercial fishing in Chincoteague is in decline in recent years. There are only two fish packing houses in the town, one of which is doing well and brings an average of 80,000 lbs. per day and has increased the types of fish it packs. The other packing house is having trouble staying in business, while a third recently closed, due in part to a lower number of fish being landed because of government restrictions on catch. In addition, there used to be many oyster houses on the island, with estimates ranging from eight to twelve. Today there are only two left. There is also a shellfish aquaculture facility on the island that raises clams and oysters that has been in business for 30 years (Oles 2005). Gary Howard Seafood is a business which sells locally caught seafood and has a small oyster packing operation (Chincoteague.com nd). Seaside Lobsters in Chincoteague sells lobsters fresh off the boat (Chincoteague Chamber of Commerce nd). [Tom's Cove Aqua Farms](#) raises hard clams and oysters for wholesale, and Chincoteague Shellfish Farms is another aquaculture business located here (Chincoteague Chamber of Commerce nd).

The most valuable species in Chincoteague is scallops, followed by summer flounder, scup, and black sea bass, both with 2006 values significantly higher than the ten year averages. The 2006 values of "Other", monkfish, and lobster were also greater than the ten year averages (see Table 1). Dogfish saw a sizeable decrease, likely due to restrictions placed on the dogfish fishery.

The number of vessels home ported in Chincoteague generally increased over the years until 2003 when the numbers declined yearly through 2006. The number of vessels whose owners live in Chincoteague also followed a similar trend as the number of home port vessels. While the value for home ported vessels in Chincoteague increased until 2003, the level of fishing landed port continued to increase significantly throughout the ten year time period, with the exception of a decline in 2006 (see Table 2).

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<sup>5</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

## Landings by Species

Table 1. Dollar value of Federally Managed Groups of landing in Chincoteague

	Average from 1997-2006	2006 only
Scallop	2,730,647	7,752,896
Summer Flounder, Scup, Black Sea Bass	1,126,760	2,159,348
Other <sup>6</sup>	506,696	921,375
Monkfish	401,496	540,864
Lobster	61,952	143,776
Dogfish	51,843	38,035
Squid, Mackerel, Butterfish	38,565	12,133
Bluefish	12,833	54,857
Skate	6,221	1,710
Tilefish	1,522	14
Smallmesh Groundfish <sup>7</sup>	379	0
Largemesh Groundfish <sup>8</sup>	293	0

## Vessels by Year<sup>9</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	13	10	6,601	906,166
1998	15	15	24,382	763,754
1999	17	15	48,132	2,138,891
2000	21	16	362,409	2,431,371
2001	24	17	354,429	2,569,596
2002	28	18	321,982	2,877,693
2003	26	18	503,801	4,078,803
2004	22	17	299,244	7,248,586
2005	25	17	311,281	14,752,188
2006	22	16	333,110	11,625,008

# Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>10</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location

<sup>6</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>7</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>8</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>9</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>10</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

## **Recreational**

Recreational fishing is a popular activity in Chincoteague. There are many hotels catering to tourists who rent charter boats and there are approximately 24 charter fishing vessels; however, party boats businesses have never been successful here. Many of the charter boat captains make their living full time from charter fishing; others do it part-time and work another job during the fall and winter.

Fishing also occurs at the Town Dock bulkhead and the pier at Memorial Park (Oles 2005). There are also several public boat launches in the town. The most popular types of species targeted inshore include: flounder, sea trout, bluefish, rockfish, spot, croaker, sheepshead, triggerfish, red drum, black drum, sea bass, small sharks and tautog. Offshore fishing targets bluefish, mako and other sharks, bluefin, yellowfin and albacore tuna, king mackerel, dolphinfish, wahoo and billfish (Daybreak Services 2007).

There are also many fishing tournaments hosted by the various marinas. Capt. Bob's hosts a tuna tournament every July; Barnacle Bill's has a shark tournament and tuna tournament yearly; East Side Marina hosts a tuna tournament; and Capt. Steve's bait and Tackle hosts a surf fishing tournament yearly (Oles 2005).

## **Subsistence**

Information on subsistence fishing in Chincoteague is either unavailable through secondary data collection or the practice does not exist.

## **FUTURE**

A new park is being built in the downtown area of Chincoteague. This will make another site in town where events and festivals can be hosted. The town hopes that families will use the park regularly for recreational activities and the area is cited to be built to provide a beautiful view of the sunset. The park will also have slip space for both recreational and commercial vessels. Also, the town is building a new visitors' center for the wildlife refuge. It will house many exhibits as well as an auditorium and classroom and wet lab (Chincoteague Chamber of Commerce nd).

Many commercial fishermen see the future of fishing in Chincoteague as bleak. There has been a sharp decline in fishermen in recent years and it is hard to recruit new fishermen into the profession. Many of the older fishermen's children do not want to continue the tradition of following in their fathers' footsteps and most fishermen would not want their children getting into the business anyway. One local gillnetter in his mid-thirties noted that he is the youngest fisherman he knows. However, the town government is said to be supportive of commercial fishing and they foresee resurgence in the importance of seafood to their town (Oles 2005).

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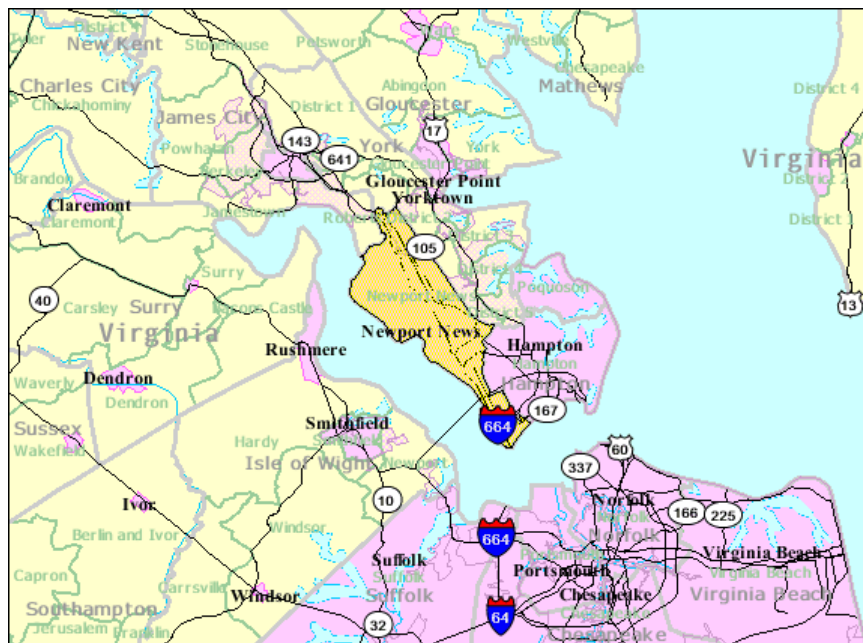
# NEWPORT NEWS, VA<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

The city of Newport News, Virginia (37.07° N, 76.48° W) is located on the Virginia Peninsula and is a consolidated city with the former Warwick County. The city is located 83 miles north of the North Carolina border and is on the northeast side of the James River, the southern-most major river that leads into the Chesapeake Bay (USGS 2008). The city encompasses 62.9 square miles of land area and has 43.5 miles of river shoreline (NNEDA nd). Newport News is part of the Hampton Roads area, which includes Newport News, Hampton, and Virginia Beach, as well as a number of other cities and towns whose inclusion varies by source.<sup>3</sup>



Map 1. Location of Newport News, VA (US Census Bureau 2000)

#### Historical/Background

Irish colonists originally settled Newport News around 1620, but it did not become a large settlement until 1881 when it was “chosen as the Atlantic deep water terminus of the

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: “Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov).”

<sup>3</sup> NOAA/NMFS in its Fisheries of the US defines Hampton Roads as Virginia Beach, Norfolk, Hampton, Newport News and Seaford (Liz Pritchard, Fisheries Statistics, [Liz.Pritchard@noaa.gov](mailto:Liz.Pritchard@noaa.gov)). Hampton Roads Transit lists its destinations as Chesapeake, Hampton, Newport News, Norfolk, Portsmouth and Virginia Beach (<http://www.gohrt.com/schedulesandservices/busroutes.html>).

Chesapeake and Ohio Railway (C&O)” (City of Newport News nd). In 1886, the settlement’s shipbuilding industry began and since then, Newport News has become a major center for ship building and repair. Because of its safe harbor and strategic location in the Mid-Atlantic, the city is also a port for transatlantic and coastal shipping for products like oil, coal, tobacco, grain, and ores (Anon 2007). The defense industry has also been a strong influence in this city.

### Demographics<sup>4</sup>

According to Census 2000 data, Newport News had a total population of 180,150, up 5.9% from a reported population of 170,045 in 1990 (US Census Bureau 1990). Of this 2000 total, 48.4% were males and 51.6% were females. The median age was 32.0 years and 67.7% of the population was 21 years or older while 11.9% was 62 or older.

Newport News age structure (see Figure 1) showed slightly more males than females for age groups zero to 29 years, but then more females 30 to 80+ years. The population was relatively even from age groups zero to 49 years, then showing a significant decrease in population which accelerated with older age groups. This implied either that men and women leave (move or die) Newport News around age 50 years, or that a younger population has moved into the town. The latter is more likely, especially since there is a large military presence in the city.

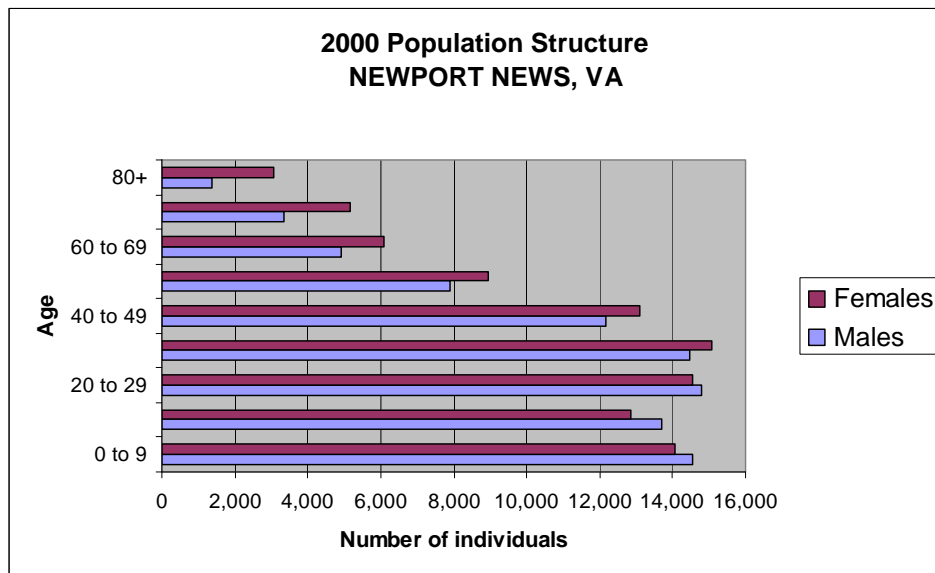


Figure 1. Newport News population structure by sex in 2000

The majority of the population was white (55.0%), with 40.2% black or African American, 2.4% Asian, 0.4% Native American, and 0.1% Pacific Islander or Hawaiian (see Figure 2). Only 4.2% of the total population identified themselves as Hispanic/Latino (see Figure 3). Residents linked their backgrounds to a number of different ancestries including: German (9.6%), English (8.3%), Irish (7.4%), Italian (3.2%), French (2.0%), and Scottish (1.6%). With regard to region of birth, 48.1% were born in Virginia, 44.4% were born in a

<sup>4</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

different state and 2.7% were born outside of the U.S. (including 2.3% who were not United States citizens).

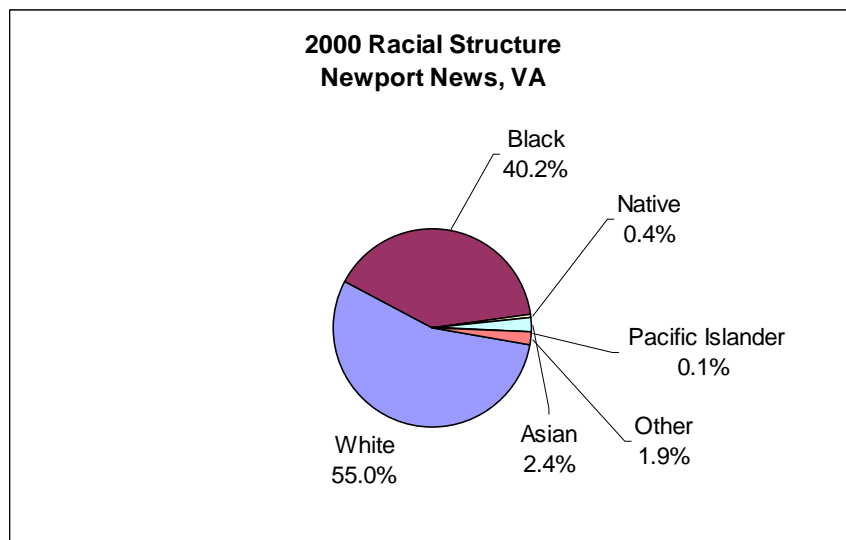


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

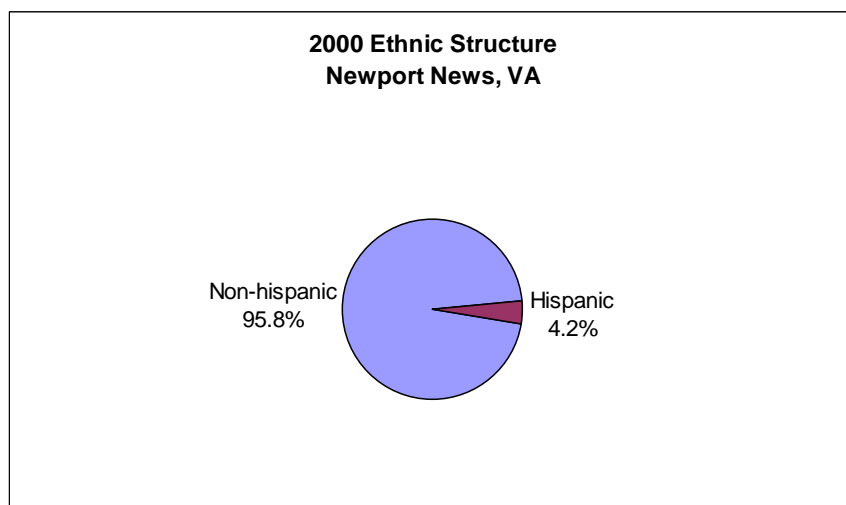


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 91.7% of the population, only English was spoken in the home, leaving 8.3% in homes where a language other than English was spoken, including 2.8% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 84.5% were high school graduates or higher and 19.9% had a Bachelor’s degree or higher. Again of the population 25 years and over, 4.2% did not reach ninth grade, 11.3% attended some high school but did not graduate, 30.1% completed high school, 27.2% had some college with no degree, 7.3% received their Associate degree, 13.4% earned their Bachelor’s degree, and 6.5% received either their graduate or professional degree.

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in Newport News County was Southern Baptist with 21

congregations and 19,296 adherents. Other prominent congregations in the county were Catholic (4 with 11,414 adherents), and Methodist (11 with 7,478 adherents). The total number of adherents to any religion was up 0.5% from 1990 (ARDA 2000).

### **Issues/Processes**

Fort Eustis in Newport News has been placed on the EPA National Priority List because of contamination of the surrounding watershed by chemicals leaching from the facility. There has been concern about recreational fishermen consuming fish taken from waterways around Fort Eustis, as some fish have been found to be contaminated with PCBs (DHHS nd).

The city's plans to construct a large reservoir in the Mattaponi River have been highly controversial, resulting from concerns that construction will harm an important spawning ground for shad in the river (Anon 2004)

### **Cultural attributes**

The Virginia Marine Resources Commission (VMRC) allocates funds (called the Recreational Fishing Development Funds) from the sale of recreational fishing licenses, to support a children's fishing clinic every July at the James River Pier with the Peninsula CCA.<sup>5</sup> There is also a popular Oyster Roast in October (NNDPRT nd). The Mariners' Museum holds weekly talks on maritime history, though few of these are related specifically to fishing (City of Newport News nd). Hampton, which is adjacent to Newport News, celebrates the [Hampton Bay Days](#) (a family oriented festival about Chesapeake Bay) and the Seafest (a large marine trade show) (City of Hampton 2004). Both of these events occur annually in early September.

The Mariners Museum noted above holds a large collection of artifacts and information about maritime history (Mariners Museum nd). The *Monitor* National Marine Sanctuary has its headquarters at NOAA's Maritime Archaeology Center, which is on the grounds of the Mariners Museum. The actual National Marine Sanctuary is located 16 miles off-shore and was established to protect and preserve the remains of the U.S.S. Monitor (NOAA NOS nd).

## **INFRASTRUCTURE**

### **Current Economy**

The location of Newport News is strategic for its easy access and safe harbor for shipping and transport. It currently has a large defense sector (military bases, shipbuilding, and support industries), but has been working to diversify its economy for the past twenty years. The technology sector has increased, probably attracting younger workers (NNEDA nd).

In Newport News, the largest employers for manufacturing, distribution, teleservice and technology are Northrop Grumman (15,000+), Ferguson Enterprises (1000-2500) and Canon Virginia (1000-2500). The largest employers in the service industry include the U.S. Army Transportation Center at Fort Eustis (10,000+) and Newport News School System (5,000-10,000). "The largest employers in the retail industry and temporary employment agencies are Production System Services and Wal-Mart/Sam's Club" (both 500-1,000) (NNEDA nd). Also of interest, according to the 2000 census 19.9% of the civilian population 18 years or over had veteran status. The largest employer in not only the city but in all of Virginia is [Northrop Grumman](#), employing 19,000 people. The corporation boasts its status as "the nation's sole designer, builder and re-fueler of nuclear-powered aircraft carriers and one of only two

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<sup>5</sup> Personal communication, Sonya Davis, Virginia Marine Resources Commission, Fisheries Management Division, 2600 Washington Ave., 3<sup>rd</sup> Floor, Newport News, VA 23607, 757-247-2200, 6/9/05

companies capable of designing and building nuclear-powered submarines. The sector also provides after-market services for a wide array of naval and commercial vessels.” (Northrup Grummond nd).

According to the US Census 2000<sup>6</sup>, 68.3% (92,586 individuals) of the total population 16 years of age and over were in the labor force (see Figure 4), of which 3.4% were unemployed, 7.2% were in the Armed Forces, and 57.7% were employed.

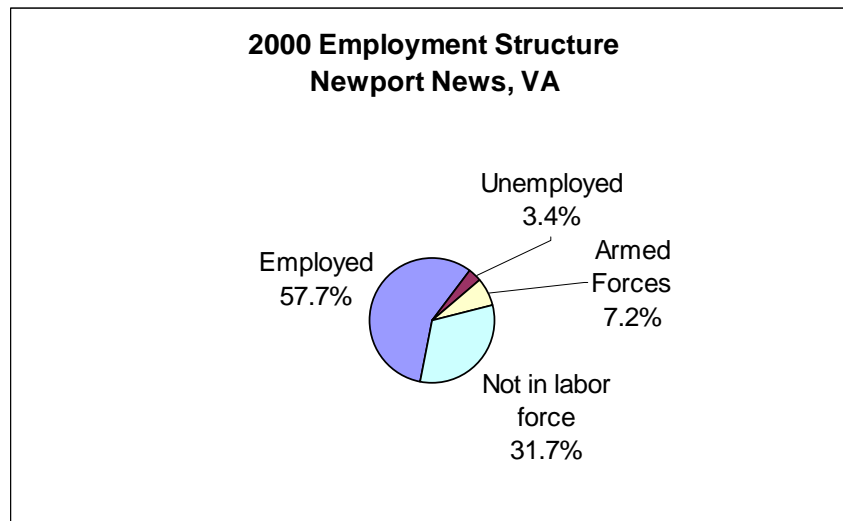


Figure 4. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 211 positions or 0.3% of all jobs. Self employed workers, where fishermen might be found, accounted for 3,256 positions or 4.2% of jobs. Education, health, and social services (19.3%), manufacturing (15.3%), retail trade (12.8%) and arts, entertainment, recreation, accommodation and food services (10.0%) were the primary industries.

Median household income in Newport News was \$36,597 (up 33.2% from \$27,469 in 1990) and per capita income was \$17,843. For full-time year round workers, males made approximately 28.7% more per year than females.

The average family in Newport News consisted of 3.04 persons. With respect to poverty, 11.3% of families (down from 12.2% in 1990) and 13.8% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9). In 2000, 47.4% of all families (of any size) earned less than \$35,000 per year.

In 2000, Newport News had a total of 74,117 housing units, of which 94.0% were occupied and 50.7% were detached one unit homes. Only 5.2% of these homes were built before 1940. Mobile homes, boats, RVs and vans accounted for 2.1% of the total housing units; 93.0% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$96,400. Of vacant housing units, 5.1% were used for seasonal, recreational, or occasional use. Of occupied units 47.6% were renter occupied.

<sup>6</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

## **Government**

The City Manager and City Council govern Newport News. The City Manager oversees administration and day to day business of the city government. The city employs over 2,500 people and has a \$554 million budget (City of Newport News nd).

### *Fishery involvement in government*

The Virginia Marine Resources Commission (VMRC) is a State Agency established in 1875 to preserve Virginia's marine and aquatic resources, including all tidal waters. The VMRC's Fisheries Management Division aids in the planning of state, interstate, and federal management organizations. Its Fisheries Advisory Council helps agencies create and implement management plans for both commercial and recreational fishery species. The Commission's headquarters are located in Newport News (VMRC nd).

There are committees that advise the Commission on the needs and utilization of the recreational and commercial fisheries for blue crab, clam, finfish, and shellfish. Only the Shellfish Management Advisory Committee has a member who is Newport News resident. Also, there are committees to advise the Commission on spending the Marine Fishing Improvement Fund which is derived from commercial license fees. There is also the Saltwater Recreational Fishing Development Fund which is derived from recreational license fees.<sup>7</sup> The latter recreational fishing advisory committee has one member who is a resident of Newport News. There are also committees that advise on the marine fish citation program and on the needs and utilization of intertidal and aquatic habitat in Virginia (VMRC nd).

## **Institutional**

### *Fishing associations*

At the federal commercial level, there are no apparent active fishery associations in the Hampton Roads area. At the State level, there are several regional "Waterman's" Associations, formed generally to address specific regulations being considered by the VMRC. These associations focus primarily on Chesapeake Bay fisheries.<sup>8</sup>

There are two sportfishing associations in Newport News. The Peninsula Saltwater Sportfishermen Association (PSSA) represents fishermen from the entire Virginia Peninsula and has about 400 members (2007).<sup>9</sup> The Virginia Coastal Conservation Association's (CCA) local Newport News chapter has many of the same members as the PSSA.<sup>10</sup> Barbara Stevenson's list of fisheries organizations reports two in Newport News: James River Watermen's Association and Virginia Marine Products Board, a division of the state Department of Agriculture responsible for promoting Virginia's seafood products (Stevenson nd).

### *Fishing assistance centers*

The Virginia Department of Game and Inland Fisheries administers the sale of saltwater recreational fishing licenses, while the VMRC administers the Saltwater Recreational Fishing

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<sup>7</sup> Community Review Comments, Jack Travelstead, Virginia Marine Resource Committee, Fisheries Management Division, 2600 Washington Ave., 3<sup>rd</sup> Floor, Newport News, VA 23607, September 18, 2007

<sup>8</sup> Personal Communication, David Ulmer, NOAA Port Agent, P.O. Box 69043, Hampton, VA 23669, ([David.Ulmer@noaa.gov](mailto:David.Ulmer@noaa.gov)), July 21, 2006

<sup>9</sup> Community Review Comments, Jack Travelstead, Virginia Marine Resource Committee, Fisheries Management Division, 2600 Washington Ave., 3<sup>rd</sup> Floor, Newport News, VA 23607, September 18, 2007

<sup>10</sup> Personal communication, Sonya Davis, Virginia Marine Resources Commission, Fisheries Management Division, 2600 Washington Ave., 3<sup>rd</sup> Floor, Newport News, VA 23607, 757-247-2200, 6/9/05

Development Fund. A Board decides biennially how to allocate the funds. This fund has contributed towards increasing public access, improving boat ramps, and the annual Children's Fishing Clinic (see "Cultural Attributes" section). Some of the funds also go to the Virginia Institute of Marine Science (VIMS) research projects focusing on recreational fishing.<sup>11</sup>

#### *Other fishing-related organizations*

The Virginia Seafood Council is a professional trade organization consisting primarily of the state's shellfish growers and processors. The Council is registered as a lobby group in Richmond but is located in Newport News and represents the whole state (Virginia Marine Products Board nd). The Coastal Conservation Association (CCA) operates a state chapter out of Virginia Beach, VA. The CCA is a non-profit organization aiming to education the public about marine conservation, whose members are primarily saltwater anglers (Coastal Conservation Association nd).

### **Physical**

Newport News is situated on a peninsula extending out into a portion of the Chesapeake Bay, about 180 miles from Washington D.C between Williamsburg and Virginia Beach. The town is located within easy access of the Hampton Roads Belt (Interstate 664) and the James River Bridge (Route 17) which cross over the Bay. The Williamsburg/Newport News airport is located in the city. There are also two international airports located nearby (Norfolk International and Richmond International Airports) (Google nd). Amtrak provides passenger railway service in and out of Newport News. This city has transportation systems by air, road, railway, and water (Newport News Tourism Development Office nd). Many of the fishing-related businesses are located in the Newport News Seafood Industrial Park (NNEDA nd).

A variety of public access sites are available for recreational fishing. The pier at Denbigh Park is available daily for saltwater fishing, and fresh water fishing on shore or with private or rental boats is available at Lee Hall and Harwood's Mill Reservoirs. Leeward Marina offers 200 slips for private recreational vessels of up to forty three feet in length (NNDPRT nd).

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>12</sup>**

### **Commercial**

While the commercial fishing data in this profile is specific to Federal fisheries, according to the VA Marine Resource Commission, there are 33 state registered commercial fishermen that reside in Newport News, most of whom are involved in crab potting, clamming, oystering, and gillnetting.<sup>13</sup> There are five bait and tackle stores, 12 fish and seafood markets,

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<sup>11</sup> Personal communication, Sonya Davis, Virginia Marine Resources Commission, Fisheries Management Division, 2600 Washington Ave., 3<sup>rd</sup> Floor, Newport News, VA 23607, 757-247-2200, 6/9/05

<sup>12</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

<sup>13</sup> Community Review Comments, Jack Travelstead, Virginia Marine Resource Committee, Fisheries Management Division, 2600 Washington Ave., 3<sup>rd</sup> Floor, Newport News, VA 23607, September 18, 2007



and eight seafood wholesale and processing plants in Newport News, indicating a demand coming from the fishing industry. “Because of problems with Oregon Inlet, many seafood dealers have moved their marketing and processing operations from Wanchese to the Newport News/Hampton Roads region, both expanding their seafood buying capabilities and creating more integrated linkages between the two landing centers.”

There are ten state licensed seafood buyers in Newport News.<sup>14</sup> There are also several large seafood processing plants in Newport News (Virginia Marine Products Board, Virginia Seafood Suppliers Directory nd), two of the largest are [Chesapeake Bay Packing](#), specializing in scallops and conch, and [Icelandic USA, Inc.](#), “the largest importer of frozen groundfish for the foodservice industry in the U.S.” There are several other processing plants, wholesalers, and packing houses located in the Newport News Seafood Industrial Park (NNEDA nd).

The species with the highest dollar value landings in Newport News was scallops, with over \$26 million for the 1997 and 2006 average. Other significant landings included “Other” species, worth close to \$2 million, and summer flounder, scup, and black sea bass with \$1.3 million in landings during the same time period. Other significant landings in Newport News were red crab, monkfish, and dogfish as well as a wide range of other species (see Table 1). The number of vessels whose home port and whose owner’s city was Newport News generally increased between 1997 and 2006, ranging from 11 to 29 boats and 6-19 boats, respectively. The level of fishing home port value varied widely, from \$2 million to over \$25 million, while the level of fishing landed port value showed substantial increase from over \$15 million in 1997 to over \$53 million in 2004, declining again in 2005 and 2006 (see Table 2).

### Landings by Species

Table 1. Dollar value of Federally Managed Groups of landings in Newport News

	Average from 1997-2006	2006 only
<b>Scallop</b>	26,503,063	23,315,283
<b>Other<sup>15</sup></b>	1,938,247	457,587
<b>Summer Flounder, Scup, Black Sea Bass</b>	1,299,688	1,085,575
<b>Red Crab</b>	198,726	CONFIDENTIAL
<b>Monkfish</b>	160,878	41,810
<b>Dogfish</b>	39,973	76
<b>Squid, Mackerel, Butterfish</b>	18,961	1,654
<b>Bluefish</b>	5,966	3,178
<b>Skate</b>	4,244	0
<b>Largemesh Groundfish<sup>16</sup></b>	2,280	0
<b>Lobster</b>	324	0
<b>Smallmesh Groundfish<sup>17</sup></b>	151	0

*Tilefish and herring are also landed, but data cannot be reported due to confidentiality*

<sup>14</sup> Community Review Comments, Jack Travelstead, Virginia Marine Resource Committee, Fisheries Management Division, 2600 Washington Ave., 3<sup>rd</sup> Floor, Newport News, VA 23607, September 18, 2007

<sup>15</sup> “Other” species includes any species not accounted for in a federally managed group

<sup>16</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>17</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)



## Vessels by Year<sup>18</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	11	9	2,652,367	15,194,635
1998	15	9	3,924,764	15,945,730
1999	16	6	8,904,712	19,190,220
2000	21	9	13,055,962	26,514,096
2001	20	11	13,598,770	29,745,272
2002	22	15	17,005,061	34,434,618
2003	24	15	16,431,790	38,385,487
2004	25	15	23,117,273	53,682,646
2005	29	19	25,565,816	43,645,426
2006	27	14	25,012,006	24,987,238

(Note: # Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>19</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location)

## Recreational

There are many businesses in Newport News that serve recreational boaters and fishermen, which could indicate a substantial dependency on the recreational fishing industry. These include boat dealers (20), boat cleaning services (2), boat repair (15), canoe and kayak dealers (1), marine engine repair (2), marine propeller repair (1), marine supplies and equipment (14), and retail outboard motors (4). There are also several charter fishing boats in the area. The James River Fishing Pier attracts fishermen from all over for fishing off the pier (Anon 2005).

Fish caught for recreation in Newport News include: black drum, bluefish, cobia, croaker, flounder, red drum, sea bass, spadefish, Spanish mackerel, spot, striped bass, tautog, trout and triggerfish.

In 2005, the economic impact generated by marine recreational fishing in Newport News was second highest in the state behind Virginia Beach. The total sales/economic activity for the Hampton Roads area was \$70,114,000, a cumulative income of \$39,189,000, and recreational fishing employed 999 people. In 2004, 20 % more marine recreational licenses were sold than in 1994 (Southwick Associates Inc. 2006).

The [Peninsula Salt Water Sport Fisherman's Association](#), based in Newport News, sponsors a variety of fishing tournaments throughout the year.

## Subsistence

Information on the subsistence fishing in Newport News is either unavailable through secondary data collection or the practice does not exist. However, according to the Virginia

<sup>18</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>19</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

Marine Resource Commission, subsistence fishing is observed at local fishing piers or from the shoreline.<sup>20</sup>

## **FUTURE**

Between the years 2003-2005 in the Hampton Roads area, at least fifteen scallop vessels were sold to a New England processing company. Some fishermen see a trend where a few large companies are purchasing vessels, thus, creating a monopoly in the scallop industry. Concerns also exist that big business will squeeze small vessels out of the industry.<sup>21</sup>

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<sup>20</sup> Community Review Comments, Jack Travelstead, Virginia Marine Resource Committee, Fisheries Management Division, 2600 Washington Ave., 3<sup>rd</sup> Floor, Newport News, VA 23607, September 18, 2007

<sup>21</sup> Personal communication, NOAA port agent George Mattingly, 1006N Settlers Landing Road, P.O. Box 69043, Hampton, VA 23669, 978 609-4150, May 12, 2006

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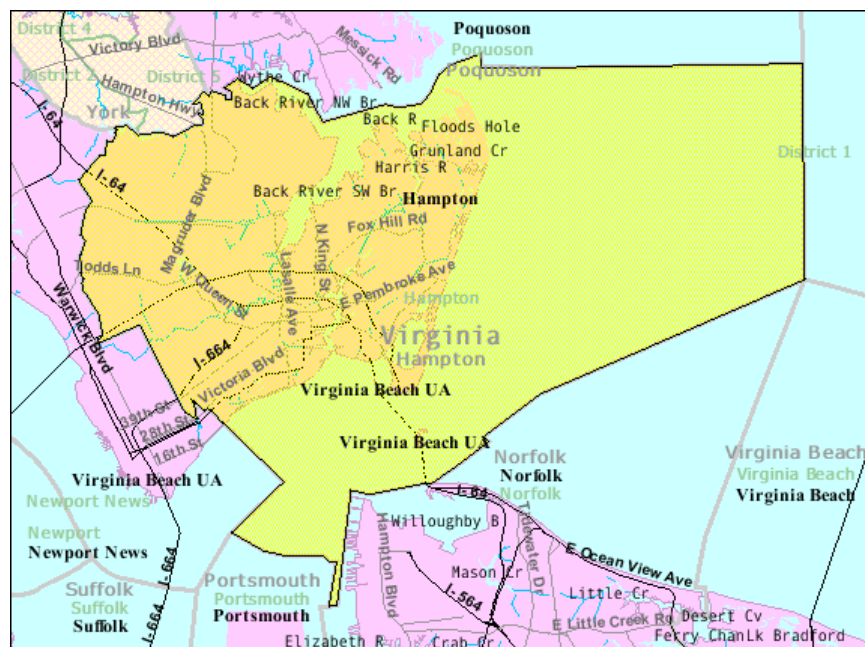
# HAMPTON, VA<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

Hampton, Virginia (37.03°N, 76.35°W) was initially situated in Elizabeth City; they merged in 1952. Hampton is situated on the southern shores of the state near the entrance to the James River (City of Hampton nd). Hampton is located near the confluence of Hampton Bay and Virginia Roads the end of a peninsula, with access to both the Chesapeake Bay and the Atlantic Ocean (Google 2007). Hampton is part of the Hampton Roads area, which also includes Newport News, Virginia Beach, and Norfolk, as well as a number of other cities and towns whose inclusion varies by source.<sup>3</sup> Virginia Beach, Newport News, and Norfolk are all treated in separate community profiles.



Map 1. Location of Hampton, VA (US Census Bureau 2000)

#### Historical/Background

Hampton is an independent city, in the Virginia Beach-Norfolk metro area. The community was named after the Earle of Southampton in the 17<sup>th</sup> century. Hampton and the

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: “Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov).”

<sup>3</sup> NOAA/NMFS in its Fisheries of the US defines Hampton Roads as Virginia Beach, Norfolk, Hampton, Newport News and Seaford (Liz Pritchard, Fisheries Statistics, [Liz.Pritchard@noaa.gov](mailto:Liz.Pritchard@noaa.gov)). [Hampton Roads Transit](#) lists its destinations as Chesapeake, Hampton, Newport News, Norfolk, Portsmouth and Virginia Beach.

surrounding area is the oldest continuous English-speaking settlement in America. Englishmen were sent by the Virginia Company of London in 1607 and established Jamestown; in 1610 a fortification was built in an area that would become Hampton to settle the area and the first Africans and women arrived in 1619 (City of Hampton nd). In the eighteenth century, Hampton became a thriving port, with tobacco as a chief export and medium of exchange. The wealth of the colonies around Hampton's waterfront made the Virginia Coast an inviting target for pirates in the 17<sup>th</sup> century. The most notorious of pirates was Blackbeard; after he was killed in a pitched battle his head was placed in at the entrance of the river (Blackbeard Festival nd). In the late 1800's, Union General Benjamin Butler first applied the term "contraband" to three runaway slaves, establishing an avenue to freedom for African Americans throughout the South (City of Hampton 2007). Hampton is also known for having the first battle between two ironclad ships in 1862, the Confederate *Merrimack* (aka *Virginia*) and the Union's *Monitor* (Department of the Navy nd).

### Demographics<sup>4</sup>

According to Census 2000 data, the city had a population of 146,437, up 9.5% from a reported population of 133,793 in 1990. Of this 2000 total, 49.6% were males and 50.4% were females. The median age was 34.0 years and 70.1% of the population was 21 years or older while 12.5% of the population was 62 or older.

The population structure of Hampton (see Figure 1) showed a large population in both 0-19 and 20-49 year old age groups and a rapid drop off in the 50-59 year old age group, likely indicating large numbers of young families. The largest category was males in the 30-39 age category. The number of females exceeds the number of males in Hampton in the younger age categories, with the exception of the 10-19 age category.

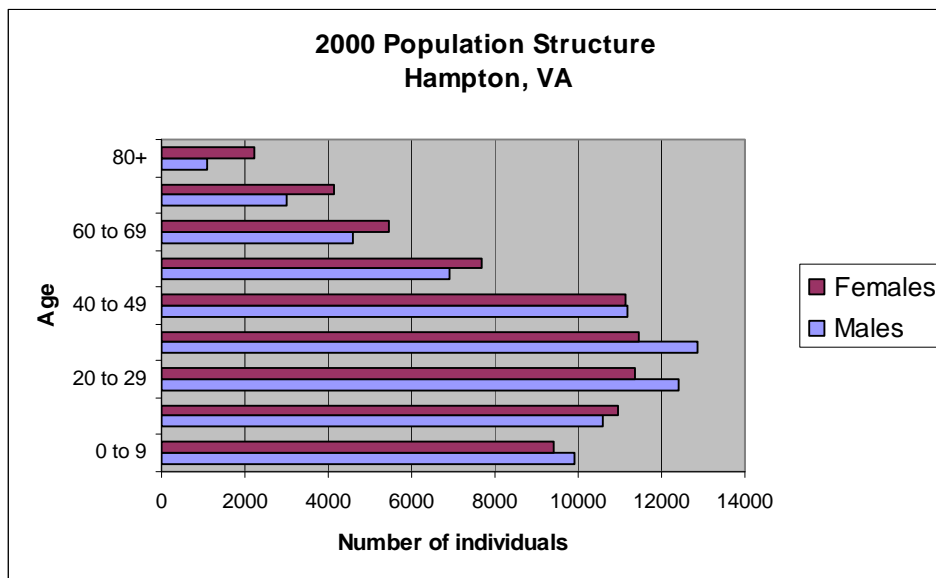


Figure 1. Hampton's population structure by sex in 2000 (US Census Bureau 2000)

<sup>4</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

The majority of the population was white (77.0%), with 12.6% of residents black or African American, 0.9% Native American, 3.7% Asian, and 0.1 % Pacific Islander or Hawaiian (see Figure 2). Only 2.8% of the total population identified themselves as Hispanic/Latino (see Figure 3). Residents linked their backgrounds to a number of different ancestries including: German (9.0%), English (7.8%), United States or American (7.2%), and Irish (7.1%). With regard to region of birth, 46.9% were born in Virginia, 46.8% were born in a different state, and 2.4% were born outside the U.S. (including 1.7% who were not United States citizens).

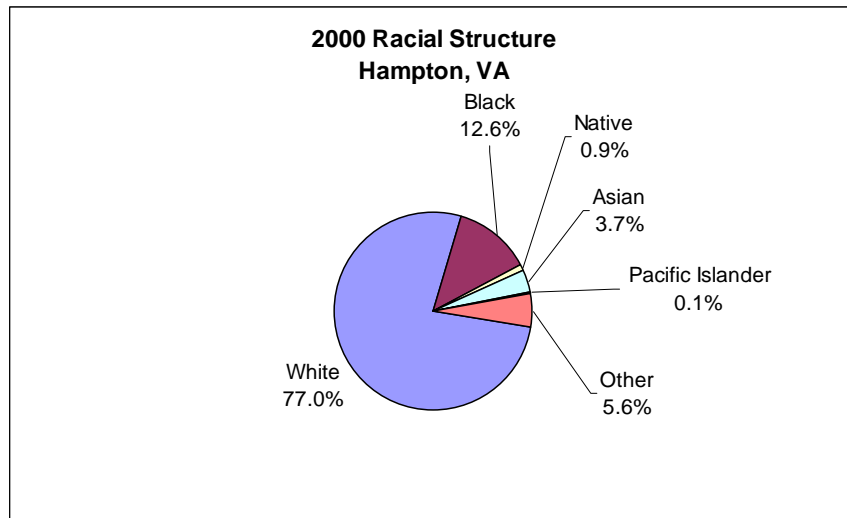


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

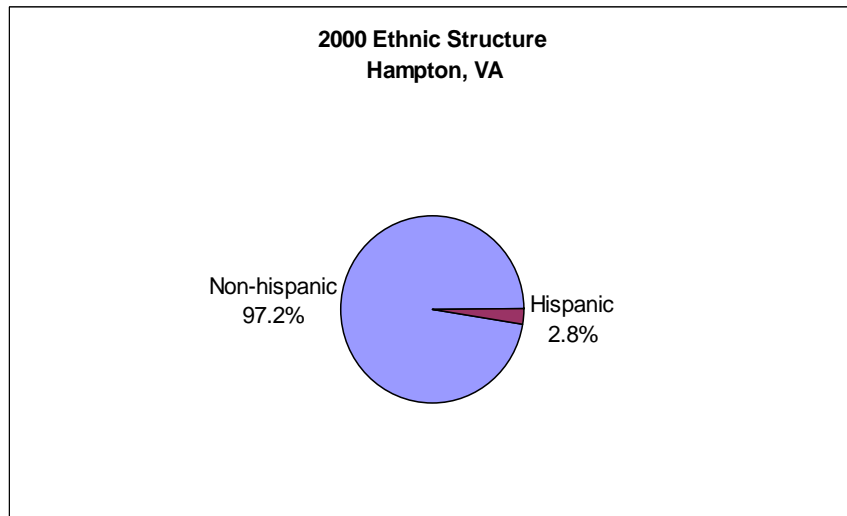


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 93.3% of the population, only English was spoken in the home, leaving 6.7% in homes where a language other than English was spoken, including 2.1% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 85.5% were high school graduates or higher and 21.8% had a bachelor’s degree or higher. Again of the population 25 years and over, 4.1% did not reach ninth grade, 10.4% attended some high school but did not graduate, 28.0% completed

high school, 27.2% had some college with no degree, 8.6% received an associate's degree, 13.5% earned a bachelor's degree, and 8.3% received either a graduate or professional degree.

Although religion percentages are not available through the US Census, according to the Association of Religion Data Archives (ARDA) in 2000 the religion with the highest number of congregations and adherents in Hampton was Southern Baptist Convention with 21 congregations and 16,666 adherents. Other prominent congregations in the county were United Methodist (12 with 7,019 adherents), Catholic (5 with 5,217 adherents), and Assemblies of God (5 with 3,263 adherents). The total number of adherent to any religion was up 9.2% from 1990 (ARDA 2000).

### **Issues/Processes**

In August 2005, the coastal fisheries commission in VA approved capping the catch of menhaden in the Chesapeake Bay to about 230 million pounds. This most strongly affects Omega Protein Corp., the nation's largest menhaden processor, which has warehouse facilities in Norfolk. Menhaden fuels one of Virginia's largest commercial fishing industries and is considered an abundant resource coast-wide but biologists are concerned about the decline of young fish over the past 15 years (Latane 2005). Crew turnover on trawlers is also an emerging problem (McCay and Cieri 2000).

In June 2007, the Mid-Atlantic Fishery Management Council held a meeting in Hampton. Among various topics on the agenda were: research set-asides, fishing vessel safety, bycatch considerations, and quota levels for squid, mackerel, and butterfish (Mid-Atlantic Fishery Management Council 2007).

### **Cultural attributes**

Hampton celebrates the famous Caribbean pirate Blackbeard, through the [Hampton Blackbeard Festival](#) every year in June. The event features Tall Ships, re-enactments of important battles and a Grand Pirate Ball. Also featured is the annual Hooked on Hampton Fishing Tournament (Blackbeard Festival nd).

The Hampton History Museum on Old Hampton Lane, boasts a wide selection of permanent and changing exhibits highlighting Hampton's rich history. Of maritime interest is the Port Hampton exhibit, where visitors can walk through a simulated ship's hold with original and reproduction artifacts, including old hogshead barrels to illustrate the importance of tobacco in Hampton's trade and commerce past (City of Hampton nd).

The Downtown Hampton In-Water Boat Show is held at the Hampton Public Piers water front and showcases boats in and out of the water from many regional boat dealers. The Seafest, a large marine trade show, is held every September (City of Hampton nd). Also in September, the town celebrates its waterfront heritage with art, entertainment and the regional seafood with the annual [Hampton Bay Days](#) festival.

## **INFRASTRUCTURE**

### **Current Economy**

The largest employers in Hampton are: Lucent Technologies, Gateway Computers (may not be here), Canon, tourism, Langley Air Force Base and NASA are, drawing mostly on highly skilled labor (McCay and Cieri 2000).



According to the U.S. Census 2000<sup>5</sup>, 62.4% (71,790 individuals) of the total population 16 years of age and over were in the labor force (see Figure 4), of which 3.7% were unemployed, 5.8% were in the Armed Forces, and 52.8% were employed.

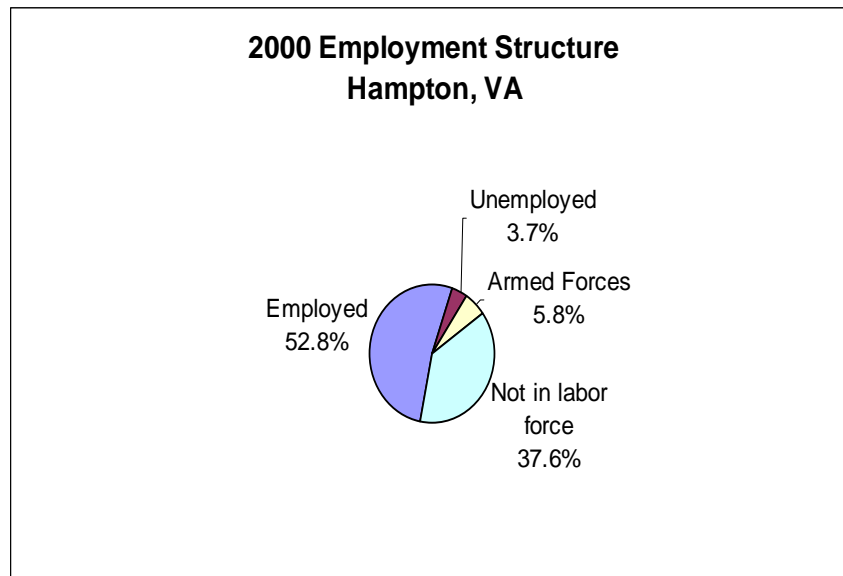


Figure 4. Employment structure in 2000 (US Census Bureau 2000)

According to the Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 208 positions or 0.3% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 2,237 positions or 3.7% of jobs. Educational, health and social services (20.4%), manufacturing (15.5%) and retail trade (13.0%) were the primary industries.

Median household income in Hampton was \$39,532 (up 15.3 % from \$34,291 in 1990 [US Census Bureau 1990]) and per capita income was \$19,774. For full-time year round workers, males made approximately 28.4% more per year than females.

The average family in Hampton in 2000 consisted of 3.02 persons. With respect to poverty, 8.8% of families (up from 2.5% in 1989 [US Census Bureau 1990]) and 11.3% of individuals earned below the official US Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239-35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 46.5% of all families of any size earned less than \$35,000 per year.

In 2000, Hampton had a total of 57,311 housing units, of which 94.0% were occupied and 64.1 % were detached one unit homes. Less than ten percent (7.4%) of these homes were built before 1940. Mobile homes, boats and RV's accounted for 1.8% of the total housing units; 93.5% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$91,100. Of vacant housing units, 0.5% were used for seasonal, recreational, or occasional use. Of occupied units, 41.4% were renter occupied.

<sup>5</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.



## **Government**

The Hampton City Council is composed of seven members, including an elected Mayor, and a Vice Mayor, who is selected by the Council after each election. Council members are elected to four-year terms in staggered elections in even years. The Council also appoints the City Manager, who is the chief administrator and executive officer of Hampton (City of Hampton nd).

### *Fishery involvement in government*

NOAA Fisheries, Fisheries Statistics Office, has three port agents based in Hampton. Port agents sample fish landings and provide a ‘finger-on-the-pulse’ of their respective fishing communities (NOAA Fisheries Service nd).

The Virginia Marine Resources Commission (VMRC) is a State Agency established in 1875 to preserve Virginia’s marine and aquatic resources, including all tidal waters. The VMRC’s Fisheries Management Division aids in the planning of state, interstate, and federal management organizations. Its Fisheries Advisory Council helps agencies create and implement management plans for both commercial and recreational fishery species. The Commission’s headquarters are located in Newport News (VMRC nd).

## **Institutional**

### *Fishing associations*

At the federal commercial level, there are no apparent active fishing associations in the Hampton Roads area. At the State level, there are several local “watermen’s” associations, formed generally to address specific regulations being considered by the VMRC. These associations focus primarily on Chesapeake Bay fisheries.<sup>6</sup> One such association (Working Waterman’s Association) has its Vice President from Hampton (VMRC nd).

### *Fishery assistance centers*

Information on fishery assistance centers in Hampton is unavailable through secondary data collection.

### *Other fishing related institutions*

The Coastal Conservation Association (CCA) operates a state chapter out of Virginia Beach, VA with activities in Hampton. The CCA is a non-profit organization aiming to educate the public about marine conservation. The CCA’s members are primarily saltwater anglers (Coastal Conservation Association nd).

## **Physical**

Hampton is located south of Interstate Highway 64 along the Hampton River. Hampton is located approximately 30 miles from Virginia Beach, 30 miles from Historic Williamsburg, 17 miles from Norfolk and 7 miles from Newport News. Hampton is 3 miles from Langley Air Force Base, 11 miles from Newport News/Williamsburg International Airport, and approximately 14 miles from Norfolk International Airport. There are Amtrak stations in both

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<sup>6</sup> Personal Communication, David Ulmer, NOAA Port Agent, P.O. Box 69043, Hampton, VA 23669, ([David.Ulmer@noaa.gov](mailto:David.Ulmer@noaa.gov)), July 21, 2006

Newport News (7 miles) and Norfolk (14 miles) (Google nd). The [Hampton Roads Transit \(HRT\)](#) provides public transportation service throughout the Hampton Roads area.

Hampton's extensive waterfront offer access to multiple marinas (City of Hampton, Virginia, Hampton Marinas nd.), including the Salt Ponds Marina Resort which is one of the largest on the Chesapeake Bay, providing storage for boats up to 80 feet long and a wide range of marina services. The Intercoastal Waterway also flows through Hampton, accommodating various types of boat traffic (City of Hampton nd). [Hampton Marine Services](#) offers parts and services for different vessel types and has been in business for over 20 years. On the west side of the Hampton River near downtown is a large working wharf with numerous yachting centers (Downtown Hampton Development Partnership nd).

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>7</sup>**

### **Commercial**

The top three species landed in Hampton (see Table 1) by value were sea scallops, "other," and summer flounder, scup, and black sea bass. Sea scallops values far exceeded any other species landings in Hampton. Blue crab is a state managed species, so landings values are not shown in Table 1 but may be significant in Hampton. In addition, menhaden is one of Virginia's largest commercial fisheries, with 58% of the total coast-wide harvest from 1996 to 2004 coming from the Chesapeake Bay. In 2004, commercial menhaden landings generated about \$24 million for the Virginia economy and about 395 full time jobs (Southwick Associates Inc. 2006).

Sea-scalloping with dredges is the most important fishery by value, although a significant portion of scallops are caught out of Hampton using otter trawl vessels. The landing value of scallops in 2006 was more than double the 1997-2006 scallop landings average.

The diversity of species landed in Hampton is high, as is the types of gear used. These gear types include: handlines, haul seines, pound nets, sink gillnets, pots, patent tong for hard clams, as well as the popular scallop dredge and otter trawls. There is also a small amount of pelagic longlining occurring from Hampton, targeting various sharks and tuna. In 1999, two or three boats in Hampton had Vietnamese owners, captains and crew. Crab picking and oyster shucking, once important trades, are now supported by only one crab house (McCay and Cieri 2000).

The number of vessels home ported and the number of vessels whose owner lives in Hampton (see Table 2) has stayed relatively consistent from 1997 to 2003, after which there is a decline in vessels through 2006.

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<sup>7</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

## Landings by Species

Table 1. Rank Value of Landings for Federally Managed Groups

Species	Rank Value of Average Landings from 1997-2006
Scallop	1
Other <sup>8</sup>	2
Summer Flounder, Scup, Black Sea Bass	3
Squid, Mackerel, Butterfish	4
Monkfish	5
Bluefish	6
Herring	7
Lobster	8
Largemesh Groundfish <sup>9</sup>	9
Dogfish	10
Skate	11
Smallmesh Groundfish <sup>10</sup>	12
Tilefish	13

(Note: Only rank value is provided because value information is confidential in ports with fewer than three vessels or fewer than three dealers, or where one dealer predominates in a particular species and would therefore be identifiable.)

## Vessels by Year<sup>11</sup>

Table 2. Federal Vessel Permits Between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)
1997	14	30
1998	11	30
1999	11	30
2000	11	31
2001	10	29
2002	11	35
2003	7	27
2004	8	29
2005	6	31
2006	10	22

(Note: # Vessels home ported = No. of permitted vessels with location as homeport, # Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>12</sup>)

<sup>8</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>9</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>10</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>11</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>12</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

## **Recreational**

In 2005, the economic impact generated by marine recreational fishing in Hampton was third highest in the state, next to Virginia Beach and Newport News. The total sales/economic activity for Hampton was \$53,275,000, a cumulative income of \$30,639,000, and recreational fishing employed 757 people. In 2004, 20 % more marine recreational licenses were sold than in 1994 (Southwick Associates Inc. 2006). There are numerous sport fishing operations and dealers in Hampton. Most businesses offer sight seeing tours on the water in addition to chartered fishing trips. Vessels fish mostly in the Lower Chesapeake Bay and Hampton Roads, usually targeting bottom fish such as croaker, trout, bluefish, and flounder (Hampton Roads Charters Inc. nd).

## **Subsistence**

Information on subsistence fishing in Hampton is either unavailable through secondary data collection or the practice does not exist.

## **FUTURE**

There is pressure by developers to use dock space for tourist-related infrastructure (McCay and Cieri 2000). Also, during the 2003-2005 in the Hampton Roads area at least fifteen scallop vessels were sold to a New England processing company. Some fishermen see a trend where a few large companies are purchasing vessels, thus, creating a monopoly in the scallop industry. Concerns also exist that big business will squeeze small vessels out of the industry.<sup>13</sup>

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# WANCHESE, NC<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

The village of Wanchese (35.8°N, 75.6°W) is located on Roanoke Island in North Carolina's Outer Banks (USGS 2008). It is 68 miles from Elizabeth City, NC and roughly 100 miles from the Norfolk/Virginia Beach/Hampton area in Virginia (MapQuest nd).



Map 1. Location of Wanchese, NC (US Census Bureau 2000)

#### Historical/Background

Wanchese is located on Roanoke Island, famous for its role in American History as the site of the first attempt (ultimately a failed attempt) at European settlement in the New World. The settlement of 117 men, women, and children sent here by Queen Elizabeth I and Sir Walter Raleigh in the late 1500s disappeared without a trace, and became known as the Lost Colony, a mystery which has yet to be solved. Wanchese and Manteo are named for two Native Americans who were brought back to England from a 1584 expedition to the island (ICW-NET nd). Archeological exploration of Wanchese found large piles of shells, indicating that the area's early Native American residents were harvesting oysters and other shellfish, and probably fish, from the waters around Roanoke Island long before European settlers established a tradition of

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: "Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov)."

fishing here (Carolina Algonkian Project 2002). The English colonists who settled here were also very dependent upon harvesting marine species (Stoffle nd). Today Wanchese is advertised to tourists as a quaint fishing village where visitors can watch the fish come in to port and be shipped around the world (Outer Banks Visitors Bureau nd).

### Demographics<sup>3</sup>

According to Census 2000 data<sup>4</sup>, Wanchese had a total population of 1,527, up 10.6% from the reported population of 1,380 in 1990 (US Census Bureau 1990). Of this 2000 total, 50.7% were male and 49.3% were female. The median age was 37.2 years and 73.0% of the population was 21 years or older while 15.0% was 62 or older.

Wanchese's age structure (see Figure 1) shows a dip in the number of 20-29 year olds, indicating that many people may leave town for college or in search of employment around this age, characteristic of many fishing towns.

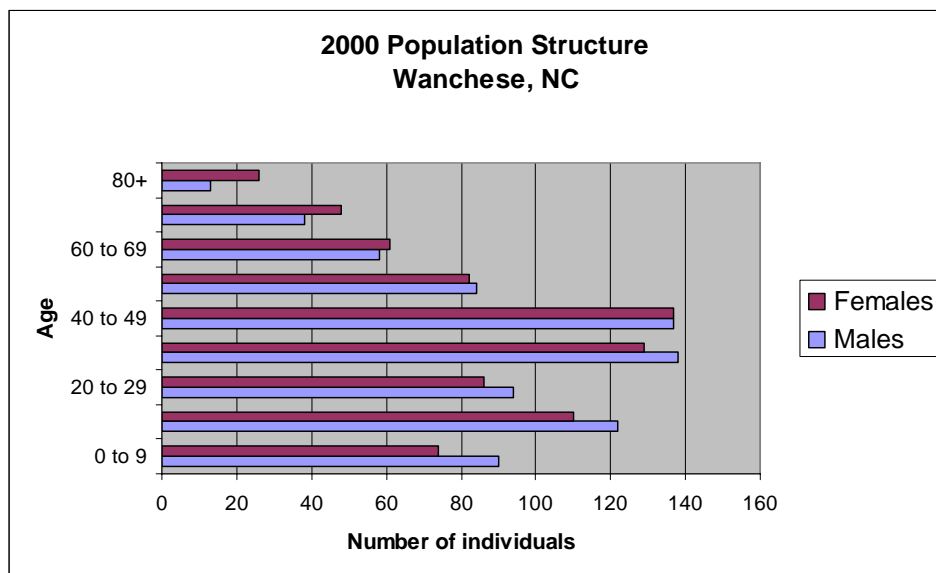


Figure 1. Wanchese's population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population was white (98.5%), with 0.3% of residents black or African American, 0.1% Asian, 0.6% Native American, and none Pacific Islander or Hawaiian (see Figure 2). Only 1.8% of the population identified themselves as Hispanic/Latino (see Figure 3). Residents linked their backgrounds to a number of different ancestries including: English (23.6%), Irish (14.8%), and German (11.8%). With regard to region of birth, 55.6% were born in North Carolina, 42.6% were born in a different state and 1.2% were born outside of the U.S. (including 1.2% who were not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

<sup>4</sup> These and all census data, unless otherwise referenced, can be found at U.S. Census: American Factfinder 2000 <http://factfinder.census.gov/home/saff/main.html>; census data used are for Wanchese CDP (cited July 2007)

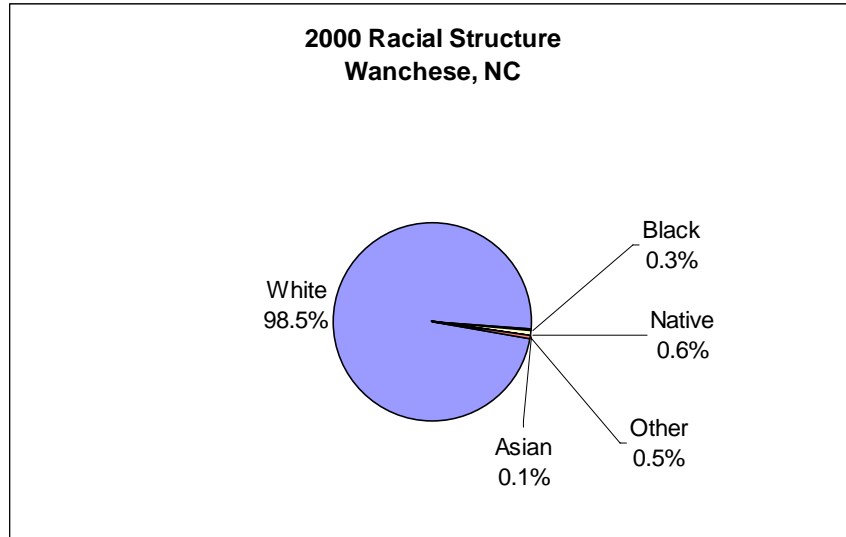


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

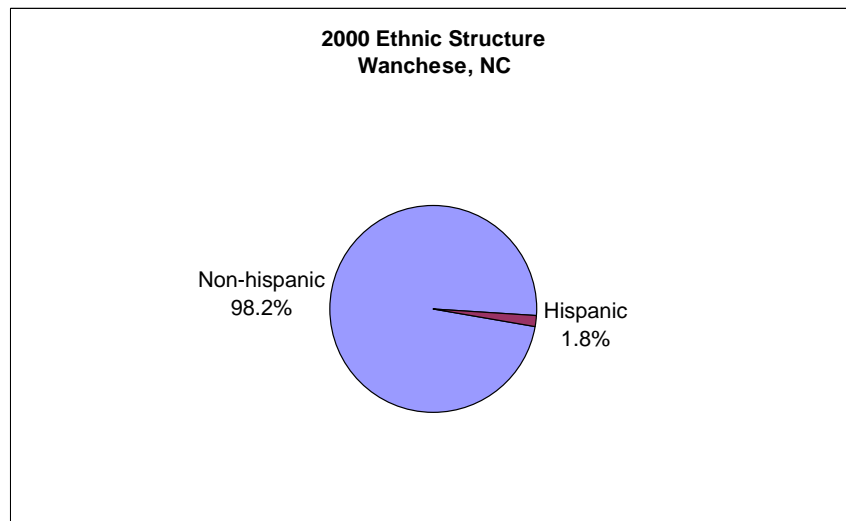


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 98.8% of the population, only English was spoken in the home, leaving 1.2% in homes where a language other than English was spoken, and including none of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 76.5% were high school graduates or higher and 16.2% had a bachelor’s degree or higher. Again of the population 25 years and over, 4.5% did not reach ninth grade, 19.0% attended some high school but did not graduate, 36.0% completed high school, 20.5% had some college with no degree, 3.8% received an associate’s degree, 11.6% earned a bachelor’s degree, and 4.5% received either a graduate or professional degree.

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives in 2000, the religion with the highest number of congregations and adherents in Dare County was Methodist with 14 congregations and 4,686 adherents. Other prominent congregations were Catholic (4 with 2,097 adherents), Assembly of God (8 with 1,184 adherents), and Southern Baptist Convention (6 with 1,783 adherents). The total number of adherents to any religion was up 32.9% from 1990 (ARDA 2000).



## **Issues/Processes**

For the last 43 years, the Army Corps of Engineers has been continuously dredging a channel at the entrance to Oregon Inlet, which connects the Roanoke Sound with the Atlantic Ocean. The Oregon Inlet receives heavy vessel traffic as it is the only navigable inlet between Cape Henry, Virginia and Hatteras Inlet, North Carolina, and it is commonly used by commercial fishing vessels from North Carolina and from other states (NCFA 2002). However, traveling the inlet can be dangerous; most vessels have to wait for high tide to pass, and a trawler was lost here in 1981. Some people argue that the Corps is fighting a losing battle against nature in dredging the Inlet. But without dredging, an important port would be lost (NCSG 2001) which could have a negative effect on many area businesses (Dare County nd). Some vessels from Wanchese now fish out of Hampton Roads, Virginia because of the danger involved with passing through the Inlet (Stoffle nd). The Corps received authorization in 1970 to construct two jetties alongside the inlet to stabilize the shifting sands and to dredge a channel through Roanoke Sound, making passage in and out of Wanchese safer for commercial fishing vessels as well as recreational boats, but as of 2002, this project had yet to be completed due to a variety of objections and proposed alternative plans (NCFA 2002). The construction of the jetties has been highly controversial, opposed by environmentalists and others who believe changing the dynamics of this poorly-understood estuary will have negative consequences (NCSG 2001). In April 2005, the Army Corps of Engineers announced it would discontinue its regular dredging of Oregon Inlet because of federal budget cuts (AP 2005).

The Wanchese Seafood Industrial Park has been controversial since it was built in 1979, and many fishermen opposed it. It was originally supposed to house a processing plant as well as a restaurant and cannery, but the facilities were never built. The park opened itself to marine related businesses, and has seen a boom in boatbuilding at the facility (NCSG 2001).

Crab fishermen along North Carolinas eastern coast have also seen an increase in competition from the global market, with an influx of imported crab meat from around the world. Many local Crab processors are unable to compete and are losing profit (NCSG 2002).

## **Cultural attributes**

The Dare County Parks and Recreation Department runs a fishing school for children during the summer months as well as a fishing tournament for children (Dare County Parks & Recreation nd). The [North Carolina Maritime Museum](#) on Roanoke Island in neighboring Manteo is dedicated to the region's maritime history and includes exhibits on early commercial shad fishing and an old shad fishing vessel. Until recently, Wanchese held a blessing of the fleet and seafood festival (Stoffle nd), but it seems these activities no longer exist here.

## **INFRASTRUCTURE**

### **Current Economy**

The Wanchese Seafood Industrial Park houses a number of businesses, many of which are related to fishing or other marine industries and are family-run operations. In 2001 Davis Boatworks was the largest employer in the park, employing 180 people (NCSG 2001), but was recently bought by a larger New Jersey company and moved to New Jersey. Another boatbuilder, Scully Boatbuilders, moved into the facility previously occupied by Davis Boatworks (NCWaterways.com 2003), and the former owner of Davis Boatworks has opened a [new boatbuilding](#). There is only one seafood dealer in the Seafood Industrial Park: O'Neals Sea

Harvest, a family-run business.<sup>5</sup>

There are three seafood businesses located outside the Seafood Industrial Park; Moon Tillet Fishing Company, Etheridge Seafood, and Wanchese Fish Company.<sup>6</sup> The [Moon Tillet Fishing Company](#) in Wanchese, which is a processing, packing, and distribution facility located on the harbor, employs over 40 people in all areas of the operation.

According to the U.S. Census 2000<sup>7</sup>, 66.6% (799 individuals) of the total population 16 years of age and over were in the labor force (see Figure 4), of which 1.8% were unemployed, none were in the Armed Forces, and 64.8% were employed.

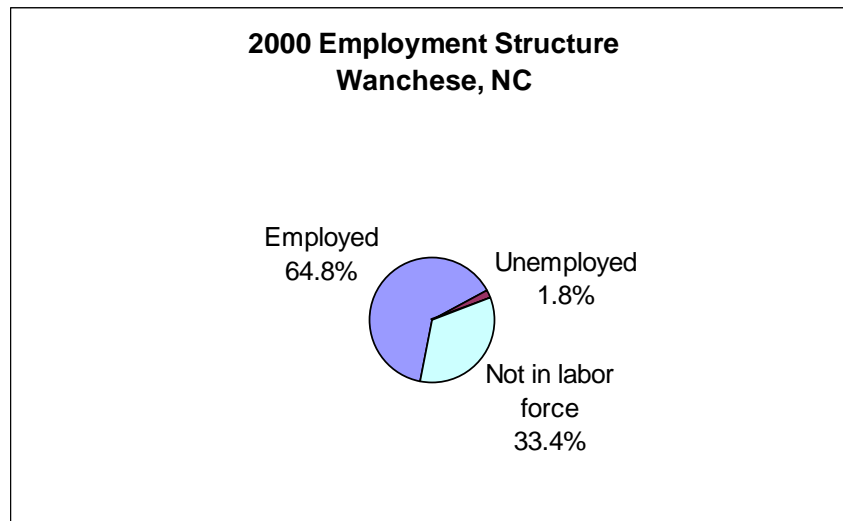


Figure 4. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 64 positions or 8.2% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 128 positions or 16.5% of jobs. Education, health, and social services (22.0%), manufacturing (13.1%) and retail trade (11.7%) were the primary industries.

Median household income in Wanchese was \$39,250 (up 51.1% from \$25,977 in 1990 [US Census Bureau 1990]) and per capita income was \$17,492. For full-time year round workers, males made approximately 34.1% more per year than females.

The average family in Wanchese in 2000 consisted of 2.96 persons. With respect to poverty, 5.1% of families (down from 6.5% in 1990 [US Census Bureau 1990]) and 8.1% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 46.5% of all families (of any size) earned less than \$35,000 per year.

In 2000, Wanchese had a total of 690 housing units, of which 89.0% were occupied and 67.4% were detached one unit homes. Less than ten percent (8.0%) of these homes were built

<sup>5</sup> Community Review Comments, Beth Burns, Fisheries Biologist, North Carolina Division of Marine Fisheries, Wanchese Office, PO Box 539, Wanchese, NC 27981, October 3, 2007

<sup>6</sup> Community Review Comments, Beth Burns, Fisheries Biologist, North Carolina Division of Marine Fisheries, Wanchese Office, PO Box 539, Wanchese, NC 27981, October 3, 2007

<sup>7</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

before 1940. Mobile homes, vans, and boats accounted for 31.5% of the total housing units; 98.6% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$104,900. Of vacant housing units, 7.1% were used for seasonal, recreational, or occasional use, while of occupied units 24.3% were renter occupied.

## **Government**

Wanchese is still an unincorporated village within Dare County (NCSG 2001). The county is governed by a seven-member board of commissioners. They are elected in county-wide elections to serve four-year staggered terms. There is also a County Manager who is the chief administrative officer for the government. The county seat is in Manteo, six miles from Wanchese, also on Roanoke Island (Dare County nd).

### *Fishery involvement in the government*

One of the twenty one voting members of the Mid-Atlantic Fishery Management Council (MAFMC) is from Wanchese. The Council is responsible for planning and decision making to carry out provisions of the Magnuson-Stevens Fishery Conservation and Management Act of 1976 (MAFMC nd). In addition, the North Carolina Department of Environment and Natural Resources, Division of Marine Fisheries has an active field office on Harbor Road in Wanchese, within the NC Seafood Industrial Park (NCDENR).

## **Institutional**

### *Fishing associations*

The North Carolina Fisheries Association has been supporting fishing families since 1952, with the goal “to celebrate and preserve commercial fishing families, heritage, and seafood” in North Carolina. This is achieved through lobbying federal, state, and local legislators and through public awareness projects. Several members of the Board of Directors are from Wanchese (NCFA nd).

### *Fishing assistance centers*

Information on fishing assistance centers in Wanchese is unavailable through secondary data collection.

### *Other fishing related organizations*

Information on other fishing related organizations in Wanchese is unavailable through secondary data collection.

## **Physical**

Wanchese is located along Route 345, off Interstate Highway 64 which runs through Manteo and Rt. 345 provides the only land access to the village. Wanchese is 6 miles from the Dare County Regional Airport in Manteo, 192 miles from the Raleigh-Durham International Airport, and 100 miles from the Norfolk International Airport in Virginia (MapQuest nd).

Wanchese is home to the Wanchese Seafood Industrial Park, “the only Federal, State and County-financed project devoted entirely to the seafood processing and fishing industries” (Outer Banks Visitors Bureau nd), built to enhance fishing and marine-related industries in the area and to increase the area’s economic growth (NCDoC nd). The facility houses a number of businesses involved with building, repairing, and outfitting commercial fishing and sport fishing

vessels, as well as one company that sells seafood packaging (NCDoC nd).

The [Broad Creek Fishing Center](#), located within the NC Wanchese Seafood Industrial Park, is a full service marina for the sportfishing industry, with fishing gear and bait, and also houses a number of charter vessels. Many charter vessels are also docked at the [Thicket Lump Marina](#), which also has a bait and tackle shop. There is one public boat ramp in Wanchese operated by Dare County (Dare County nd).

## INVOLVEMENT IN NORTHEAST FISHERIES<sup>8</sup>

### Commercial

Wanchese appears to have a diversified fishing industry, based on a large number of species landed. Fishing operations here readily switch gear to target different species depending on availability and market demand. Gear and vessel types used include longlining, scallop dredges, gillnetting, otter trawling, and crab pots (Stoffle nd). The most valuable species grouping landed in Wanchese on average from 1997-2006, with an average value of \$7.7 million, is the “other” species grouping, which includes blue crab and Atlantic croaker, both important species in Wanchese. However, croaker is a federally managed obtained primarily from the ocean, where blue crabs are state managed and harvested from the interior waters of the state.<sup>9</sup> The value of “other” landings in 2006 far exceeded the ten-year average value at close to \$10 million (see Table 1). Landings in the summer flounder, scup, and black sea bass grouping were also significant, and also exceeded the ten-year average, as did bluefish landings.

The level of landings in Wanchese increased in most years, from a low of \$6 million in 1997 to a high of \$15.8 million in 2004. The value of fishing for home-ported vessels increased steadily between 1997 and 2005, declining in 2006, with 2005 home port values more than four times the 1997 values. The number of vessels, while showing considerable variability, seems to have also increased, with a maximum of 54 in 2005 (see Table 2).

The [Moon Tillett Fishing Company](#) in Wanchese is one of the largest fishing and seafood trading operations in the Outer Banks. The company includes retail and wholesale sales and distribution, including importing and exporting fish, and processing both fresh and frozen seafood. O’Neal’s Sea Harvest, Inc. is a wholesale and retail distributor of fresh and frozen seafood (Outer Banks Visitors Bureau nd). They specialize in crabs and make crab pots as well (NCSG 2001). Other commercial dealers include Etheridge Seafood and Wanchese Fish Company which handle large volumes of fish.<sup>10</sup>

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<sup>8</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

<sup>9</sup> Community Review Comments, Beth Burns, Fisheries Biologist, North Carolina Division of Marine Fisheries, Wanchese Office, PO Box 539, Wanchese, NC 27981, October 3, 2007

<sup>10</sup> Community Review Comments, Beth Burns, Fisheries Biologist, North Carolina Division of Marine Fisheries, Wanchese Office, PO Box 539, Wanchese, NC 27981, October 3, 2007

## Landings by Species

Table 1. Dollar value by Federally Managed Groups of landings in Wanchese

	Average from 1997-2006	2006 only
<b>Other<sup>11</sup></b>	7,679,033	9,620,101
<b>Summer Flounder, Scup, Black Sea Bass</b>	1,718,482	2,846,008
<b>Bluefish</b>	581,481	631,231
<b>Monkfish</b>	349,827	155,222
<b>Scallop</b>	338,145	136,774
<b>Squid, Mackerel, Butterfish</b>	155,286	162,475
<b>Dogfish</b>	66,619	396
<b>Tilefish</b>	10,291	38
<b>Lobster</b>	2,090	0
<b>Skate</b>	1,073	74
<b>Largemesh Groundfish<sup>12</sup></b>	883	501
<b>Smallmesh Groundfish<sup>13</sup></b>	56	0

Note: Herring are also landed, but data cannot be reported due to confidentiality.

## Vessels by Year<sup>14</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
<b>1997</b>	30	22	3,199,133	6,328,469
<b>1998</b>	29	17	3,866,523	8,906,794
<b>1999</b>	40	25	3,861,804	9,748,684
<b>2000</b>	47	32	5,316,849	13,907,486
<b>2001</b>	51	30	7,939,403	10,904,337
<b>2002</b>	46	28	7,772,627	9,307,889
<b>2003</b>	49	29	9,535,872	10,083,266
<b>2004</b>	47	31	11,950,292	15,780,765
<b>2005</b>	54	28	13,358,295	10,523,773
<b>2006</b>	52	33	11,314,873	13,552,820

(Note: # Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>15</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location)

<sup>11</sup> "Other" species includes any species not accounted for in a federally managed group

<sup>12</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>13</sup> Smallmesh multi-species : red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>14</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>15</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

## Recreational

The Outer Banks area is known as “the billfish capital of the world” (Outer Banks Visitors Bureau nd), and recreational fishing is a billion dollar industry in North Carolina (Stoffle nd). The neighboring town of Manteo, also on Roanoke Island, has a marina that hosts a number of billfishing and other sportfishing tournaments throughout the year (Pirate’s Cove nd). There are also a number of marinas that have charter fishing vessels in Wanchese ([A-Salt Weapon Charters](#), [Broad Creek Fishing Center](#), [Thicket Lump Marina](#)). Some of the younger fishermen have switched from commercial fishing to charter fishing, which is a more profitable industry. Clamming used to be done commercially in the southern part of the state but is no longer done as a commercial activity. Instead it is generally done by families looking to take home clams to eat (Stoffle nd).

## Subsistence

Information on subsistence fishing in Wanchese is either unavailable through secondary data collection or the practice does not exist.

## FUTURE

As it becomes increasingly difficult to make a living from fishing in Wanchese, much of the village’s industry has shifted to boatbuilding, which has proved to be a profitable industry for many. However, many of the seafood packing and distribution houses in Wanchese are still in operation after several decades (NCSG 2001). The boatbuilding industry rarely employs past fishermen, instead relying on carpenters from home-building trades, and Mexican workers. The seafood packaging and distribution houses also hire predominately Mexican employees.<sup>16</sup>

Dare County has recently worked with residents to propose a zoning plan for Wanchese, which currently lacks zoning of any kind, to protect the character of the town by designating commercial, residential, and mixed-use districts for the town, including a marine commercial district (Virginian Pilot 2005).

In 2002 Will Etheridge III, owner of Etheridge Seafood, one of the oldest businesses in Wanchese, believed the fishing industry will be put out of business by environmentalists and recreational fishermen, and because the public was not aware of the commercial fishing industry. He claimed that he would not encourage his children or grandchildren to go into the seafood business (NCSG 2001). Some commercial fishermen see the industry as inevitably declining, and see charter fishing in the recreational fishing industry as a fallback way to make a living (Stoffle nd).

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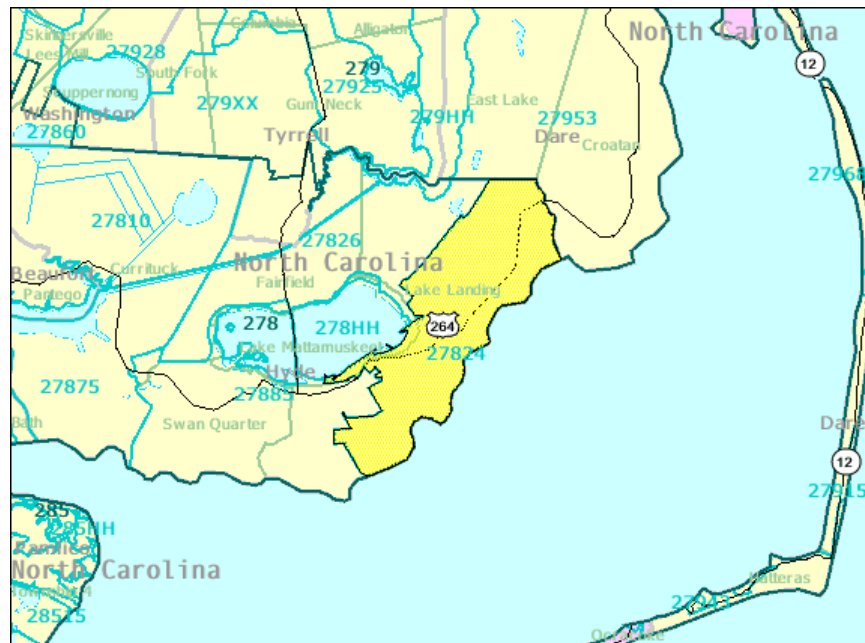
# ENGELHARD, NC<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

The village of Engelhard (35.51°N, 75.99°W) is surrounded by the Pamlico Sound and the Alligator and Pungo Rivers in the Northeast corner of North Carolina. There are three major National Wildlife Refuges in the area; Alligator River, Lake Mattamuskeet, and Swan Quarter Refuges.<sup>3</sup> The village is in Hyde County and the deep waters surrounding Engelhard and its inlets, provide access to large fishing vessels (MapQuest 2007).



Map 1. Location of Engelhard, NC (US Census Bureau 2000)

#### Historical/Background

Engelhard was founded in 1711 and is home to the state's largest natural lake, Lake Mattamuskeet, and bisected by the Intracoastal Waterway. Engelhard was named for Chief Engelhard, a Native American of the area. The village is appropriately known as "the land of many waters". Ocracoke Island, once home to the pirate "Blackbeard", is now a busy tourist center and is only accessible by air or water (Hyde County NC 2007). Engelhard itself is named after the first publisher of a local newspaper, *Wilmington Paper*. Hyde County is one of the

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: "Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov)."

<sup>3</sup> Community Review Comments, Frank and Edna Summerlin, Big Trout Marina and Café, 17 Summerlin Drive, Engelhard, NC 27824, September 10, 2007



oldest counties in North Carolina, originally included in Bath County. In 1705, Bath County was divided into three precincts, one of them being "Wickham". In 1711, Wickham was changed to "Hyde", in honor of Edward Hyde, a moneyless cousin of Queen Anne who was made Colonial Governor of North Carolina (Albemarle-nc.com 2007). The timber logging industry introduced the need for a transportation system other than the horse or mule. Now nothing more than an overgrown path, the New Holland, Higginsport and Mt. Vernon Railroad once operated in the county (Albemarle-nc.com 2007).

### Demographics<sup>4</sup>

According to Census 2000 data, Engelhard had a total population of 1,561, down 13.9% from the reported population of 1,814 in 1990 (US Census Bureau 1990). Of this 2000 total, 45.4% were males and 54.6% were female. The median age was 39.2 years and 71.2% of the population was 21 years or older while 19.7% was 62 years or older.

Engelhard's population structure (Figure 1) shows the highest percentage of the population is between 40 and 49 years of age. There is also a dip in the population between the ages of 20 and 29, indicating that many young people may be leaving the community to go to college or in search of jobs. Women outnumber men in every age category with the exception of 30-39, when men and women are nearly equal in number.

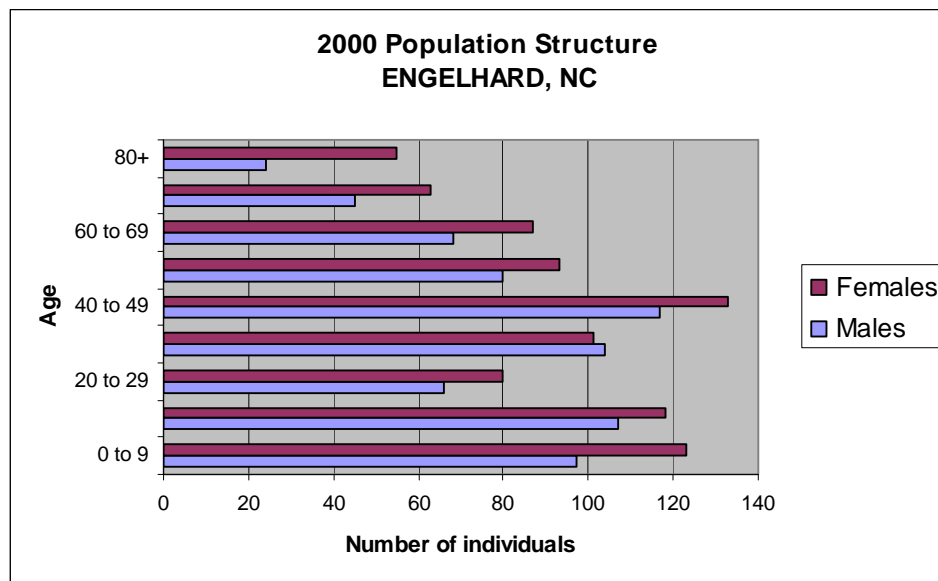


Figure 1. Engelhard's population structure by sex in 2000

The majority of the population was white (51.3%) with 47.3% of residents black or African American, 0.1% Asian, none Native American, and none Pacific Islander or Hawaiian (Figure 2). Only 3.7% of the population identified themselves as Hispanic/Latino (Figure 3). Residents linked their backgrounds to a number of different ancestries including: English (14.8%), Irish (4.6%), and various other ancestries recorded (46.2%). With the regard to region

<sup>4</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

of birth, 86.1% were born in North Carolina, 13.0% were born in a different state and 0.9% were born outside of the U.S. (all of whom were not United States citizens).

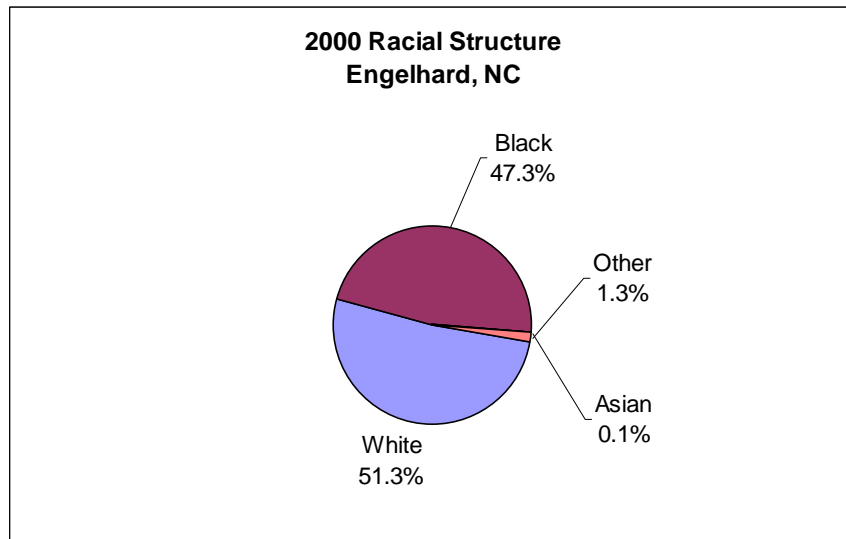


Figure 1. Racial Structure in 2000 (U.S. Census 2000)

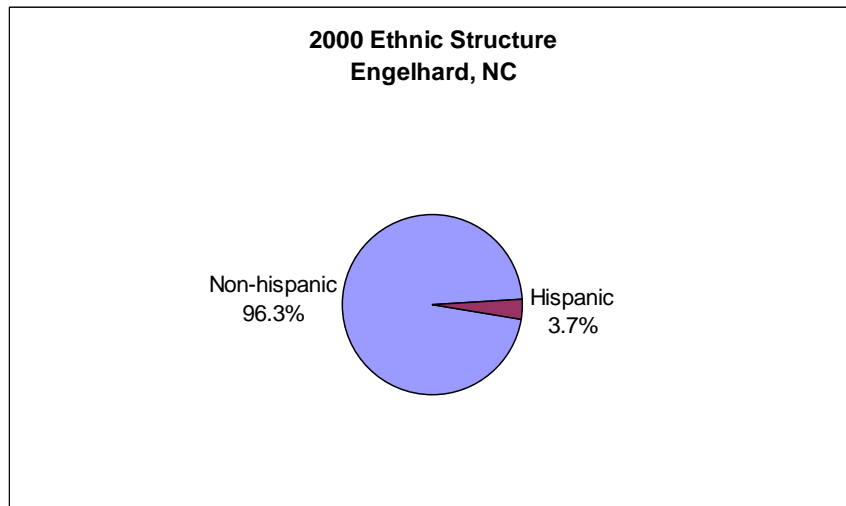


Figure 2. Ethnic Structure in 2000 (U.S. Census 2000)

For 96.3% of the population, only English was spoken at home, leaving 3.7% in homes where a language other than English was spoken, including 0.8% of the population who spoke English less than 'very well' according to the 2000 Census.

Of the population 25 years and over, 64.8 % were high school graduates or higher and 8.7 % had a Bachelor's degree or higher. Again of the population 25 years and over, 13% did not reach ninth grade, 4.5% attended some high school but did not graduate, 36.6% completed high school, 15.3% had some college with no degree, 6.2% received their Associate degree, 7.5% earned their Bachelor's degree, and 3.1% received either their graduate or professional degree.

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in Hyde County was United Methodist with 680 adherents. Other

prominent congregations in the county were the Christian Church (3 with 367 adherents) and Churches of Christ (5 with 274 adherents). The total number of adherents to any religion was down 17% from 1990 (ARDA 2000).

### **Issues/Processes**

Shrimp fishermen along the North Carolina coast have suffered because of decreasing prices of shrimp, resulting from an increase of foreign farmed shrimp on the market. North Carolina shrimp fishermen are working to promote their wild-caught shrimp to create a niche market and higher prices for their product (Sea Grant NC 2005). The North Carolina Division of Marine Fisheries was discussing minimum size limits for the shrimp that could be taken by trawlers, noting that foreign imports have cornered the market on small shrimp (Smith 2005).

Crab fishermen along North Carolina's eastern coast have also seen an increase in competition from the global market, with an influx of imported crab meat from around the world. Many local crab processors are unable to compete and are losing profit (Sea Grant NC 2002).

### **Cultural attributes**

The Engelhard Blessing of the Fleet is led by the St. George's Episcopal Church in mid-May. This event is to honor and celebrate the hardships that are associated with commercial fishing. Songs and prayers are offered while fishing families unite along the shore and on their boats where they contemplate the dangers of commercial fishing (Hyde County Chamber of Commerce 2007).

[The Engelhard Seafood Festival](#) (May) is sponsored by Engelhard Development Corporation, a non-profit organization whose goal is to better the community of Engelhard. In its 18<sup>th</sup> year (May 2005), the festival featured music, vendors, historic displays and fresh seafood. The yearly festival is a great family outing and begins with a blessing of the fleet. Several titles are determined during the event, including "Little Miss", "Little Mister" and "Miss Engelhard Seafood".

## **INFRASTRUCTURE**

### **Current Economy**

The majority of residents of Engelhard make their living in farming or commercial fishing. There are numerous small businesses established in Engelhard, many of which cater to tourism, such as restaurants, hotels and inns (Albemarle-nc.com 2007).

According to the US Census 2000<sup>5</sup>, 40.6% (634 individuals) of the total population 16 years of age or over were in the labor force (Figure 4), of which 2.9% were unemployed, none were in the Armed Forces, and 49.5% were employed.

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<sup>5</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

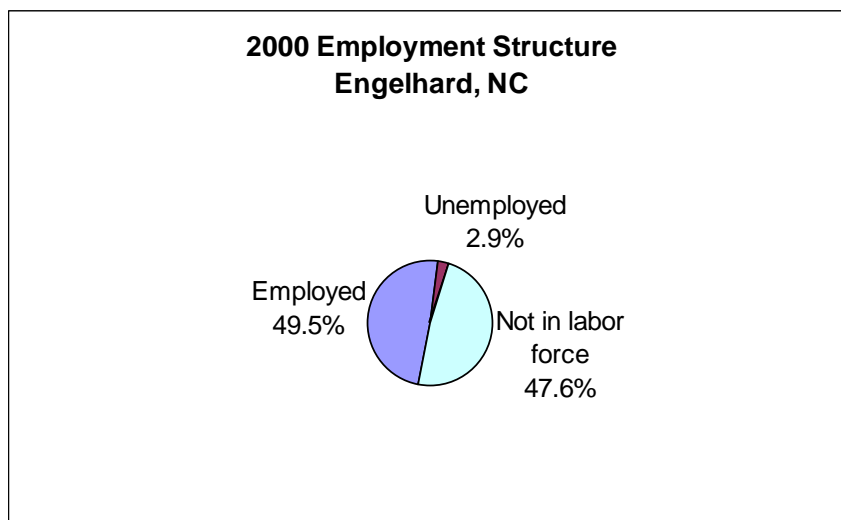


Figure 4. Employment structure in 2000 (US Census Bureau 2000)

According to the census 2000 data, jobs in the census grouping which includes agriculture, fishing, forestry, and hunting, and mining accounted for 82 positions or 13.9% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 17.2% of jobs. Education, health and social services (15.9%), manufacturing (12.4%) construction (12.2%), and retail trade (10.4%) were the primary industries.

Median household income in Engelhard was \$22,452 (up 32.7% from \$16,919 in 1990 [US Census Bureau 1990]) and median per capita income was \$15,062. For full-time year round workers, males made approximately 24.4% more per year than females.

The average family in Engelhard consisted of 3.1 persons. With respect to poverty, 8.7% of families (considerably less than 23.6% in 1990 [US Census Bureau 1990]) earn below the official US Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 42.3% of all families (of any size) earned less than \$35,000 per year.

In 2000, Engelhard had a total of 827 housing units of which 77.1% were occupied and 68.8% were detached one unit homes. Less than one quarter (21.3%) of these homes were built before 1940. Mobile homes accounted for 24.4% of housing units; 89.1% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$64,000. Of vacant housing units, 6.4% were used for seasonal, recreational, or occasional use. Of occupied units, 27.1% were renter occupied.

## Government

Engelhard and the surrounding area were settled in the early 1700's. Engelhard, itself was incorporated as a village of Hyde County in 1711. The town is overseen by the Hyde County Board of Commissioners. The governing board is made up of 5 members (Hyde County NC 2007).

### *Fishery involvement in government*

Information on fishery involvement in government in Engelhard is unavailable through secondary data collection.

## **Institutional**

### *Fishing associations*

[The North Carolina Fisheries Association](#) has been supporting fishing families since 1952, with the goal “to celebrate and preserve commercial fishing families, heritage, and seafood” in North Carolina. This is achieved through lobbying federal, state, and local legislators and through public awareness projects.

### *Fishing assistance centers*

The Trade Adjustment Assistance for Farmers (TAA) program has provided business education to shrimpers in the state to assist them in recent changes in the market of shrimp, and also provided some training to shrimpers to exit the business if they chose (Sea Grant North Carolina 2005).

### *Other fishing related organizations*

[The Mattamuskeet Foundation](#) is a nonprofit organization engaged in research and educational activities “to preserve, publish, and otherwise tell the stories of the rich history and ecology of Lake Mattamuskeet and the surrounding areas of eastern North Carolina”.

## **Physical**

The village of Engelhard is surrounded by the Pamlico Sound and the Alligator and Pungo Rivers in the Northeast corner of North Carolina. Engelhard is located along one of North Carolina’s major highways, Highway 264 and is located just east of Hyde County airport and about 100 miles from the closest train station in Greenville, NC.<sup>6</sup> The nearest airport of Engelhard is the Billy Mitchell Airport, 28.24 miles away. This Northeastern North Carolina village is home to North Carolina's largest natural lake, Lake Mattamuskeet and bisected by the Intracoastal Waterway, appropriately known as "the land of many waters" (Albemarle-nc.com 2007).

Engelhard has some of the best facilities available to cruisers on the upper Pamlico's western shoreline. The village has a well-marked channel with depths of at least seven feet, which has been dredged twice during the last several years (Albemarle-nc.com 2007). Engelhard has numerous private and public piers and boat ramps located throughout the community. There is one main marina located in Engelhard, Big Trout Marina, which offers both gas and diesel pumping stations, and has a number of slips to accommodate both large and small vessels (Albemarle-nc.com 2007).

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<sup>6</sup> Community Review Comments, Bethany Pugh, Shrimp Festival Organizer, Engelhard, NC, October 26, 2007

## INVOLVEMENT IN NORTHEAST FISHERIES<sup>7</sup>

### Commercial

Residents of Engelhard have always depended on a diversity of commercial fish species to support their economy. The most valuable species in Engelhard in 2006 was in the “Other” category, followed by summer flounder, scup, and black sea bass. The value of “other” species, which includes both shrimp and crab, was lower in 2006 than the ten year average, but the value of the category which includes summer flounder, scup, and black sea bass had increased (Table 1). The number of vessels home ported in Engelhard ranged between 9-18 vessels, while the number of vessels whose owner’s city was Engelhard was smaller and ranged between 4-11 vessels. The home port values generally increased over the ten year time period, while the level of fishing landed port fluctuated (Table 2).

### Landings by Species

Table 1. Dollar value by Federally Managed Groups of landings in Engelhard

	<b>Average from 1997-2006</b>	<b>2006 only</b>
<b>Other<sup>8</sup></b>	2,285,306	1,815,664
<b>Summer Flounder, Scup, Black Sea Bass</b>	760,867	1,390,315
<b>Scallop</b>	65,782	311,182
<b>Dogfish</b>	30,462	0
<b>Bluefish</b>	15,920	12,893
<b>Monkfish</b>	11,990	8,877
<b>Squid, Mackerel, Butterfish</b>	4,155	1,335
<b>Tilefish</b>	710	34
<b>Largemesh Groundfish<sup>9</sup></b>	104	363
<b>Smallmesh Groundfish<sup>10</sup></b>	5	0

<sup>7</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

<sup>8</sup> “Other” species includes any species not accounted for in a federally managed group

<sup>9</sup> Largemesh groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>10</sup> Smallmesh multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

## Vessels by Year<sup>11</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	10	6	85,663	2,319,011
1998	9	5	194,341	2,662,993
1999	12	8	538,080	4,244,478
2000	18	10	1,266,726	5,380,961
2001	15	6	1,107,953	2,369,213
2002	11	4	1,086,010	3,458,701
2003	12	5	1,222,208	2,576,284
2004	15	7	1,511,966	2,775,047
2005	18	11	2,387,899	2,425,671
2006	14	9	2,267,551	3,540,663

# Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>12</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location

## Recreational

Engelhard holds various recreational fishing tournaments and festivals throughout the fishing season. There are numerous businesses in Engelhard listed as charters that provide fishing rental gear. The shores and outer banks of Hyde County are known for its winter surf fishing. Large bluefish, striped bass, red drum, and speckled trout along with other species are available during this time of year. The area's northern beaches are popular spots for striper fishing during the winter months, and the southern beaches offer access to a number of recreationally fished species (NCDENR 2007).

## Subsistence

Information on subsistence fishing in Engelhard is either unavailable through secondary data collection or the practice does not exist.

## FUTURE

Engelhard continues to grow as a recreational fishing haven and tourist destination. The residents of Engelhard and Hyde County continue to appreciate and respect their deep fishing history and will continue to celebrate it with festivals and fairs for years to come.

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<sup>11</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>12</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.



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# ORIENTAL, NC<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

The town of Oriental (35.03 N, 76.68 W) is located in Pamlico County, in the middle of North Carolina's coastline, along Pamlico Sound (USGS 2008). It is roughly 40 miles from Morehead City and 140 miles from Raleigh (MapQuest 2005). Oriental is 2.80 sq. km. in land area, and has another 0.56 sq. km. in surface water. It is set along with Neuse River among five creeks (Town of Oriental 2005).



Map 1. Location of Oriental, NC (US Census Bureau 2000)

#### Historical/Background

The first European colonists settled in what is now Pamlico County sometime around the early 1700s (Pamlico County 2005). Originally named Smith's Creek, the town was settled in the mid-1870s, and was later named Oriental after the nameplate of a steamer that had wrecked off the coast of Cape Hatteras. The town was officially incorporated in 1899 and from the early 1900s, the town's economy consisted of lumber, fishing, and farming (Town of Oriental 2005a). Oriental was once a bustling port city, serviced by two steamships and the railroad. The Great Depression, combined with the advent of the trucking industry, however, caused Oriental to

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

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return once again to a quiet fishing village (Oesterreich 2004). Today Oriental is known as the “Sailing Capital of North Carolina;” the town has 875 people, but over 2,700 boats (Town of Oriental 2005).

### Demographics<sup>3</sup>

According to Census 2000 data, Oriental had a total population of 875, up 8.8% from the reported population of 804 in 1990 (US Census Bureau 1990). Of this 2000 total, 49.1% were males and 50.9% were females. The median age was 57.2 years and 87.7% of the population was 21 years or older while 41.8% was 62 or older.

The age structure for Oriental (Figure 1) differs greatly from many other fishing communities. The town has an aging population, with few children and few young people. The most populous age bracket for both men and women is 70-79, and the second highest bracket for both is 60-69, indicating that Oriental functions largely as a retirement community.

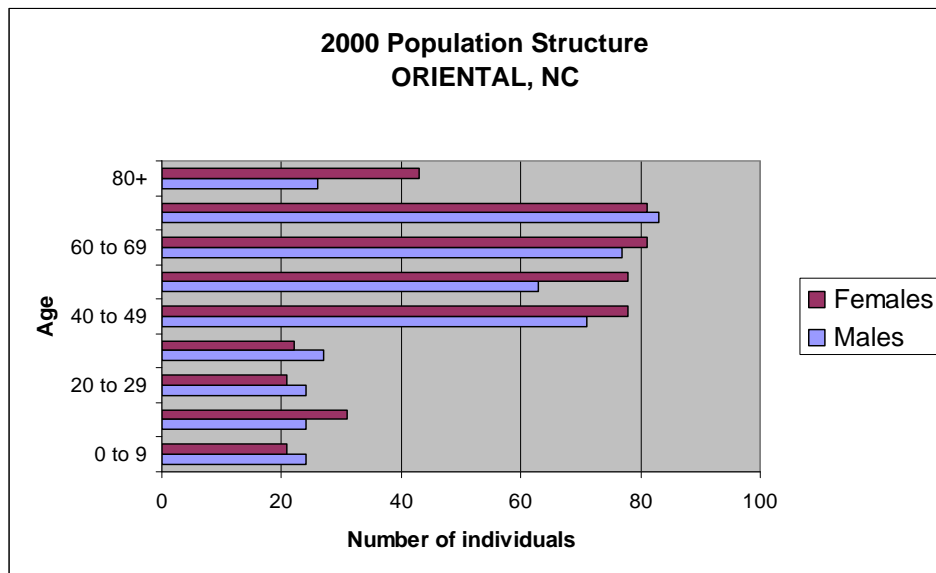


Figure 1. Oriental's population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population was white (90.7%), with 7.4% of residents black or African American, 0.5% Asian, 0.3% Native American, and none Pacific Islander or Hawaiian (Figure 2). Only 1.4% of the population identified themselves as Hispanic/Latino (Figure 3). Residents linked their backgrounds to a number of different ancestries including: English (21.5%), German (19.4%), Irish (10.5%), and other ancestries (11.0%). With regard to region of birth, 43.5% were born in North Carolina, 51.9% were born in a different state and 4.6% were born outside of the U.S. (including 1.0% who were not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

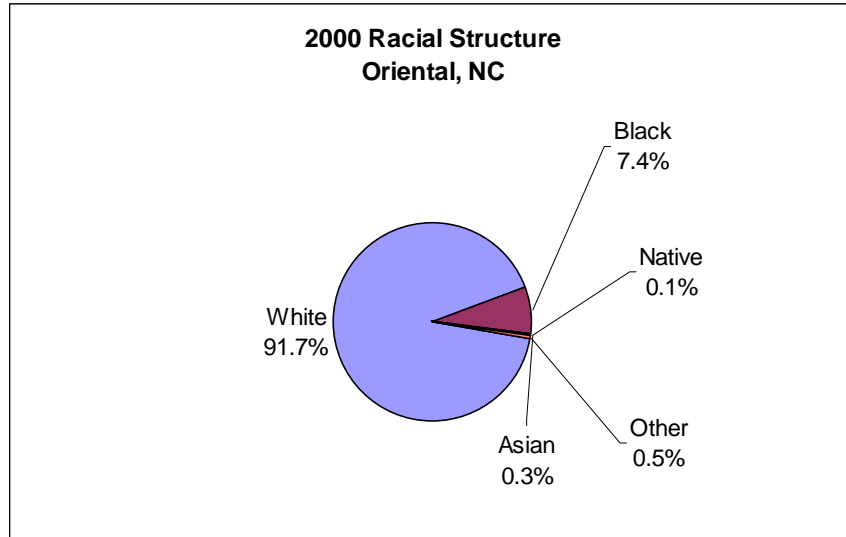


Figure 2. Racial Structure in 2000 (US Census Bureau 2000)

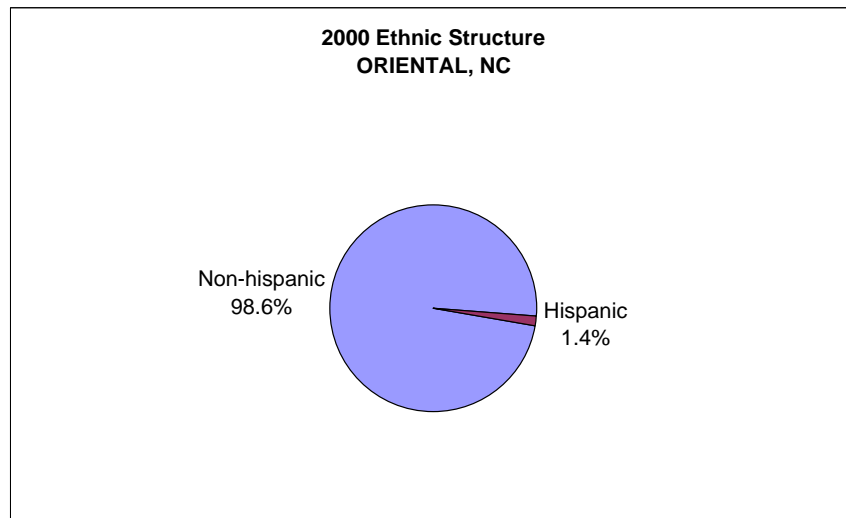


Figure 3. Ethnic Structure in 2000 (US Census Bureau 2000)

For 95.0% of the population, only English was spoken in the home, leaving 5.0% in homes where a language other than English was spoken, and including 1.3% of the population who spoke English less than “very well” according to the 2000 Census.

Of the population 25 years and over, 89.1% were high school graduates or higher and 35.2% had a bachelor’s degree or higher. Again of the population 25 years and over, 1.7% did not reach ninth grade, 9.2% attended some high school but did not graduate, 21.0% completed high school, 25.9% had some college with no degree, 6.9% received an associate’s degree, 22.1% earned a bachelor’s degree, and 13.2% received a graduate or professional degree.

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in Pamlico County was United Methodist with 8 congregations and 1,410 adherents. Other prominent congregations in the county were Original Free Will Baptists (8 with 1,070 adherents), Christian Church (Disciples of Christ) (3 with 492 adherents), and

Southern Baptist Convention (3 with 492 adherents). The total number of adherents to any religion was down 17.0% from 1990 (ARDA 2000).

### **Issues/Processes**

Shrimp fishermen along the North Carolina coast have suffered because of decreasing prices of shrimp, resulting from an increase of foreign farmed shrimp on the market. North Carolina shrimp fishermen are working to promote their wild-caught shrimp to create a niche market and higher prices for their product (NCSG 2005). The North Carolina Division of Marine Fisheries was discussing minimum size limits for the shrimp that could be taken by trawlers, noting that foreign imports have cornered the market on small shrimp (Smith 2005).

Crab fishermen along North Carolina's eastern coast have also seen an increase in competition from the global market, with an influx of imported crab meat from around the world. Many local Crab processors are unable to compete and are losing profit (NCSG 2002).

### **Cultural attributes**

The annual [Pamlico County Blessing of the Fleet](#), which used to be held each June in Hobucken, no longer occurs. The event once featured a parade of the fleet's vessels, seafood dinners, educational displays, and commercial fishing boat tours, all sponsored by the North Carolina Fisheries Association Auxiliary, Pamlico Chapter.

The Oriental Rotary Club holds a Tarpon Tournament each July (Visitoriental.com 2005). The town's largest event is the yearly [Croaker Festival](#), an event honoring the croaker with a parade, boat races, the Croaker King and Queen Pageant, and fireworks. [Spirit of Christmas](#) takes place every year during the second week in December. Civic groups and churches open their doors with refreshments and entertainment as a way to thank the community. Oriental also has the Running of the Dragon on New Year's Eve. This is a popular event where the Town's dragon makes its way down the street along the Town Dock with people following clanging pots and pans and others making music to bring in the New Year.<sup>4</sup>

## **INFRASTRUCTURE**

### **Current Economy**

Within Pamlico County, seafood processing, boat building, and government manufacturing account for most manufacturing done here. As much as 10% of the population of Pamlico County may be involved in the commercial fishing industry, whether directly or indirectly (Pamlico County Chamber of Commerce 2005). The largest employers in Pamlico County are two camps, [Camp Seafarer and Camp Seagull](#), which each employ 350 people seasonally. Other significant [employers](#) in the county are the [Pamlico Corrections Institute](#), the Pamlico County government, and [Pamlico Community College](#).

[Garland Fulcher Seafood](#) in Oriental is a processing and canning facility, employing 40-50 people during their slow season, and as many as 125 during the summer season.<sup>5</sup> This includes roughly 60 Mexican migrant workers hired each year to pick crabs during the summer months (Hedlund 2005). Oriental has a number of marinas and other businesses involved with the marine industry, including sales, repairs, and insurance, as well as a number of realtors (Oriental Tourism Board 2005).

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<sup>4</sup> Community Review Comments, Wyatt Cutler, Town Manager, 507 Church St., Oriental, NC 28571, October 30, 2007

<sup>5</sup> Personal Communication, Michelle, Garland Fulcher Seafood, 301 Hodges St., Oriental, NC 28571, July 20, 2005

According to the U.S. Census 2000<sup>6</sup>, 37.0% (395 individuals) of the total population 16 years of age and over were in the labor force (Figure 4), of which 2.0% were unemployed, 0.3% were in the Armed Forces, and 34.3% were employed.



Figure 4. Employment Structure in 2000 (US Census Bureau 2000)

According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 9 positions or 3.3% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 46 positions or 16.6% of jobs. Education, health, and social services (14.3%), retail trade (12.8%), arts, entertainment, recreation, accommodation, and food services (12.8%), and manufacturing (11.7%) were the primary industries.

Median household income in Oriental was \$37,794 (up 43.5% from \$26,339 in 1990 [US Census Bureau 1990]) and per capita income was \$25,949. For full-time year round workers, males made approximately 47.8% more per year than females.

The average family in Oriental consisted of 2.38 persons. With respect to poverty, 6.2% of families (down from 14.1% in 1990 [US Census Bureau 1990]) and 8.4% of individuals earned below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 33.0% of all families (of any size) earned less than \$35,000 per year.

In 2000, Oriental had a total of 581 housing units, of which 76.4% were occupied and 79.0% were detached one unit homes. Twenty percent (20.0%) of these homes were built before 1940. Mobile homes accounted for 5.0% of the total housing units; 93.8% of detached units had between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$177,000. Of vacant housing units, 11.8% were used for seasonal, recreational, or occasional use. Of occupied units 19.8% were renter occupied.

<sup>6</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.

## **Government**

The Town of Oriental has a Board of Commissioners with five members, and a Town Mayor and Town Manager (Town of Oriental 2005).

### *Fishery involvement in the government*

Information on fishery involvement in government in Oriental is unavailable through secondary data collection.

## **Institutional**

### *Fishing associations*

[The North Carolina Fisheries Association](#) has been supporting fishing families since 1952, with the goal “to celebrate and preserve commercial fishing families, heritage, and seafood” in North Carolina. This is achieved through lobbying federal, state, and local legislators and through public awareness projects. The North Carolina Fisheries Association Auxiliary has a [Pamlico Chapter](#).

### *Fishing assistance centers*

[Pamlico Community College](#) offers a number of job retraining and placement programs both on location at its facility in Grantsboro and for long-distance learners. The Trade Adjustment Assistance for Farmers (TAA) program has provided business education to shrimp fishermen in the state to assist them in recent changes in the market of shrimp, and also provides some training to fishermen to exit the business if they chose.

### *Other fishing related organizations*

Information on other fishing related organizations is unavailable through secondary data collection.

## **Physical**

Oriental is located roughly 20-25 miles from Interstate 70, which travels to Raleigh, and Route 17, which travels to the Norfolk/Virginia Beach area of Virginia (MapQuest.com 2005). Morehead City is 40 miles away, Washington is 59 miles away, and Raleigh is 140 miles from Oriental. The closest airport, Craven County Regional Airport in New Bern, is 20 miles from Oriental.

The fishing fleet in Oriental generally accesses the ocean through Beaufort Inlet, and also sometimes through Oregon Inlet. Oriental has a number of marinas that mostly service sailboats and recreational power vessels, either permanently stationed here or just passing through as they travel the Intracoastal Waterway (Pamlico County Chamber of Commerce).



## INVOLVEMENT IN NORTHEAST FISHERIES<sup>7</sup>

### Commercial

Garland Fulcher Seafood, a processing and wholesale facility, owns 9 trawlers and has a dock attached to the facility where these trawlers tie up. In a good year, there will be 10-12 boats in addition to the 9 owned by the company that pack here; some of these vessels come from out of state.<sup>8</sup> [Fulcher's Point Pride Seafood](#) is another processing and wholesale facility located in Oriental, which distributes mostly blue crab to such large companies as WalMart and the Winn-Dixie supermarket chain.

The top value species landed in Oriental is was *penaeid* shrimp (in the “other” species grouping). Landings in the “other” grouping were less in 2006 than the average landings value for 1997-2006 (Table 1). Landings in the summer flounder, scup, and black sea bass grouping were also significant. At least one of the sea scallop vessels fished off and landed in New Bedford some of the time (Kennedy 2005). The value of fishing by vessels with Oriental as their home port increased close to twenty-fold between 1997-2006, to over \$8 million in 2006, while the value of fish landed here reached its highest level in 2000. The number of vessels listing Oriental as their home port and the number of vessels owned by Oriental residents both increased from 1997–2006; home port vessels went from just 3 in 1997 to 26 in 2006 (Table 2).

### Landings by Species

Table 1. Dollar value by Federally Managed Groups of landings in Oriental

	<b>Average from 1997-2006</b>	<b>2006 only</b>
<b>Other<sup>9</sup></b>	1,702,113	1,350,410
<b>Summer Flounder, Scup, Black Sea Bass</b>	559,869	945,609
<b>Scallop</b>	103,306	225,637
<b>Monkfish</b>	5,237	7,502
<b>Squid, Mackerel, Butterfish</b>	2,419	2,490
<b>Bluefish</b>	1,392	1,294
<b>Largemouth Groundfish<sup>10</sup></b>	57	0
<b>Tilefish</b>	4	0
<b>Skate</b>	2	0

<sup>7</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

<sup>8</sup> Personal Communication, Michelle, Garland Fulcher Seafood, 301 Hodges St., Oriental, NC 28571, July 20, 2005

<sup>9</sup> “Other” species includes any species not accounted for in a federally managed group

<sup>10</sup> Largemouth Groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock



## Vessels by Year<sup>11</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
1997	3	7	408,037	2,313,949
1998	7	7	1,227,342	1,902,226
1999	8	8	2,487,175	3,518,360
2000	7	7	2,884,677	4,781,313
2001	8	8	1,856,801	1,678,007
2002	10	12	3,277,209	1,964,613
2003	11	14	4,493,867	938,994
2004	18	18	5,537,892	2,288,317
2005	22	20	9,606,597	1,825,280
2006	26	25	8,007,900	2,532,942

(Note: # Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>12</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location)

## Recreational

Recreational fishing is a billion dollar industry in North Carolina. Oriental has one [sportfishing tournament](#) each year, as well as a few [fishing guide](#) services. Some of the marinas are home to [sport fishing charter vessels](#). One website noted that despite its location and the presence of a public boat ramp, the [sport fishing](#) industry in Oriental remains “in its infancy.”

## Subsistence

Information on subsistence fishing in Oriental is either unavailable through secondary data collection or the practice does not exist.

## FUTURE

Information on plans for the future in Oriental is unavailable through secondary data collection.

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<sup>11</sup> Numbers of vessels by owner's city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>12</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

[dec04.pdf](#)

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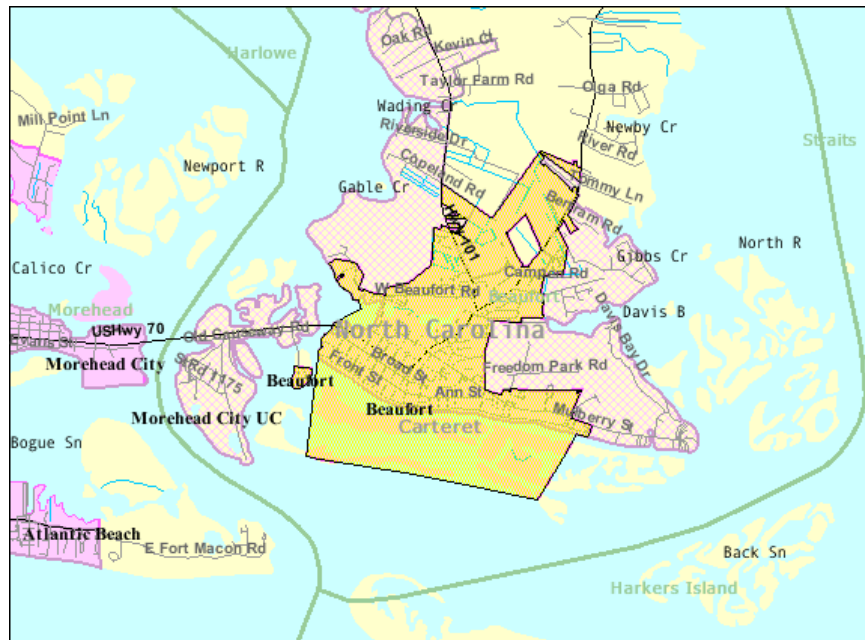
# BEAUFORT, NC<sup>1</sup>

## Community Profile<sup>2</sup>

### PEOPLE AND PLACES

#### Regional orientation

Beaufort (34.72 N, 76.66 W) is located across from the Beaufort Inlet in Carteret County, in the middle of the state of North Carolina's coastline. It is roughly 4 miles from Morehead City and 150 miles from Raleigh (MapQuest). Beaufort has 90.47 square miles of land and 1.71 square miles of water surface (USGS 2008).



Map 1. Location of Beaufort, NC (US Census Bureau 2000)

#### Historical/Background

Founded in 1709, the town of Beaufort is the third oldest town in North Carolina. By the Act of 1723, the North Carolina colonial legislature established a “Port of Beaufort” (Town of Beaufort 2006). During the American Revolution, Beaufort was the third largest port in the state. Around that time, trade was centered mainly on lumber products. These items were shipped to the West Indies in exchange for things such as rum, coffee, glassware, furniture, and cloth. Following the Civil War, trade was still strong for a time with chief exports being barrel staves, molasses, rum, and lumber. Over time, Beaufort declined as a trade center and commercial fishing became the primary business. In 1997, remains of what is presumed to be

<sup>1</sup> These community profiles have been created to serve as port descriptions in Environmental Impact Statements (EISs) for fisheries management actions. They also provide baseline information from which to begin research for Social Impact Assessments (SIAs). Further, they provide information relevant to general community impacts for National Standard 8 of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and information on minorities and low income populations for Executive Order (E.O.) 12898 on Environmental Justice.

<sup>2</sup> For purposes of citation please use the following template: “Community Profile of *Town, ST*. Prepared under the auspices of the National Marine Fisheries Service, Northeast Fisheries Science Center. For further information contact [Lisa.L.Colburn@noaa.gov](mailto:Lisa.L.Colburn@noaa.gov).”

Blackbeard’s flagship, the *Queen Anne’s Revenge*, were found two miles from Beaufort Inlet (Town of Beaufort 2006a).

### Demographics<sup>3</sup>

According to Census 2000 data, Beaufort had a total population of 3,771, down 1.0% from the reported population of 3,808 in 1990 (US Census Bureau 1990). Of this 2000 total, 46.5% were male and 53.5% were female. The median age was 42.7 years and 78.8% of the population was 21 years or older while 22.7% was 62 or older.

The age structure for Beaufort (Figure 1) is fairly average. The greatest numbers of both men and women were in the 40-49 age category, followed closely by the 30-39 and the 50-59 age groupings. From the 40-49 year old age range onward, females noticeably out-number the males.

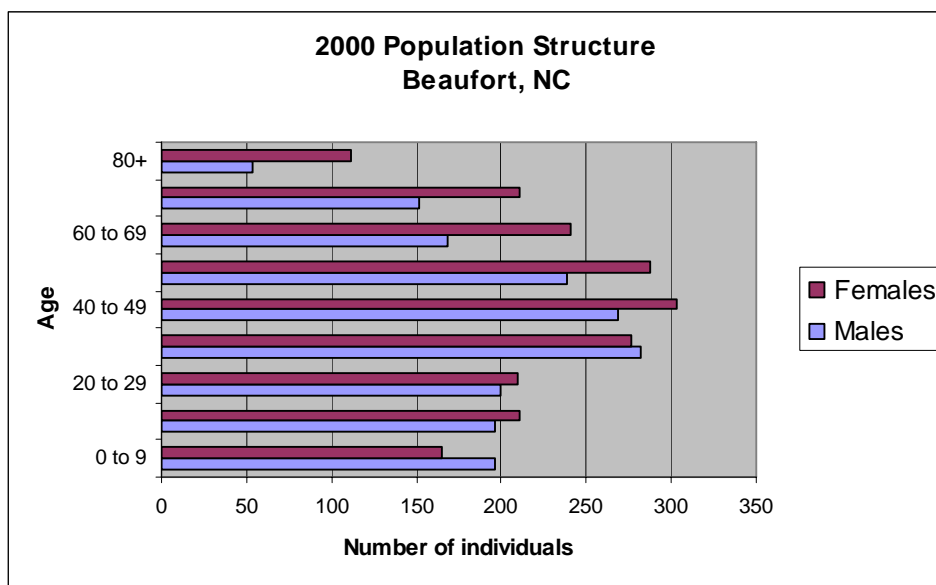


Figure 1. Beaufort’s population structure by sex in 2000 (US Census Bureau 2000)

The majority of the population was white (77.0%), with 19.2% of residents black or African American, 0.5% Asian, 0.6% Native American, and 0.1% Pacific Islander or Hawaiian (Figure 2). Only 3.8% of the population identified themselves as Hispanic/Latino (Figure 3). Residents linked their backgrounds to a number of different ancestries including: English (22.0%), United States or American (10.7%), German (6.8%), and Irish (6.7%). With regard to region of birth, 58.7% were born in North Carolina, 36.3% were born in a different state and 4.3% were born outside of the U.S. (including 3.3% who were not United States citizens).

<sup>3</sup> While mid-term estimates are available for some larger communities, data from the 2000 Census are the only data universally available for the communities being profiled in the Northeast. Thus for cross-comparability we have used 2000 data even though these data may have changed significantly since 2000 for at least some communities.

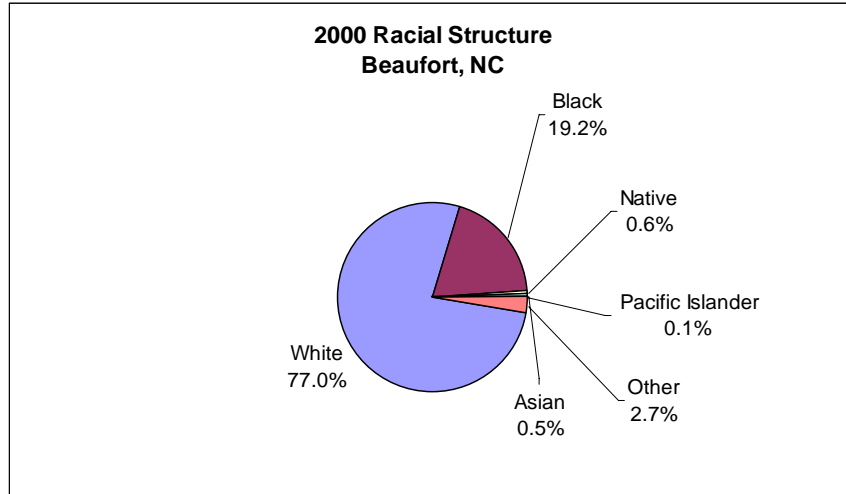


Figure 1. Racial Structure in 2000 (U.S. Census 2000)

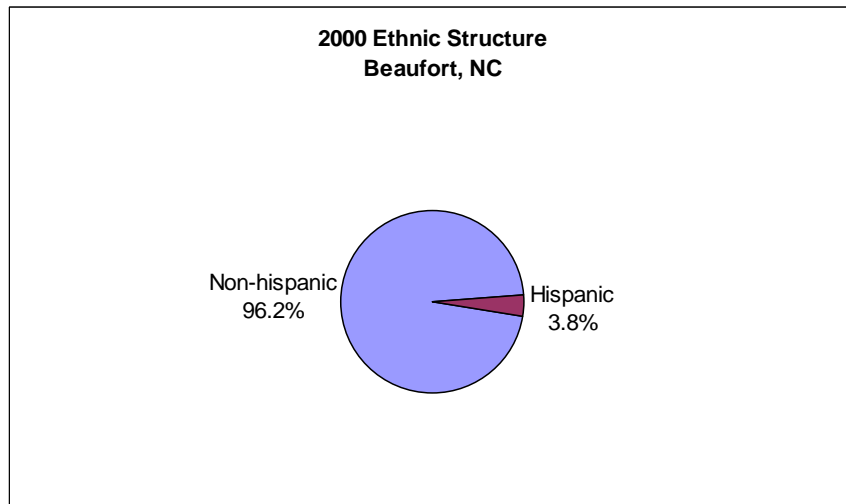


Figure 2. Ethnic Structure in 2000 (U.S. Census 2000)

For 93.0% of the population, only English is spoken in the home, leaving 7.0% in homes where a language other than English is spoken, and including 2.7% of the population who spoke English less than 'very well' according to the 2000 Census.

Of the population 25 years and over, 78.9% were high school graduates or higher and 21.7% had a bachelor's degree or higher. Again of the population 25 years and over, 6.2% did not reach ninth grade, 14.8% attended some high school but did not graduate, 26.7% completed high school, 24.7% had some college with no degree, 5.9% received an associate's degree, 14.2% earned a bachelor's degree, and 7.5% received a graduate or professional degree.

Although religion percentages are not available through the U.S. Census, according to the Association of Religion Data Archives (ARDA) in 2000, the religion with the highest number of congregations and adherents in Carteret County was Southern Baptist Convention with 20 congregations and 7,079 adherents. Other prominent congregations in the county were United Methodist (22 with 6,057 adherents), Catholic (1 with 1,798 adherents), and Original Free Will Baptists (13 with 1,662 adherents). The total number of adherents to any religion was up 1.0% from 1990 (ARDA 2000).

## Issues/Processes

The North Carolina coast has experienced several natural disasters in the past years. In 2005, the [NC Department of Agriculture and Consumer Services](#) distributed more than \$645,000 to assist with commercial fishing losses associated with hurricane damage in 2004.

The subject of menhaden fishing has been a hot issue in the past couple years around Beaufort. In August 2005, a bill was presented to the North Carolina General Assembly to study the effects of commercial fishing to “consider whether it would be a good idea to ban commercial menhaden fishing off New Hanover and Brunswick counties.” This would have affected Beaufort, once the location of the last menhaden processing plant in North Carolina. The Beaufort Fish House (the Menhaden plant) has closed and the site is now a planned Real Estate development.<sup>4</sup> About eighty people worked at the plant at the season’s height (Star News Staff 2005). However, some local fishing clubs are glad to see the plant close, as they believe recreational fishing brings in more revenue to the city. Also, with increasing stocks of menhaden, some comment that recreational activity will increase and infuse the area and the local economy with more income.<sup>5</sup> As of October 2007, a ban on menhaden purse seining off Brunswick County won legislative approval, despite opposition from North Carolina fisheries managers (West 2007).

The big issues in Beaufort and Morehead City relates to the loss of working waterfront for commercial fishermen. Regulations on the fishing industry and the shuffling of the fleet to different docks have put the snapper-grouper fleet’s future in question. The two fish houses on Radio Island, (technically Beaufort but located on the causeway separating Beaufort/ Morehead City) are the last remaining companies. These companies are Luther Smith and Sons and Homer Smith. T.B. Smith, located next door to these fish houses, is the largest marine railways in the area for boat haul-outs. The two large trawl vessels owned by Luther Smith have been sold and that fish house many soon be gone.<sup>6</sup>

Shrimp fishermen along the North Carolina coast have suffered because of decreasing prices of shrimp, resulting from an increase of foreign farmed shrimp on the market. North Carolina shrimp fishermen are working to promote their wild-caught shrimp to create a niche market and higher prices for their product (NCSG 2005). The North Carolina Division of Marine Fisheries was discussing minimum size limits for the shrimp that could be taken by trawlers, noting that foreign imports have cornered the market on small shrimp (Smith 2005).

Some good news for the seafood industry is the “[Carteret Catch](#)”, a marketing program designed to promote local seafood. In addition, NC legislators passed legislation that enables fish house owners to apply for [Present Use Value taxation](#), like farmers, rather than taxes based on real estate values. The state also set aside \$20 million towards the enhancement of public access and working waterfront. Director Louis Daniel at the Division of Marine Fisheries is overseeing the program. In 1997, the state also passed the Fisheries Reform Act that mandated fisheries management plans for all important recreational and commercial species, establishing an extensive citizen advisory system. North Carolina is often referred to as having one of the best fisheries data collection programs along the east coast of the US.<sup>7</sup>

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<sup>4</sup> Community Review comments, Capt. Dale Britt, F/V Sensation, 2012 Shepard Street, Morehead City Waterfront, Morehead City, NC 28557, October 22, 2007

<sup>5</sup> Community Review Comments, Lt Cmdr Bruce Gay, Jr., 206 Yaupon Drive, Cape Cartaret, NC 28584, Oct 30, 2007

<sup>6</sup> Community Review Comments, Barbara Garety Blake, Marine Fisheries Commission, 3441 Arendell Street - Morehead City, NC 28557, September 28, 2007

<sup>7</sup> Community Review Comments, Barbara Garety Blake, Marine Fisheries Commission, 3441 Arendell Street - Morehead City, NC 28557, September 28, 2007

## Cultural attributes

[The North Carolina Maritime Museum](#) is located in Beaufort and states its mission is to “preserve and interpret all aspects of North Carolina’s rich maritime heritage through educational exhibits, programs and field trips.” It is home to hundreds of items “relating to the state’s strong link to the sea.”

## INFRASTRUCTURE

### Current Economy

Beaufort Fisheries is called the oldest existing industry in the area. It is now the only menhaden plant operating in the state, and is now one of only two operating along the Atlantic seaboard. The menhaden are processed into fish meal and oil. Fish meal can be used as a protein component in many animal feeds. Fish oil is used in such products as cosmetics, margarine, and paints. Beaufort Fisheries employs 55 people (Insiders.com 2006). There are other commercial fishing companies, such as [McIntosh Seafood and T. B. Smith Seafood](#).

[Atlantic Veneer Corporation](#) is the largest manufacturer of hardwood veneers in North America. It exports about half of its products. Atlantic Veneer also operates a local retail outlet, which is an important source of lumber and hardwoods for boat builders and cabinet makers. It is the county's largest private employer, with about 327 employees. Other large employers in Carteret County are: the Carteret County Public School System, 1,100 employees; Carteret General Hospital, 830 employees; and Wal-Mart, 500 employees (Insiders.com 2006). [The Cherry Point Marine Corps Air Station](#) is about 20 miles north of Beaufort, and employs 1,770 Carteret County residents, or about 30% of the civilian population, in addition to the roughly [7,500 marines and sailors](#) stationed there.

According to the U.S. Census 2000<sup>8</sup>, 56.3% (1,737 individuals) of the total population 16 years of age and over were in the labor force (see Figure), of which 2.6% were unemployed, 0.6% were in the Armed Forces, and 53.0% were employed.

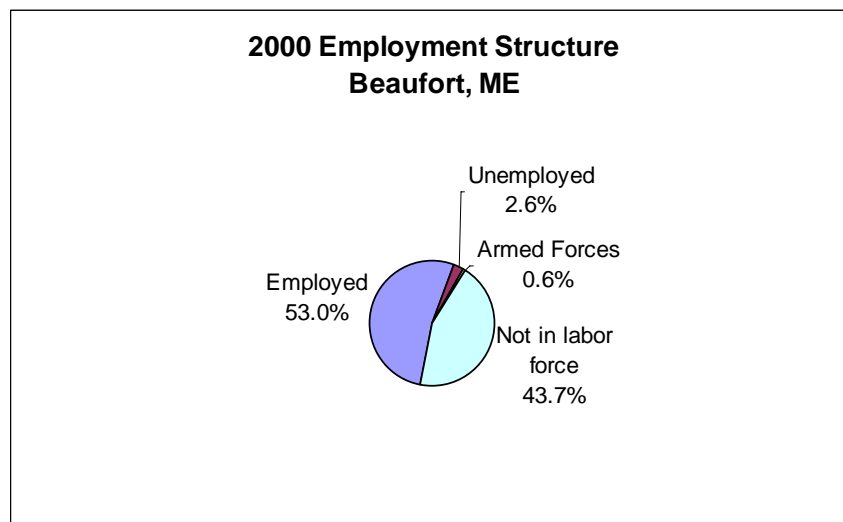


Figure 4. Employment Structure in 2000 (US Census Bureau 2000)

<sup>8</sup> Again, Census data from 2000 are used because they are universally available and offer cross-comparability among communities. Some statistics, particularly median home price, are likely to have changed significantly since 2000.



According to Census 2000 data, jobs in the census grouping which includes agriculture, forestry, fishing and hunting, and mining accounted for 40 positions or 2.4% of all jobs. Self employed workers, a category where fishermen might be found, accounted for 281 positions or 17.2% of jobs. Arts, entertainment, recreation, accommodation and food services (18.0%), retail trade (15.0%), and educational, health and social services (13.2%) were the primary industries.

Median household income in Beaufort was \$28,763 (up 33.6% from \$21,532 in 1990 [US Census Bureau 1990]) and per capita income was \$19,356. For full-time year round workers, males made approximately 34.4% more per year than females.

The average family in Beaufort consists of 2.65 persons. With respect to poverty, 13.3% of families (down from 14.2% in 1990 [US Census Bureau 1990]) and 16.6% of individuals earn below the official U.S. Census poverty threshold. This threshold is \$8,794 for individuals and ranges from \$11,239 through \$35,060 for families, depending on number of persons (2-9) (US Census Bureau 2000b). In 2000, 44.3% of all families (of any size) earned less than \$35,000 per year.

In 2000, Beaufort had a total of 2,187 housing units, of which 81.4% were occupied and 64.7% were detached one unit homes. Nearly twenty percent (18.8%) of these homes were built before 1940. Mobile homes accounted for 6.2% of the total housing units; 96.1% of detached units have between 2 and 9 rooms. In 2000, the median cost for a home in this area was \$119,200. Of vacant housing units, 11.0% were used for seasonal, recreational, or occasional use. Of occupied units 43.9% were renter occupied.

## **Government**

Beaufort functions under a Council/Manager form of government. It consists of five commissioners and the mayor. The commissioners are elected to alternating four year terms, while the mayor is elected for a two year term (Town of Beaufort 2000b). Major issues currently (October 2007) being addresses by the local government include: planning for future housing developments, pollution effects on shellfish areas, increased traffic, high property values, and water access.<sup>9</sup>

### *Fishery involvement in the government*

Carteret County has a [Division of Marine Fisheries Advisory Board](#). Carteret Country also has a full time civilian working for the Coast Guard to provide safety exams for commercial fishermen to make sure fishing vessels meet all Federal requirements for safety at sea. Beaufort has a harbor master.

## **Institutional**

### *Fishing associations*

[The North Carolina Fisheries Association](#) has been supporting fishing families since 1952, with the goal “to celebrate and preserve commercial fishing families, heritage, and seafood” in North Carolina. This is achieved through lobbying federal, state, and local legislators and through public awareness projects. The [Carteret County Fisherman's Association](#), located in Davis, NC, is a member organization of the [North Carolina Fisheries Association](#), and is more geared towards supporting fishermen.

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<sup>9</sup> Community Review Comments, Lt Cmdr Bruce Gay, Jr., 206 Yaupon Drive, Cape Cartaret, NC 28584, Oct 30, 2007



### *Fishing assistance centers*

The Trade Adjustment Assistance for Farmers (TAA) program has provided business education to shrimpers in the state to assist them in recent changes in the market of shrimp, and also provided some training to shrimpers to exit the business if they chose (Smith 2005).

### *Other fishing related organizations*

The Carteret County Sportfishing Association is dedicated to protecting the interests of sportfishermen in Carteret County and educating the public about the wildlife of Carteret County. The association gives two scholarships annually to Carteret County residents enrolled in a marine studies program at Carteret County Community College (State of North Carolina 2006).

## **Physical**

Beaufort is located on the southern tip of the Outer Banks, near the end of Interstate 70. From Interstate 70, it is about 150 miles west to Raleigh (MapQuest). The [Michael J. Smith](#) field airport, located in town, mainly caters to private and charter planes. The closest airport with commercial flights, Craven Regional Airport, is located 40 miles north in New Bern.

There are about [10 marinas in Beaufort](#); the largest being Beaufort Docks which has 100 slips and can accommodate boats up to 250 feet in length. Also, some fishing companies, such as Beaufort Fisheries, have private docks.

## **INVOLVEMENT IN NORTHEAST FISHERIES<sup>10</sup>**

### **Commercial**

Carteret County consistently leads the rest of North Carolina in seafood landings, (Carteret County Economic Development Council 2005) with 46.3% of landed weight on average between the years 1994-2001. Of this total weight, 75% on average was Atlantic menhaden (Bianchi 2003). Beaufort Fisheries is the only Menhaden processing plant in North Carolina and one of only two along the Atlantic seaboard. The fish is caught by the company vessels and then brought to the docks along side Taylors Creek. The menhaden are then processed into fish meal and oil. Beaufort Fisheries' annual production is estimated at 10,000 tons of meal and 300,000 to 450,000 gallons of oil. The company employs 55 people and operates two menhaden boats (Insiders.com 2006).

Many of the fishermen who work out of Beaufort are from Down East communities such as Cedar Island, Atlantic, and Davis, all traditional fishing villages. One of the two larger fish houses in Atlantic, Clayton Fulcher and Son, closed in 2007 which will likely impact Beaufort

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<sup>10</sup> In reviewing the commercial landings data several factors need to be kept in mind. 1) While both federal and state landings are included, some states provide more detailed data to NMFS than others. For example, shellfish may not be included or data may be reported only by county and not by port. 2) Some communities did not have individual port codes until more recently. Before individual port codes were assigned, landings from those ports were coded at the county level or as an aggregate of two geographically close small ports. Where landings were coded at the county level they cannot be sorted to individual ports for those earlier years, e.g., prior to 2000. 3) Where aggregated codes were used, those aggregate codes may still exist and be in use alongside the new individual codes. Here the landings which are still assigned to the aggregate port code cannot be sorted into the individual ports, so port level data are only those which used the individual port code. 4) Even when individual port codes exist, especially for small ports, landings may be coded at the county level. Here again it is impossible to disaggregate these to a port level, making the port level landings incomplete. 5) In all these cases, the per port data in this profile may under report the total level of landings to the port, though all landings are accounted for in the overall NMFS database.

fishermen. Nearby Harkers Island, long a fishing and boat building center, has no more fish houses.<sup>11</sup>

In 2006, the most valuable landings in Beaufort were in the “Other” category, but this value was very similar to that for summer flounder, scup, and black sea bass (Table 1). Both the level of home port fishing and the level of landings in Beaufort was variable, between the 1997-2006 time period. The number of vessels both home ported and whose owner’s city was Beaufort generally increased, with the exception of a slight dip in 2006 (Table 2).

### Landings by Species

Table 1. Dollar value by Federally Managed Groups of landings in Beaufort

	Average from 1997-2006	2006 only
<b>Other<sup>12</sup></b>	2,097,663	1,556,593
<b>Summer Flounder, Scup, Black Sea Bass</b>	987,903	1,522,597
<b>Scallop</b>	148,042	168,236
<b>Monkfish</b>	9,664	6,623
<b>Squid, Mackerel, Butterfish</b>	7,224	3,541
<b>Bluefish</b>	6,347	1,965
<b>Dogfish</b>	3,660	0
<b>Tilefish</b>	266	0
<b>Largemouth Groundfish<sup>13</sup></b>	155	517
<b>Smallmouth Groundfish<sup>14</sup></b>	22	0

### Vessels by Year<sup>15</sup>

Table 2. All columns represent vessel permits or landings value combined between 1997-2006

Year	# Vessels (home ported)	# Vessels (owner's city)	Level of fishing home port (\$)	Level of fishing landed port (\$)
<b>1997</b>	12	12	906,322	2,957,119
<b>1998</b>	9	10	618,295	4,054,822
<b>1999</b>	8	17	1,284,287	3,653,821
<b>2000</b>	17	18	3,088,077	3,569,251
<b>2001</b>	18	17	2,047,592	2,398,485
<b>2002</b>	18	17	2,618,162	3,551,520
<b>2003</b>	16	17	2,085,527	2,688,498
<b>2004</b>	17	17	2,645,490	3,893,049
<b>2005</b>	19	19	3,332,070	2,582,822
<b>2006</b>	16	17	2,750,147	3,260,072

# Vessels home ported = No. of permitted vessels with location as homeport

# Vessels (owner's city) = No. of permitted vessels with location as owner residence<sup>16</sup>

Level of fishing home port (\$) = Landed value of fisheries associated with home ported vessels

Level of fishing landed port (\$) = Landed value of fisheries landed in location

<sup>11</sup> Community Review Comments, Barbara Garety Blake, Marine Fisheries Commission, 3441 Arendell Street - Morehead City, NC 28557, September 28, 2007

<sup>12</sup> “Other” species includes any species not accounted for in a federally managed group

<sup>13</sup> Largemouth groundfish: cod, winter flounder, yellowtail flounder, American plaice, sand-dab flounder, haddock, white hake, redfish, and pollock

<sup>14</sup> Smallmouth multi-species: red hake, ocean pout, mixed hake, black whiting, silver hake (whiting)

<sup>15</sup> Numbers of vessels by owner’s city and homeport are as reported by the permit holder on permit application forms. These may not correspond to the port where a vessel lands or even spends the majority of its time when docked.

<sup>16</sup> The Owner-City from the permit files is technically the address at which the owner receives mail concerning their permitted vessels, which could reflect the actual location of residence, the mailing address as distinct from residence, owner business location, or the address at which a subsidiary receives mail about the permits.

## Recreational

Recreational fishing is a billion dollar industry in North Carolina (Stoffle nd) . Beaufort has [several charter and party boat companies](#), such as [Mystery Tours Inc.](#) which has a 65 foot boat which can accommodate 40-50 people comfortably. They advertise fishing for “flounder, trout, croakers, spots, black sea bass, sharks, blues, and many other fish abundant in the area.” There are also several fishing tournaments that go on throughout the year.

## Subsistence

Information on subsistence fishing in Beaufort is either unavailable through secondary data collection or the practice does not exist.

## FUTURE

One of the major issues facing the future of commercial fishing in Beaufort is pressure from the recreational fishing companies. The recreational fishing companies are concerned with the harvesting of menhaden, which is a major source of food for larger fish (Cheuvront 2004). In August 2005, Atlantic States Marine Fisheries Commission, the agency that manages fisheries from Maine to Florida, placed the first ever cap on menhaden fishing in the Chesapeake Bay. It capped the annual catch at 105,800 metric tons a year (Boorstein 2005). This cap could force more boats further south to the Beaufort area, making the menhaden situation worse.

In a study done by Dr. Brain Cheuvront, of the Department of Environment & Natural Resources Division of Marine Fisheries, several local fishermen were interviewed to find out their thoughts about the future. “Most of the respondents were too worried about the future of the commercial fishery to recommend it [as an occupation for future generations]” (Cheuvront 2004). One general manager was quoted saying “I’ve got two boys and I told both of them I’m not going to allow them to come down here. I want something better for them than this” (Cheuvront 2004).

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**14.0 APPENDIX D: DEIS AND DRAFT AMENDMENT PUBLIC COMMENT SUMMARY**

**SUMMER FLOUNDER COMMERCIAL ISSUES  
AMENDMENT**

**PUBLIC HEARING SUMMARIES  
AND WRITTEN COMMENTS  
NOVEMBER 2018**



Prepared by the  
Mid-Atlantic Fishery Management Council (MAFMC or Council) and the  
Atlantic States Marine Fisheries Commission (ASMFC or Commission)



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## 1 INTRODUCTION AND COMMENT SUMMARY

### 1.1 OVERVIEW

This document represents a summary of all public comments received on the Draft Summer Flounder Commercial Issues and Goals and Objectives Amendment to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) received by the comment deadline of 11:59 PM (EST) on October 12, 2018. Through this action, the Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission are considering several modifications to commercial summer flounder management, as well as updates to the FMP goals and objectives for summer flounder. Additional information and amendment documents are available at: [www.mafmc.org/actions/summer-flounder-amendment](http://www.mafmc.org/actions/summer-flounder-amendment). The public hearing document is available at: <http://www.mafmc.org/s/SF-Am-PHD-Final-August-2018.pdf>.

Ten public hearings were held from Massachusetts through North Carolina between September 10 and September 27, 2018 (Table 1). Hearings were attended by approximately 90 people in total (not including Council, Commission, and federal/state agency staff). Not all attendees provided comments. The highest hearing attendance was in New Jersey, while no public comments were given in Delaware or via webinar.

Written comments were accepted from August 10, 2018 through October 12, 2018. A total of approximately 267 written comments were received from 255 commenters including individuals (237), businesses/business representatives (9), and organizations/organization representatives (9). This comment total includes one form letter with 176 submissions in various forms (unmodified letters, modified letters, and signatures). Written comments were received from all states Massachusetts through North Carolina except for Delaware and Maryland. The greatest representation of written comments was from New York (Table 2).



**Table 1: Summer flounder commercial issues amendment public hearing schedule.<sup>a</sup>**

<b>Date and Time</b>	<b>Location</b>
<b>Monday, September 10</b> 7:00 PM	<b>Connecticut Department of Energy and Environmental Protection Marine Headquarters Boating Education Center (Rear Building)</b> 333 Ferry Road Old Lyme, Connecticut 06371
<b>Wednesday, September 19</b> 5:30 PM	<b>Bourne Community Center, Room #2</b> 239 Main Street Buzzards Bay, Massachusetts 02532
<b>Wednesday, September 19</b> 6:00 PM	<b>University of Rhode Island Bay Campus, Corless Auditorium</b> South Ferry Road Narragansett, Rhode Island 02882
<b>Monday, September 24</b> 6:00 PM	<b>Ocean County Administrative Building</b> 101 Hooper Avenue Toms River, New Jersey 08753
<b>Monday, September 24</b> 6:00 PM	<b>North Carolina Division of Marine Fisheries, Washington Regional Office</b> 943 Washington Square Mall, US Highway 17 Washington, North Carolina 27889
<b>Tuesday, September 25</b> 6:00 PM	<b>Ocean Pines Library</b> 11107 Cathell Road, Berlin, Maryland 21811
<b>Wednesday, September 26</b> 6:00 PM	<b>Dover Public Library, Meeting Room B</b> 35 Loockerman Plaza Dover, Delaware 19901 <i>(No public comments were given at this hearing)</i>
<b>Wednesday, September 26</b> 7:00 PM	<b>Virginia Marine Resources Commission</b> 2600 Washington Avenue, 4 <sup>th</sup> Floor Newport News, Virginia 23607
<b>Thursday, September 27</b> 6:30 PM	<b>New York State Dept. of Environmental Conservation</b> School of Marine and Atmospheric Sciences (SOMAS), Room 120 Endeavor, Stony Brook University Stony Brook, New York 11794
<b>Thursday, September 27</b> 6:30 PM	<b>Internet Webinar</b> <i>(No public comments were given at this hearing)</i>

<sup>a</sup> This hearing schedule reflects revisions made on September 10, 2018 due to inclement weather associated with Hurricane Florence.

**Table 2: Number of written and public hearing commenters from each state.**

State	Number of written commenters	Approximate number of hearing attendees who provided comments <sup>a</sup>
MA	6	9
RI	3	12
CT	17	13
NY	202	6
NJ	12	20
PA	1	N/A
DE	0	0
MD	0	5
VA	4	3
NC	5	10
Unknown/Not specified	4	N/A
<b>Total</b>	<b>255</b>	<b>78</b>

<sup>a</sup> Or otherwise showed support/opposition for options, i.e., by show of hands.

## 1.2 COMMENT SUMMARY

### FMP Goals and Objectives

Written and hearing comments on the proposed revisions to FMP goals and objectives included the following ideas or perspectives:

- Support for the revised goals and objectives as stated in the document.
- Questioning why revisions are being considered.
- A comment explaining how the existing FMP objectives have not been met.
- Concern that monitoring and data collection objectives will increase costs for fishermen.
- Concern that habitat protection is not explicitly included.
- Improved yield and compatible management between state/federal jurisdictions are a priority. Underutilization sometimes occurs in the fishery due to not achieving the catch limit, and high discards create waste.
- Maximization or optimization of economic benefits for the commercial fleet is a top priority.
- Goal #3 and Objective 3.1 are problematic because they are an attempt to change commercial and recreational allocations using data on economic contribution and don't account for efficiency. Efficiency should be considered in terms of greatest overall benefit to the nation.
- Goal #3 should be changed to remove language about optimizing economic benefits, due to concern that including this as a goal could limit fishermen's ability to optimize benefits on their own terms.
- Goal #3 reference to "balancing changing conditions with historic use" could be problematic if misleading data is used.
- The Council and Board should identify preferred alternatives for commercial issues prior to modifying goals and objectives.
- A goal of reducing mortality on spawning stock biomass by reducing recreational size limits should be added.
- Support for maintaining reference to "minimizing regulations to achieve management objectives," which is not directly addressed in the revised version.

## Federal Permit Requalification Alternatives

### *Written Comments*

A majority (37) of the written comments were in support of Alternative 1A: No action/*Status Quo*. Reasons cited in support of *status quo* included: satisfaction with the current number of federal permits and participants in the fishery; concerns over penalizing vessels that had left the summer flounder fishery due to profitability; concerns over the principle of taking away a permit someone had fairly qualified for; and the belief that the reduction in active permit use can be attributed to low quotas.

The next highest number of written comments (5) were in favor of Alternative 1B-1: (requalification with  $\geq 1,000$  lb. cumulative landings from 8/1/09-7/31/14; 5 yrs.). Reasons cited in favor of this alternative were the need to reduce the current number of participants in the fishery and concerns that once quotas return to higher levels that more participants will enter back into the fishery.

Alternative approaches to federal permit requalification supported in written comments included requalification based on landings of all species, not just summer flounder (1 comment), eliminating federal permits that do not have any associated state permits (1 comment), and opening permit availability to new entrants temporarily (1 comment).

### *Hearing Comments*

At public hearings, most commenters (50) were also in support of Alternative 1A: No action/*Status Quo*. Reasons cited in support of *status quo* mirrored those offered in the written comments: support for the current number of federal permits; concern about advantaging some fishermen and vessels of certain means over others; concern over taking away permits from individuals who had qualified previously and are now being penalized for lack of participation.

A small number of attendees (4) across the 8 public hearings with comments given indicated their support for alternatives under 1B (Table 3), including Alternatives 1B-1 (516 permits eliminated:  $\geq 1,000$  pounds cumulative landings from 8/1/2009 to 7/31/2014), 1B-3 (389 permits eliminated:  $\geq 1,000$  pounds cumulative landings from 8/1/2004 to 7/31/2014), and 1B-5 (295 permits eliminated:  $\geq 1,000$  pounds cumulative landings from 8/1/1999 to 7/31/2014).

**Table 3: Written and hearing comment main themes on federal permit requalification alternatives (alternative set 1).**

Comment	Written Comments Count	Hearing Comments Count
<b>Support 1A</b> (No action/ <i>status quo</i> )	37	50
<b>General support for reducing permit capacity</b> (no alternative specified)	2	1
<b>Support 1B-1</b> ( $\geq 1,000$ lb from 8/1/09-7/31/14; 5 yrs)	5	2
<b>Support 1B-2</b> ( $\geq 1$ lb from 8/1/09-7/31/14; 5 yrs)	0	0
<b>Support 1B-3</b> ( $\geq 1,000$ lb from 8/1/04-7/31/14; 10 yrs)	1 <sup>a</sup>	1
<b>Support 1B-4</b> ( $\geq 1$ lb from 8/1/04-7/31/14; 10 yrs)	0	(+1 as a second choice to 1A)
<b>Support 1B-5</b> ( $\geq 1,000$ lb from 8/1/99-7/31/14; 15 yrs)	2 <sup>b</sup> (+1 as a second choice to 1A)	1
<b>Support 1B-6</b> ( $\geq 1$ lb in any 4 years 8/1/94-7/31/14; 20 yrs)	0	0
<b>Support 1B-7</b> ( $\geq 1,000$ lb from 8/1/94-7/31/14; 20 yrs)	0	0

<sup>a</sup> Supported 1B-3 but would prefer modified version with  $\geq 1,000$  lb in any *one year* instead of 1,000 pounds cumulatively over 10 years.

<sup>b</sup> One commenter supporting 1B-5 noted that they would prefer a modified landings qualifier of at least 1,000 lb cumulatively in any *one year* (instead of over 15-year period), OR least 5,000 lb landed over full 15-year time period.

## Commercial Allocation Alternatives

### *Written Comments*

On commercial allocation, a majority of the written comments were received from New York stakeholders, who generally were in support of alternatives not currently included in the amendment (Table 4). Specifically, many of these comments supported a general increase in allocation for New York, and also requested the consideration of two additional options: 1) negotiated quota shares, and 2) implementation of a coastwide quota (with some stating that this coastwide quota would be temporary and used as a baseline for future state allocations). Reasons cited in support of these additional alternatives included concerns over the fairness of New York’s current allocation; frustration with the original landings data used to develop the initial allocations and its continued use over several decades; and a need to have a ‘reset’ in the allocation system by making all participants fish under one coastwide quota. Many of these comments requesting the two additional alternatives came from form letters or variations on a form letter.

For written comments specific to alternatives outlined in the amendment, the highest number of comments (20; most from Connecticut) were in support of Alternative 2B-2, to adjust state quotas based on shifts in the regional proportions of the exploitable biomass (Table 4). Reasons cited included a need to use scientific information about the distribution of the resource as the basis for allocations, and a need to move away from the current allocations that are based on landings data that some consider ‘flawed’ and inaccurate.

The next highest number of comments were in support of Alternative 2A: No action/*status quo*. Reasons cited included satisfaction with the current allocations and concern about impacting the current shore-side infrastructure that has developed around the state-by-state allocations.

There was little support for Alternatives 2C and 2D in the written comments (Table 4).

Some additional allocation approaches offered in written comments included supporting a federal quota/allocation for all vessels fishing in federal waters, support for the use of ocean ranching of summer flounder to improve production and thereby remove some pressure for reallocation, and managing the fishery by setting a total dollar value for the fishing year.

### *Hearing Comments*

At public hearings, most comments (approximately 43) were in favor of Alternative 2A, maintaining the *status quo* state-by-state allocations. Reasons cited mirrored those offered in written comments including that the current allocations are working well; that a ‘de facto’ reallocation is already occurring through North Carolina and Virginia permits being purchased by northern vessels; that reallocation would have significant economic impacts to states whose allocation decreases; and that the current allocations were ‘earned’ and therefore should be maintained.

The next highest number of comments were in favor Alternative 2B-2 (adjust state quotas based on shift in regional proportions of exploitable biomass). Reasons cited primarily focused on the alternative providing the best quota of the alternatives for their state and best responding to scientific information that indicates the resource is moving north.

In addition to comments in support of alternatives, there were many comments offered in opposition to a number of the alternatives. Of alternatives offered in the Amendment, the next highest number (10) of comments were in opposition to Alternative 2D and its sub-alternatives. Reasons cited focused on concern that a derby fishery could emerge in the winter periods; that the specifics of a federal trip limit for the winter periods was not known yet, and the alternative may favor larger vessels over smaller vessels given the coastwide quota in winter months and state quotas in summer months (Table 4). Other comments in opposition to the alternatives (with no sub-alternative specified) focused on 2B and 2C (Revised state allocations only when the coastwide quota exceeds a trigger).

Lastly, there were comments offered in support of concepts that did not have specific alternatives in the Amendment. Most notably, comments offered in support of a general increase for quotas of New England states (13).

**Table 4: Written and hearing comment main themes on commercial allocation alternatives (alternative set 2). Comments "opposing" certain alternatives were counted only for those specifically noting opposition.**

Category	Comment	Written comment count	Hearing comment count
2A	<b>Support 2A</b> (No action/ <i>status quo</i> )	15	43
2B	<b>Support 2B-1</b> (Adjust state quotas based on N. region percent change in exploitable biomass)	0	0
	<b>Support 2B-2</b> (Adjust state quotas based on shift in regional proportions of exploitable biomass)	20	~21
	<b>General support for 2B</b> (no sub-option specified)	0	5
	<b>Oppose 2B</b>	2	3
2C	<b>Support 2C-1</b> (Revised state allocations only when coastwide quota exceeds 8.40 million lb)	0	0
	<b>Support 2C-2</b> (Revised state allocations only when coastwide quota exceeds 10.71 million lb)	0 (+1 as a second choice to 2A)	(+1 as second choice to 2A)
	<b>General support for 2C</b> (no sub-option specified)	0	(+2 supporting 2C as second choice to 2A; no sub-alternative specified)
	<b>Oppose 2C</b>	1	3
2D	<b>Support 2D-1 or 2D-2 as written</b>	0	0
	<b>Conditional support for 2D;</b> or general support for concept of coastwide allocation in winter without reference to specific alternative configuration	4 <sup>a</sup>	2
	<b>Oppose 2D</b>	4	~10
Other	General support for increased allocation for <b>New York</b> and/or comments that existing New York allocation is unfair, inadequate, or based on flawed data	201	6
	General support for increased allocation for <b>broader New England region</b> (not specific to NY), due to changing distribution of the resource	4	13
	Request analysis of <b>two additional options:</b> 1) negotiated quota shares; 2) coastwide quota. (Form letter and comments with similar content)	181	0
	Support <b>equal distribution</b> of allocation to all states	4	0

<sup>a</sup> One comment in support of alternative 2D was as an alternative to coastwide measures/allocation, which is not currently an option in the amendment; another comment was in support of Alternative 2D-1 if certain participation and enforcement conditions were specified. The remaining two comments described general support for a coastwide quota in the winter.

## Landings Flexibility Framework Provisions

### Written Comments

Half of written comments addressing this issue (22) supported Alternative 3A (No action/*status quo*), which would not add landings flexibility as a frameworkable issue in the Council's FMP (Table 5). The majority of these comments stated that they did not support the concept of landings flexibility in general, for reasons such as vessels should land in the states for which they have permits, concerns about enforcement and quota monitoring, and concerns about negative economic impacts driven by changes in landings patterns. A few comments also stated that they did not believe a framework action was the appropriate mechanism to implement landings flexibility, and that any changes of this nature should occur through a thoroughly considered amendment. Some comments indicated that landings flexibility should be addressed only through state level agreements.

The other half of written comments addressing landings flexibility (22) were either in favor of the concept of landings flexibility and/or specifically noted support for adding flexibility as a frameworkable issue in the Council's FMP (Table 5). These comments stated support for more flexibility in regulations for commercial vessels, preference for the opportunity to land in their preferred port, and the economic, environmental, and safety at sea benefits of increasing efficiency and decreasing long steam times associated with some trips.

### Hearing Comments

At public hearings, most comments (35) were in favor of Alternative 3A (No action/*status quo*), while 18 supported Alternative 3B (adding landings flexibility to list of framework provisions; Table 5). Reasons given in support of Alternatives 3A and 3B were similar to those described above for the written comments.

**Table 5: Written comment main themes on landings flexibility framework provision alternatives (alternative set 3).**

Comment	Written Comments Count	Hearing Comment Count
<b>Support 3A</b> (No action/ <i>status quo</i> ): Do not support concept of landings flexibility, or do not support adding as a frameworkable item in Council FMP, or believe this is an issue best left to the states	22	35
<b>Support 3B</b> : Support adding landings flexibility as frameworkable issue in Council FMP)	18	18
Support the <b>concept</b> of landings flexibility (implementation mechanism not specified)	4 <sup>a</sup>	0

<sup>a</sup> One comment in support of landings flexibility was as an alternative to coastwide measures/allocation, which is not currently an option in the amendment.



## 2 PUBLIC HEARING SUMMARIES

A summary of each public hearing is provided below. No comments were provided at the Dover, DE or webinar hearings. Comments are summarized and paraphrased from hearing participants.

### 2.1 BOURNE, MA

Wednesday, September 19, 2018, 5:30 p.m.

Name	Company/Organization	City, State
Bill Derry	NOAA	New Bedford MA
Dan McKiernan	MA DMF	Boston
David Masonry	Comm. Fish	Charney MA
Jim Perloff	F/V Odessa	Murshfield MA
Nathan Davis	F/V Sarah Belle	Orleans MA
KATHLEEN DAVIS	F/V Sarah Belle	Orleans MA
Ed Barrett	F/V SIRIUS	Green Harbor
Marc Barrell	F/V SIRIUS	Green Harbor
JASON AMARU	F/V JOHNNIE A III	Chatham, MA
Robert Dwyer	F/V Roly	Herwick MA
Ken Borteson	F/V Angenette	Plymouth MA 05305
GENE BORTESON	F/V LUC HARVEST	FALMOUTH MA
Greg Ardin	NOAA	Falmouth, MA
Event Hoffmeier	ACC	FALMOUTH MA

#### FMP Goals and Objectives

- One participant questioned why some of these revisions are being considered if they are things managers are already doing. On monitoring and data collection, there is also the concern that these objectives will ultimately increase costs for fishermen.

#### Issue 1: Federal Moratorium Permit Requalification Criteria

- Seven participants spoke in favor of alternative 1A (*status quo*), with reasons given summarized below.
- As we've seen in the groundfish fishery, concerns over latent effort often result in fewer fishing opportunities. Latent permits are not catching fish, and should not be removed since they were qualified for at one point. Fewer permits means that fewer people are able to access this public resource.
- There is not much "new blood" coming into the fishery. Access should remain possible for those that are interested. Once the permits are gone, they are gone forever.
- Reducing permits just puts people with a lot of money at an advantage, as they can buy, sell, and lease access to the fishery. Permit requalification would force more consolidation.
- Taking away permits will not solve any stock decline issues.
- Some of the allocation options seem to favor the winter fishery, which would put those losing federal permits at a severe disadvantage.



## Issue 2: Commercial Allocation

- **While there was some support for alternative 2B (particularly 2B-2), many were wary of any resulting major changes to Massachusetts's management system and access for different vessel types. Some expressed opposition to alternatives 2C and 2D.**
- Participants reported a general sense that there were too many details missing regarding how the options would be implemented (and particularly regarding the impact on Massachusetts and the corresponding state level management response).
- A few participants spoke against alternative 2C (commercial quota trigger system), stating that it is too complicated and would be susceptible to manipulation. One also noted that it relies on assessment outcomes, which he does not have confidence in.
- There was general opposition to alternative 2D (scup model). One noted that too many details are left out about how it would work in practice, including seasonal state and coastwide management measures.
- Participants were also concerned about competing with other states' fleets in the winter fishery under alternative 2D. This option is also more advantageous to the winter fishery participants.
- The options under consideration do not seem to sufficiently address the issue of southern boats fishing in Massachusetts waters. A small shift in quota to the northern states is not enough to address this concern.
- There was some concern expressed that some options may negatively impact the state waters fishery in favor of the federal waters fishery, and/or would negatively impact the summer fishery in Massachusetts. Another participant stated concern over alternatives that would be more advantageous to larger, more mobile vessels (e.g., alternative 2D).
- After some discussion, participants were generally supportive of alternatives 2B-1 and 2B-2, with 2B-2 favored, if these options would simply increase the state allocation and not result in major changes in access for different components of the Massachusetts commercial fishery.

## Issue 3: Landings Flexibility Provisions

- **Participants were in favor of alternative 3A (not adding landings flexibility as frameworkable item in the Council's FMP).**
- Several participants were strongly opposed to addressing landings flexibility through framework actions, stating that it creates a loophole in the process whereby major management changes can be implemented too quickly with fishermen not able to adequately track the process. Some have seen last minute changes for framework actions that seem to occur more frequently than with amendments.
- This is a complicated issue and the implementation process should not be streamlined; these issues should be fully analyzed through an amendment process with full public participation.
- There are concerns about how landings flexibility could lead to very complicated enforcement issues, and create opportunities for illegal and underreported landings.
- One participant stated that there are issues with gear conflicts with southern boats fishing in New England, where there is much more fixed gear in the water. If vessels could land anywhere along the coast, these conflicts would probably increase.
- If landings were opened up to anywhere along the coast, there could be major socioeconomic consequences as the result of shifts in price and demand. This should be a primary consideration.

## General Comments

- One participant suggested that Massachusetts state waters jurisdiction be extended to at least 6 miles.
- There was a question regarding why the Council and Board are taking this action when there is a new stock assessment coming out soon that could show more information about changes in stock distribution.

## 2.2 NARRAGANSETT, RI

Wednesday, September 19, 2018, 6 p.m.

<u>Name</u>	<u>Company/Organization</u>	<u>City, State</u>
Walter Avoushian	NOAA	PS, RI
MICHAEL HALL	Town Dock	RI
RICHARD CHAPPELL	RI CARRA	RI
Bob MORRIS	R.I.F.A	RI
Josh Westcott	F/V Emilia Rose	RI/CT
David Burr	KE GA	
JAMES JORDAN	JMJ Fisheries	PJ RI
Donald Fox	Lightning Bay	PJ RI
DAVID BLACKBURN	RIERE	WAKEFIELD R.I.
John Colzani	F/V EMILIA ROSE	WAKEFIELD RI
Katie Almeida	Town Dock	PS, RI
Matthew Conti	Saug Harbor Marina	SIS RI

## Goals and Objectives

- Concern was raised that habitat protection is not explicitly spelled out in the Goals and Objectives and that it's important that the revised language make habitat protection a goal. This may aid efforts at achieving optimum yield.
- One attendee noted that optimization of economic benefits needs to be a top or high priority.
- Another attendee noted that optimizing economic benefits should not be included as a goal, specifically the language in Goal #3 should be changed. This individual noted that fishermen will optimize economic benefits as they see best and that making this a requirement in a Fishery Management Plan may limit their ability to do so.

## Issue 1: Federal Moratorium Permit Requalification Criteria

- **All 11 attendees providing comments were in favor of Alternative 1A (*status quo*) for federal permit requalification. Reasons cited are summarized below.**
- Eliminating permits would effectively be breaking agreements made between fishermen and the federal government; doing so would add another instance of agreements made with the federal government being broken by the federal government.
- Many expressed concerns about 'taking away' an individual's permit, and in turn their ability to commercially fish for summer flounder. It was noted that if federal moratorium permits are removed/taken away, fishermen should be compensated.

- Removing federal permits does not address the issue of state permits, which outnumber federal permits. Not addressing current effort specific to state permits and instead focusing on federal permits is considered a ‘waste of time.’
- Point Judith has become a great port because fishermen can switch between permits; reducing the number of federal permits would reduce fishermen’s flexibility and opportunity to fish for a variety of species.

## Issue 2: Commercial Allocation

- **6 were in favor of alternative 2B (adjust state quotas based on recent biomass distribution) and 5 attendees were in favor of alternative 2A (*status quo*). Reasons cited are summarized below.**
- Six individuals were in favor of 2B 1 or 2B-2, for the following reasons: it reflects the current situation the fishermen are encountering, it's based on science, and it would create more quota and opportunity for RI fisherman.
  - **Note:** A number of individuals who indicated that if either of 2B alternatives was not selected, they were in favor of 2A.
- Five individuals indicated their preference for the status quo, 2A. It was noted that states like North Carolina and Virginia only have summer flounder; New England fishermen have a variety of species they can catch. Summer flounder in Rhode Island has become a bycatch fishery; to disrupt the markets in southern states for an increase in quota to northern region states would not be helpful and so the preference would be to stay at *status quo*. Additionally, it was noted there are no fish ‘being left on the table’ and the current system is working fine.
  - Concerns were raised that choosing either of the 2B alternatives would likely lead to a similar approach or reallocation in a less favorable way for other species, such as black sea bass commercial allocations.
- A few individuals noted concern about alternative 2D for a number of reasons that included: concern about its impact to the markets; how differences in regional weather may benefit more vessels to the south; and that there is currently not enough information provided on how the scup model would work in reality.

## Issue 3: Landings Flexibility Provisions

- **Nearly all attendees (10) were in favor of alternative 3A (*status quo*; not adding landings flexibility as frameworkable item to the Council’s FMP) and 1 individual was in support of alternative 3B (add landings flexibility as a framework provision). Reasons cited included the following:**
- Concern about frameworks being initiated and completed by the Mid-Atlantic Fishery Management Council without adequate public input.
- Request that if Landings Flexibility goes forward in the future, there should be public hearings to allow the public to give comment.
- One individual noted they were in favor of 3B because it may allow for agreements between states that could keep fishermen in business.

## General Comments

- It was noted that biomass shifting to the north and the management measures being adjusted to reflect this change is a positive development in fisheries management.

## 2.3 OLD LYME, CT

Monday, September 10, 2018, 7 p.m.

Name	Company/Organization	City, State
Mike Beebe	M+M Fisheries	Niantic CT
James Chukay	Stamington Fishing Dock	Groton, CT
Tim Jackson	Guest	Groton, CT
GARY YERMAN	New London Seafood	New London
BUD HARRIS	LMI Fisheries	GUILFORD CT
Donna Paganini	FLY KESTREL	GUILFORD, CT
Joel Blawiecki	F/V DEFIANT	PT JUDITH RI
Jerry Carvalho	RI Fishermen's All	Narr RI
Joel Lizza	SEAOTTER Fishing	Guilford CT
Hsomers	State Senate	Groton CT

### Issue 1: Federal Moratorium Permit Requalification Criteria

- All 13 attendees were in favor of Alternative 1A (*status quo*). Reasons cited are summarized below:
- Many expressed concern about ‘taking away’ an individual’s permit, and in turn their ability to commercially fish for summer flounder.
- The number of current federal permit holders is ‘fine’ and there is not a need to reduce the total number of permit holders.
- No attendees indicated that latent effort re-entry is occurring currently, nor had concern that re-entry could happen in the future, therefore the sub-alternatives that would reduce the number of federal permit holders are not necessary.

### Issue 2: Commercial Allocation

- All 13 attendees were in favor of alternative 2B, with a majority in favor of 2B-2 (Regional shift in biomass applied as shift in allocation to North). Reasons cited are summarized below.
- The alternative offered the best new quota level of all of the alternatives.
- The alternative matches with the best scientific information that indicated the resource is moving north.
- The alternative also demonstrates that Connecticut should have more representation in the management of summer flounder than it currently has, as it’s a member state of the Commission, but not represented on the Mid-Atlantic Fishery Management Council. It was noted that the New England Council does have a one designated representative on the full Council and the Council’s Demersal Committee.

### Issue 3: Landings Flexibility Provisions

- All 13 attendees were in favor of Alternative 3B: Adding commercial landings flexibility as a frameworkable item in Council FMP. Reasons cited included the following:
- Increased opportunity for Connecticut fisherman to land their catch in other states.

- Interest in replicating the agreement currently in place between North Carolina and Virginia.
- Landings flexibility may be able to keep Connecticut fishermen participating in the fishery that would otherwise be exiting due to the cost and profit margin under the current daily landings limits.

### General Comments

- Two individuals were concerned that the accountability measures currently in place through the Council's FMP put fishermen at a disadvantage due to how the discards are calculated. Specifically, when the biomass increases, there are more discards, and the amount that fishermen are allowed to keep should go up. Interest was also expressed in differentiating between regulatory discards and those discarded for other reasons.
- If more of the biomass is being taken from northern waters, there is greater chance of discarding in the northern region compared to southern region (i.e. NC and VA). Concern was raised they are being penalized for higher abundance in their waters.
- Concerns were raised that there is a significant trip limit discrepancy between vessels originating from southern states that are fishing in northern waters on larger trip limits than the northern states trip limits. This is viewed primarily as an equity issue, which could be solved with a higher quota.

## 2.4 STONY BROOK, NY

Thursday, September 27, 6:30 p.m.

<u>Name</u>	<u>Company/Organization</u>	<u>City, State</u>
✓ Gina Fanelli	NUSDEC	Setauket, NJ
✓ Chuck Weiland	COMMERCIAL FISHERMAN	Montauk, NY
✓ Hank Laekner	Commercial Fisherman	Montauk, NY
✓ Ed Anderson	Commercial Fishing	Montauk, NY
✓ JOHN C. MICHAE		ISLAND PARK, NY
✓ VICTOR VECCHIO	NOAA FISHERIES	ELMHURST, NY
✓ Paul S. Johnson	SOMAS	Setauket
✓ Gady S. Johnson	Independent	Setauket
✓ John Berglin	F/V MARY ELIZABETH	Hampton Bay, NY
✓ GARRET ARMWOOD	SENATOR SCHUMER	LI OFFICE

### Issue 1: Federal Moratorium Permit Requalification Criteria

- Comments on federal permit requalification were mixed, with one fisherman supporting requalification methods not proposed in the document, and two fishermen supporting alternative 1B-1. Reasons cited are summarized below.
- One participant did not support any of the requalification alternatives in the document, stating that permit requalification should be addressed differently.
  - Requalification of federal permits does not get at the heart of the issue, which is state permits and landing licenses.



- Managers should look for vessels that have federal permits but do not have the appropriate state level permit to use them and eliminate those federal permits.
- Permits should not be requalified based on summer flounder landings alone: opportunities to fish for this species should be maintained in anticipation of future stock growth and/or allocation changes. Many permit holders would like to use their permit but cannot due to the current New York measures. Permit holders who don't have commercial landings of any species or who do not have a state license should be removed.
- Two participants favored alternative 1B-1 (Requalifying criteria of  $\geq 1,000$  pounds between 8/1/2009-7/31/2014).
  - Consistent with other recent Council actions, some form of requalification should occur. There has been an influx of latent effort re-entry since the Council and Board indicated the possibility of requalification. "Full time" and "part time" permits should be considered, to reward historical participants who have been fishing on their permits for many years. At the very least, permits with zero recent landings should be removed.

## Issue 2: Commercial Allocation

- **Participants agreed that none of the options in the document adequately address New York's allocation needs, although one commenter offered support for alternative 2B-2 as the best option proposed in the hearing document. Reasons cited are summarized below.**
- Multiple commenters noted that no option in the public hearing document offers New York adequate relief. The allocation increases proposed in the options amount to a few percent of the coastwide quota, which is an insufficient response to the problem. All of the options use the same 30+ year old data as the basis or starting point for allocation.
  - Any revisions should have a strong foundation and not use the old allocations or landings data.
  - FMPs should respond to changes in fisheries.
  - One commenter suggested moving to a coastwide allocation with seasonal quota periods for a period of three to five years to set a new baseline.
  - One participant noted that the current allocations are illegal under Magnuson National Standard 4 regarding measures discriminating among states.
- One participant spoke in support of alternative 2B-2, stating that it was a drop in the bucket in terms of a solution to the problem, but is at least a small step in the right direction.
- There was mixed support for the alternative 2D (scup model).
  - One fisherman opposed 2D due to the sense that it put winter fishery participants at an advantage over the summer-only vessels.
  - Another fisherman tentatively would support 2D if certain criteria and restrictions were followed, such as restricting the winter fishery to trawls only, as well as implementing mandatory VMS and call in requirements.
  - A third fisherman did not explicitly state support for 2D, but stated that the quota should be coastwide in the winter and state-by-state in the summer.
- One participant expressed strong opposition to alternative 2C.

### **Issue 3: Landings Flexibility Provisions**

- **Three participants expressed support for alternative 3B (allowing landings flexibility through a framework action).**
- One participant noted that this is what's best for the fishery. New York fishermen are steaming far distances and landing in other ports and supporting other state's infrastructure, while New York's infrastructure has been destroyed by the inequities of fluke management.
- Another supported 3B but recognized that it would have impacts on infrastructure in many states along the coast, and managers should consider relief for those who would be negatively impacted.
- Another noted that they have made requests for flexible landings, but get no cooperation from other states on flexibility agreements.

### **General Comments**

- The Council and Board need to address regulatory discards in the commercial fishery. Regulatory discards of summer flounder are high in New York, as the current fishery is essentially a bycatch fishery (due to low quotas and restrictive measures).

## 2.5 TOMS RIVER, NJ

Monday, September 24, 2018, 6 p.m.

Name	Company/Organization	City, State
Jim Brindley	609-709-7978	Jim Brindley out boat. (GA)
"	"	"
Jim Brindley		
Bill Spina	Vill. Marine Fishery, CT	Mount Pleasant, NJ
Richard J. Salway		
Michael Thompson	Belford Coop	Belford
DAVE THOMPSON	BELFORD COOP	BELFORD NJ
JOHN HEWELL	FORKED RIVER FISHING	FORKED RIVER NJ
Louis Liguori Taven	Belford Coop	Belford NJ
Pat DiPietro	Belford Coop	Belford NJ
Shawn C. Hines	Lub. Sals. LLC	Bainbridge Light NJ
BILL WASICEWSKI	FV William & Lawrence	Barnegat Bay NJ
Chad Power	NJ Law	Fort Republic, NJ
Frank Coramano	NOAA	Northfield, N.J.
Michael Pedicino	NJFW	Fort Republic, NJ
Carole DiDonato	BSSIT	
Dany Zambelli	Putgers	Toms River, NJ
Jim Lovgren	F.D. Coop	Brick NJ
Tom J. Fox	GA To BSMFC	Toms River NJ
Robert Smith	Trotter Seafood	Pt Pleasant NJ
Andre Wendel	SALTY'S	Lowville, NJ 08735
Kurt Deyback	Trotter Seafood	Brick, NJ 08724
David Talle	Belford Coop	Mt Pleasant NJ 08732
Mary & CARL Breyer	Hook/Lure Hook	Toms River NJ
Tommaso Anderson	Fishing Business Inc	Brick NJ
Edward Baxter	ISHETTA Coop	Belford NJ
DENIS LOVGREN	F.V. KAILEY ANN	PT PLEASANT N.J.
GUS LOVGREN	F.V. KAILEY ANN	Brick, NJ
Brian Boyce	FV CIGAN	Belford N.J.
Eric mykrebust	FV Sals	Pt. Pleasant NJ
Justin Hallan	FV SEA CATCH	Pt Pleasant NJ
Marc Vitolo	FV Kim Ann II	Pt Pleasant NJ

### FMP Goals and Objectives

- One individual suggested adding a goal of reducing fishing effort on Spawning Stock Biomass by the recreational fishery due to large size limits that result in catching only large females. Innovative recreational measures should be supported, and addressing discard mortality should be a priority.
- Related to proposed Goal 3, optimizing social and economic benefits from the fishery, there should be a new objective related to determining efficiency in catch. This could result in allocation shifts. Efficiency could be considered in terms of greater overall benefit to the nation.



## Issue 1: Federal Moratorium Permit Requalification Criteria

- **Most individuals who spoke to permit requalification supported alternative 1A (*status quo*), while one fisherman spoke in favor of alternative 1B-5. Reasons cited are summarized below.**
- One individual spoke in support of alternative 1B-5 (Requalifying criteria of  $\geq 1,000$  pounds between 8/1/1999-7/31/2014).
  - There is a lot of latent effort that should be addressed, and a longer time period should be used for requalification. However, there are also a ton of state permits without associated federal permits that should be dealt with as well.
- Most others supported alternative 1A (*status quo*).
  - If a permit holder qualified for a permit, they should not have to do so again.
  - Quotas have been dramatically reduced in the last few years, which is tied into latent effort. Some vessels may be able to participate in the future if quotas are raised.

## Issue 2: Commercial Allocation

- **All individuals who commented on commercial allocation supported alternative 2A (*status quo*); additionally, on a show of hands, approximately 20 individuals in the room supported alternative 2A and none supported reallocating the commercial quota. Reasons cited are summarized below.**
- The push for reallocation is driven by New York and Massachusetts and is "nothing more than a resource grab."
- A few comments noted that the states are already de facto reallocating by shifting permits, i.e., more northern vessels are buying North Carolina and Virginia permits. Permits have already shifted, and benefits are shifting to New England states as a result. Taking additional quota away from the southern states would be an additional economic burden.
- New Jersey's industry has taken a huge hit in recent years and many participants are struggling financially.
- New Jersey and other states earned their allocation and should maintain it.
- New Jersey has a great quota management system that has been improved over the years through cooperation between NJ Fish & Wildlife and commercial fishery advisors. This system is working well and should be left alone.
- Several commenters were adamantly opposed to alternative 2B, which would shift quota by region, with New Jersey in the southern region. Participants were frustrated that New Jersey was placed in the southern region in this analysis, stating that the biomass off of New Jersey has not decreased and that this boundary is strictly political. New Jersey should either be its own region, or this approach should not be used.
- One individual who supported 2A (*status quo*) noted that if alternative 2C (trigger option) were selected, any changes to the trigger should be implemented through an amendment (i.e., the same process the allocation change would be implemented by).
- One participant noted strong opposition to alternative 2D (scup model), given that the winter seasons would close very quickly and have a very low trip limit. Even with New Jersey getting a large portion of the summer quota, he indicated it would still be a disaster. There is no way to predict how winter landings would be redirected.

### Issue 3: Landings Flexibility Provisions

- **Most individuals who spoke to landings flexibility supported alternative 3A (*status quo*), while one explicitly supported alternative 3B and one supported landings flexibility in concept but not specifically making it frameworkable in the Council process.**
- Several commenters spoke in favor of *status quo*, for the following reasons:
  - Vessels should land in the state where they have permits.
  - Landings flexibility opens the door for more illegal and unreported landings. Some states do not have proper control and enforcement of their fishermen.
  - One individual spoke of concern of increased competition with fleets from other states.
- One commenter in support of 3B noted that landings flexibility would be a fair way to address the problem of long steam times for folks fishing on southern state permits.
- Another commenter did not explicitly support alternative 3B to modify the Council FMP, due to the complicated nature of the issue. However, he noted that there appears to be a misunderstanding of how landings flexibility would work. The landings would be counted against the quota of the permit state, and this is an economic matter of reducing steaming time and saving money. This may alleviate some allocation tensions.

### General Comments

- One participant noted that the focus of the amendment is entirely wrong, and the action should be focused on reducing discard mortality in the fishery and rebuilding the stock to a sustainable level. Major changes should be looked at once we've reached target biomass. In particular, recreational discard mortality reduction should be addressed by instituting recreational hook requirements.
- Mortality in the fishery is too high on large breeding females, and this needs to be addressed. Alternative recreational management measures (slot limits, total length limits, etc.) should be adopted.
- One participant was concerned about language in the amendment documents referring to "minimal" negative economic impacts to the fishing industry. Although overall negative impacts may be low for some options, it is important to recognize that impacts to individual participants and business owners can be huge.

## 2.6 BERLIN, MD

Tuesday, September 25, 2018, 6 p.m.

Name	Company/Organization	City, State
Jeffrey Fustler	F/V TONY AND JAN	Ocean City Md
George Topping	RITA DIANE	O.C. Md
David Tralac	Valerie Marie	O.C. Md
Maxwell Campbell	Southern Connection	Ocean City MD
Earl R. (Sammy)		Ocean City MD
Andrew Jackson	F/V Rita Diane	Ocean City Md
DAVID HATA	VIRGINIA TRAC	BLACKSBURG, VA

### FMP Goals and Objectives

- One participant expressed support for maintaining (in some form) the current objective "Minimize regulations to achieve the management objectives stated above." The proposed revisions are broader and do not address this directly. Current management is too complicated.

### Issue 1: Federal Moratorium Permit Requalification Criteria

- **All 5 participants who provided comments supported alternative 1A (*status quo*).**
- Participants did not support requalification in principle, noting that if someone qualified under the original criteria, they should not have to qualify again, especially since the permits are now worth more than they were when they were first issued.
- One participant noted that alternative 1B-4 (Requalifying criteria of  $\geq 1$  pound between 8/1/2004-7/31/2014) maintains all Maryland federally permitted vessels. If requalifying criteria were implemented, this sub-alternative is preferred.

### Issue 2: Commercial Allocation

- **All participants favored Alternative 2A: *Status quo*, with one expressing tentative support for alternative 2C as the next best option.**
- Several participants had clarifying questions about alternative 2C (trigger option) and how it would work. One participant noted he liked this option more than the other reallocation options, but does not like the idea of "taking" allocation from other states. He would prefer distributing the allocation equally among states, but even that is not ideal since each state has a different number of participants.
- There was strong opposition to alternative 2D (the scup model) for summer flounder, primarily due to the potential for derby fishing. If the scup model were implemented, Maryland would need an exemption; however, participants did not support the concept of a scup model for summer flounder.
- Participants generally did not support reallocating quota from the southern states to the northern states, especially if it results in allocation from smaller states shifted to bigger states.
- Reallocation results in a redistribution of effort and revenues, which effects fishing vessels, crews, packing houses, and communities. There are large socioeconomic impacts possible with these options.

### Issue 3: Landings Flexibility Provisions

- All 5 participants were in favor of alternative 3A (not adding landings flexibility as frameworkable item to the Council's FMP).
- There are concerns that landings flexibility would create loopholes and enforcement issues that would allow for more "cheating" and illegal landings.

### General Comments

- Several participants noted the need for more quota in general, and optimism about the new stock assessment.
- Concerns were expressed regarding the quality of the federal trawl surveys, including their configuration, missing data, and catch efficiency compared to commercial trawls.

## 2.7 NEWPORT NEWS, VA

Wednesday, September 26, 2018, 7 p.m.

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Name		
<u>Rod Runko</u>	<u>F/V DAVANA R</u>	<u>WANGHISE NC</u>
<u>Jim Runko</u>	<u>F/V DAVANA R</u>	<u>WANGHISE NC</u>
<u>Nicole Arroyo</u>	<u>L.O. Arroyo Co Inc</u>	<u>Hampton Va</u>

### Issue 1: Federal Moratorium Permit Requalification Criteria

- 1 supported Alternative 1B-3 (Requalifying criteria of  $\geq 1,000$  pounds between 8/1/2004-7/31/2014), and 1 supported Alternative 1A (*Status quo*).
- The participant supporting Alternative 1B-3 (552 Requalifying Moratorium Rights) noted that it accounted for a significant enough time period to consider changes to the number of permits.
- The participant supporting Alternative 1A: *Status quo* noted that the current number of federal permits is not an issue for the commercial fishery. Rather if there is interest in addressing latent effort, the number of state permits should be addressed. Specifically, New York has had the ability to address state permit qualifying criteria to limit participants and has chosen not to.

### Issue 2: Commercial Allocation

- All 3 attendees were in favor of alternative 2A, *Status quo*. Reasons cited included the following:
- The scup model alternative (2D) is very problematic. Concerns were raised that it would likely create a derby fishery for summer flounder and would likely have a negative effect on the market demand for the fish. Additionally, it was noted that the scup model works well for scup because of the high-volume nature of the market for the species; summer flounder does not have the same high-volume demand.
- Concerns were raised about the other alternatives giving quota to states that 'can't manage their quota.' Specifically, this was in reference to illegal landings in some states and issues associated with the Research Set-Aside program. In these states, it was noted that latent effort had not been

addressed and if additional quota were to be given these states, it would be example of everything that is wrong with fisheries management.

- Concerns were raised that basing new allocations on data from the NEFSC trawl survey is problematic due to how gear is configured and the timing of when it samples certain areas. In taking issue with how the survey is configured, it was noted that this has an impact on not only the number of fish that are encountered but the size of fish as well; this could play into perceived issues with recruitment.
- It should be noted that if 2A *status quo* is not selected, then 2C-2: 10-year average of the commercial quota trigger (10.71 million lbs) is preferred.

### Issue 3: Landings Flexibility Provisions

- All 3 attendees were in favor of alternative 3A (**not** adding landings flexibility as frameworkable item to the Council’s FMP). Reasons cited included the following:
- States can already develop agreements to achieve ‘flexibility’ in landings as North Carolina and Virginia have done. This agreement has worked well.
- It was noted that while flexibility is a good thing, it's unclear how landings flexibility specifically would be good thing.
- Concerns were raised that interest in landings flexibility is largely driven by people who are not in the fishery and in turn, it doesn’t seem to be something that fishermen want or need through the Council’s FMP.

## 2.8 WASHINGTON, NC

Monday, September 24, 2018, 6 p.m.

<u>Name</u>	<u>Company/Organization</u>	<u>City, State</u>
Glenn Skinner	NC Fisheries Association	Newport NC
Sherrill Styan	G Fulcher Seafood	Orion N.C.
JAMES FLITCHER	UNITED MARINE PRO	MURKINS HARBOUR
JERRY SCHUL	NC Fisheries Assoc	New Bern NC
MARK VILIBLIC	Willie Elleringer STP	Wardrobe
Larry Ken Whit	MAMC/Com	Wardrobe NC
Jennifer Fulcher	BTJ Seafood	New Bern NC
Brent Fulcher	Fulcher Trading	New Bern NC
Robbie Mercer Jr	Robbie Mercer Trawlers	Grantsboro NC
Angela Ireland	Robbie Mercer Trawlers	Grantsboro NC

### FMP Goals and Objectives

- Concern was raised that the current commercial and recreational regulations are designed to target female summer flounder, which cuts down on the reproductive capacity of the stock and that this contradicts the revised language in Goal 1.
- It was noted that summer flounder landings stay below the Acceptable Catch Limit (ACL) most of the time. If the goal is to achieve optimum yield, when the quota has not been landed it should



be rolled over and it's not; instead it goes the opposite direction, in that when an overage occurs that amount is deducted from the following year's quota.

- Undersized fish that are caught using the legal mesh size should not be discarded if marketable. Goal 1 should be adjusted to allow commercial fishermen to achieve the ACL and reduce dead discards.
- For the objective under Goal 3 to balance changing conditions with historic user groups, one attendee noted that the data for the stated distribution shift in later parts of the document is questionable and that there should be work done with industry to find out if this is true.

### **Issue 1: Federal Moratorium Permit Requalification Criteria**

- **All 10 participants were in favor of alternative 1A (*status quo*) for federal permits. Reasons cited are summarized below.**
- The fishery management plan was established with some of the permit holders that could be eliminated by sub-alternatives under 1B by this change; in turn, these individuals should not have to be removed, the fishery should continue as is.
- No action should be taken at this time on this issue; instead action should be taken to address issues with the science.

### **Issue 2: Commercial Allocation**

- **All 10 participants were in favor of alternative 2A (*status quo*) for commercial allocation. Reasons cited are summarized below.**
- Businesses over time made investments across the coast based on the allocations that have been in place, including vessels and shore side infrastructure. Shifting the quota/allocation to states with less infrastructure may result in those being unable to utilize the additional quota.
- There was a lot of work that went getting an agreement on the initial allocation and that should be honored by not changing it.
- The regulations related to Endangered Species Act listed species, specifically turtles and turtle excluder devices (TEDs) affect vessels from North Carolina disproportionately compared to other states. This impact was cited as why landings have shifted away from North Carolina to more northern states in recent years. A number of attendees noted the role of TEDs in affecting North Carolina's landings since their implementation.
- Concerns were raised that basing new allocations on NEFSC trawl survey data is flawed due to inaccuracies in the stock assessment information.
- North Carolina fishermen are the hardest workers on the east coast and their work helped establish the quota for not only North Carolina, but other states along the coast; given this, the allocations should remain as they are. A number of attendees noted the role of North Carolina fishermen/vessels in landing fish other states that was the basis for their quotas.
- It was noted that the price of summer flounder has maintained at a high value, based on the allocations; this has continued even as the quotas have been reduced in recent years.
- Concerns were raised on alternative 2D, the scup model. Specifically, this alternative would create a derby fishery that would use up the available quota quickly and would potentially create safety issues.

### Issue 3: Landings Flexibility Provisions

- **All 10 participants were in favor of alternative 3A (not adding landings flexibility as frameworkable item to the Council’s FMP). Reasons cited included the following:**
- States can already develop agreements to achieve ‘flexibility’ in landings as North Carolina and Virginia have done. More of these agreements should be pursued.
- Captains view landings flexibility as the ability to land fish in states that are open and would like to land multiple state trip limits on one trip.
- Landings flexibility should be understood as a state-specific issue, not one that the Council needs to address through the Federal FMP.
- A few attendees raised concerns that landings flexibility may result in less landings in North Carolina and that it would negatively affect fish houses that rely on summer flounder in the Winter to stay profitable.

### General Comments

- It was noted that reduction to North Carolina’s allocation could negatively impact other fishermen along the coast. While some think that North Carolina’s data is not as good as other states, North Carolina had the best data when the allocations were originally established. Changing the allocation would be based on political science and not fishery science.
- One attendee read from the journal Ecology and Society regarding maximum sustainable yield that once it became a part of fishery management policy its weakness were and have not been considered. This attendee argues that this policy supports a political agenda of the federal government, specifically in efforts to increase imports of seafood from other countries. These comments were specific to the amount of flounder that are being imported from other countries and the science that supports having a higher size limit that targets female fish.
- Due to the impacts and damage from Hurricane Florence a few weeks ago, there are a lot less people participating in the public hearing than would have attended. Many fishermen need to still make a living and if they are not fishing to make up for the down time due to the Hurricane, they are at home dealing with the aftermath of the storm.
- It was noted that the Advisory Panel process for scallops (NEFMC) operates much differently than the Commission/MAFMC process; under the scallops FMP the AP puts forward changes that need to be made in a ‘bottom-up’ process. Concerns were raised that this Amendment does not follow that type of process and in turn is being driven more by politics.
- A question was asked to the hearing participants whether back in the 1980s, if summer flounder were offloaded in northern states by NC vessels and trucked back to NC and counted as landings. None of the participants had any recollection of this happening; they noted that there was a black market with landings being paid for with cash, which may be part of why some went unreported or under-reported.



### 3 WRITTEN COMMENTS

This section includes all written comments on the amendment received or postmarked from August 10, 2018 through 11:59 pm, Friday, October 12, 2018, including those received by email, web form, fax, mail, or hand delivery.

Some commenters submitted identical comments by more than one method; exact duplicate copies of comments were not included.

**Name:** Paul Olinski

**Email Address:** pauloski1@msn.com

**City, State, Zip Code:** Kearny

**Check all that apply:** Private Recreational Angler

**Comments:** Ever since the summer flounder quota was turned upside down in favor of the commercial fishing industry (they have the big \$) the fishery has gone to pot. Forty years ago when I would go Fluke-summer flounder-fishing it was not unusual to catch 75-100 "keepers" before noon (and my Dad and I considered a "keeper" to be a 2-4 pounder. My last Party Boat trip I caught 75 Fluke, but they were all shorts; I hope they all survived release. These short Fluke are generally male and rarely grow to the current limit size. It is almost as though you want the summer flounder to become extinct. Setting the limits so that the larger Fluke (The females) are the only ones that can be harvested is insanity!! I hope you will change the quotas back to what was traditionally a majority for the recreational fishery and that you will revise the limits and sizes to protect the breeders; no Fluke shall be retained or harvested that is 18" or more. Otherwise we may run out of Fluke-Summer Flounder-quite soon because no females=no eggs=no fish

P.S. This will also cause a tremendous financial detriment to the economy of Northeast coast states and the Party boat business.

**Name:** JACK RHYNE

**Email Address:** jrhyne@wilkes.net

**City, State, Zip Code:** OAK ISLAND

**Check all that apply:** Private Recreational Angler

**Comments:** With the ratio of money that the Rec. fisherman impacts NC economy compared to Comm. fisherman I would like to see netting for flounder/drum/spec trout stopped. Proof lies in FL's huge success on its fishery. Tougher guidelines on flounder gigging would help also. The true doom to NC fishery is at the feet of our elected "politico's in RDU. Enough said about this calamity !  
Thanks Jack

From: **John William** <jrw2869@gmail.com>

Date: Fri, Aug 10, 2018 at 9:43 PM

Subject: "Summer Flounder Commercial Issues Amendment Comments"

To: nmfs.flukeamendment@noaa.gov

Just wondering why the commercial industry in NC is permitted to supply the entire US with 90%+ of summer flounder! We know the resource is being decimated in NC, smaller and smaller fish brought in annually. I'd suggest raising the size limit on the industry but it is well known they do not pay attention do that and the buyers do not care either. Why not put the NC industry on the level playing field of their peers and eliminate gill nets? Why the states farther south have not filed suit as these fish do travel south, when they survive. The wonderful gifts to the commercial industry is no favor to the recreational industry.

NC could have a great fishery for commercials and recreationalists but y'all are determined to feed the greed. Expect nothing as in the past 5 decades from fishery mismanagement officials.

John William

From: **rharbina** <rharbina@yahoo.com>

Date: Sat, Aug 11, 2018 at 10:32 AM

Subject: Fluke Amendment

To: nmfs.flukeamendment@noaa.gov

Hi, my name is Rick Harbina and I am a New Jersey surf fisherman for the past 55 years. I normally fish between 120 and 150 days a year. I mention this so that you understand that I have a lot of experience with the surf fishing aspect of salt water fishing. From my own observations as well as discussions with other fishermen and divers (spear fishermen) I've come to realize that the current fluke regulations are counter-productive. Fluke are an aggressive species and being a warm water creature are more prone to have a high mortality rate. While I am not a marine biologist, I believe that about 25 % of released fish do not survive. Additionally, having to release the smaller fish and keep only the larger breeders is not the way to help increase the fluke bio-mass. I know that there are various user groups including private boat owners, party boats and commercial fishermen as well as surf fishermen and each group has their own needs. I would like to suggest some changes which might be a more effective way to manage the fishery. Each user group needs their own set of regulations. While enforcement may be a problem, protecting the fishery should be paramount, that said, I feel that party boats might need a seasonal catch limit similar to commercial boats although relying on the honesty of individuals comes with its pitfalls. As far as private boaters and surf fishermen, allowing 2 fish at 15 to 18 inches and 1 over say 20 inches might be a way to control the mortality rate. Thanks for the time and I hope a successful formula can be reached.

Rick

[rharbina@yahoo.com](mailto:rharbina@yahoo.com)

**Name:** Harvey Yenkinson

**Email Address:** vetcraft@aol.com

**City, State, Zip Code:** West Chester, Pa 19061

**Check all that apply:** Charter/Headboat For-Hire, Other

**Comments:** I am greatly concerned about the propensity of the fluke population to be pushed northward by the ability of the commercial fleet to fish unrestricted in any areas it wishes. As a member of the advisory panel, I have had the ability over the last several years to see the data showing how the commercial fleet, particularly the boats from Virginia and North Carolina, moving their operations hundreds of miles to the north as closer segments of the stock have been decimated.

Much data has been presented to council on global warming and ocean acidification, none of which is of any magnitude, to cause the shift to the north that we are seeing. Projections showing fluke stocks moving north over time in the future are theoretical in nature and not born out by actual observations or studies.

In the area of my knowledge and fishing participation, southern and central New Jersey, I have seen a steady decline in the fluke population in both numbers (four decades) and size (2 decades) causing great devastation to the fishing related economies in my area.

It is quite clear to me that when we manage east-west migratory species that we need to direct fishing pressure in such a way that it does not cause localized depletions. Right now it is council's policy to allow lower size limits to our states to the south, such that at least some fish can be caught by recreational fishermen. I think this is far from the best way to manage our fisheries and is a self defeating practice.

I think we need to start to look at examining a geographic sector management scenario along lines of latitude progressing from north to south along the east coast range of the fluke species. Under this scenario, sectors would be closed or fishing under reduced quotas in segments that are experiencing localized depletions.

I would also suggest that council look at making high grading illegal, such that additional tows would not be made in the process of harvesting larger specimens worth more per pound.

It is additionally clear to me that regulating fluke fisheries on a poundage basis is an antiquated practice.

For example, a 4 pound fecund fluke is capable of producing more viable offspring than two 2 pound females, yet we regulate them the same. Larger specimens are worth more per pound but also worth more to the reproductive ability of the stock and should be regulated as such.

Along the same lines, as our stock borders on being overfished, we need to look at protection of the species at times of greatest spawning activity, data which we do have.

**From:** <bsmith4035@aol.com>  
**Date:** Mon, Sep 10, 2018 at 5:20 PM  
**Subject:**  
**To:** nmfs.flukeamendment@noaa.gov

To whom it may concern.

You folks have been regulating the public real hard since about 93. The public's share of the fishery is smaller every year. last year was five of those very rare fish this year it's three of those very rare fish. You need to see a commercial boat unload summer flounder! The sand replenishment and draggers have pretty much destroyed the inshore ocean bottom the natural food chain has been destroyed. There is no way the biomass will increase with out food! There should be no commercial fish zones also maybe some barrier reef and jetty work instead of tearing up the ocean bottom. A no fishing zone for commercial fishing would allow the ocean bottom to restore it's self in time allowing the many food creatures that allow the biomass to increase. Also allowing marine creatures to grow to full adult size to propagate at there maximum. All of this together would allow the biomass to increase. At the current rate very shortly the stocks are going to collapse then what? The public has done great sacrifice over these many years and can see no benefit for any of it. It seems the commercial sector and there lobbyists and corps have it all tied up and the public's share has been the way to maintain the commercial catch. all of this is a terrible tragic shame. It is more than time to make some difficult changes on the business sector and do the right thing. This season the weather has taken at least half of the days away from the public. You folks never give the public a break. Some how year after year you folks get away with this tyranny on the public it really is sad to say the least.

**From:** mario interrante <interran@hotmail.com>  
**Date:** Tue, Sep 18, 2018 at 11:24 AM  
**Subject:** Summer Flounder  
**To:** nmfs.flukeamendment@noaa.gov <nmfs.flukeamendment@noaa.gov>

Have been salt water fishing the Northeast waters from NJ, NY and RI for 50 years. We have decimated our oceans by over fishing. Moratoriums need to be placed on every species not just Summer Flounder. A very, very complex task to execute when addressing commercial businesses.

Sent from Mail for Windows 10

**Name:** Raymond Lupkowski  
**Email Address:** relfluke@aol.com  
**City, State, Zip Code:** 07874

**Check all that apply:** Private Recreational Angler

**Comments:** How come MA has a longer Fluke season and smaller size limit and larger keeper amounts What gives Are you guys gals anti Jersey A lot of commercial recreational proprietors have gone out of business becaus of your sennagens Fluke fishing is one of my favorite things too due which I have been doing for over 60 years

**Name:** Hank Lackner

**Email Address:** Jdhlcl@aol.com

**City, State, Zip Code:** Montauk,ny 11954

**Check all that apply:** Commercial Industry

**Comments:** To whom it may concern,

My name is Hank Lackner and I own a commercial trawler homeported in Montauk Ny..

I believe the current FMP objectives should be revised as stated in you document.. Most importantly we should be striving to improve yeild, with compatible management between state and federal jurisdictions..

A goal of this amendment should also be to achieve the MAXIMUM ECONOMIC benefit for the fleet.

1. I am infavor of a requalifier for federal permits. In doing so the council would be staying consistent with other recent FMPs. Latent effort must be addressed.. Permits with zero history need to be removed.

2. Commercial allocation

As a new york resident none of the options work for our fisherman!!!

I would like to see the states get together and INDEPENDENTANTLY work on a FAIR reallocation of the resource!!

Any reallocations above a quota trigger is absolutely unacceptable. The numbers we are currently working off of are STALE.. So basing future decisions off of them,is no good..

A possible solution could be a coastwide quota in the winter periods. Similar to the scup model.

This can only be done using certain caveats

A. Trawlers only

B. Boatracs mandatory

C. Declared into the fishery

This will help with management as well as enforcement issues

Lastly and most importantly,

The council should move forward with implementation of a FLEXIBLE Landings program..

This is the only way to truely utilize the resource correctly while Maximizing vessel returns.

Thanks, Hank Lackner

From: Gary yerman <[swim@snet.net](mailto:swim@snet.net)>  
Date: Sat, Sep 29, 2018 at 1:13 PM  
Subject: Comments from CT 9/10/18 Fluke meeting  
To: [nmfs.flukeamendment@noaa.gov](mailto:nmfs.flukeamendment@noaa.gov) <[nmfs.flukeamendment@noaa.gov](mailto:nmfs.flukeamendment@noaa.gov)>

Gentlemen:

We are Commercial Fishermen from New London, CT. We have been in the fishing industry since 1972, fishing from the Canadian Line to Norfolk Canyon. Being located in CT for the majority of those years we harvested the majority of our Summer Flounder in the Hudson Canyon to the North. It was no surprise to us when the charts showing the majority of the harvested Summer Flounder landed along the entire East coast from North Carolina to Massachusetts during the qualifying years were harvested from that same area.

What is disturbing is the absence of representation from the states north of New Jersey for Federal Summer Flounder allocations. This has been lop sided from the very implementation of the rebuilding and allocation plans.

It is our understanding the recorded landings for North Carolina and Virginia during the qualifying years was achieved by the poundage, although landed in Northern states by southern boats, being recorded in the Southern fish houses. This has long been a contention, especially because the Northern states do not have any leverage in the allocation.

I believe this situation should be revisited and the allocations treated more equitably.

Therefore:

- 1) We are in favor of Alternative !A: No Action/Status Quo. We think the industry has reach a comfortable level. The fellows with Federal licenses in CPH have an investment that should be protected should they decide to enter the fisheries again or give a license to a family member, sell or whatever the circumstance may be.
- 2) We are in favor of adding commercial landings flexibility as a framework issue in the Councils MFP.
- 3) We are in favor of Alternative 2B-2: this is a more favorable option due to shifting biomasses and a more equitable allocation for all East Coast fishermen.
- 4) We are also in favor of more industry data gathering. The R/V Bigelow does not show a fair representation of the summer flounder biomass. This goes on for a lot of reasons. Some of which are unrealistic gear selections for the size of the vessel. Times of year when the data is collected is not anything to do with the migration patterns of the targeted species. We believe the observer program is additionally flawed. The data is skewed because participant vessels are intimidated to fish where any by-catch species interact with targeted species because the way the current by-catch ratio is used against the fishermen. If the NMFS wants to collect real data it our opinion they should hire commercial industry vessels to collect true data. The system is flawed and will not be corrected until the NMFS works in harmony with industry.

It is also our opinion the Scup and Black Sea Bass fisheries should be revisited. The current allocations are not working for the fishermen, the seafood markets, the American consumers or meeting the management goals of the NMFS.

The above comments and opinions are supported by the following businesses, fishermen and industry participants.

- 1- New London Seafood Dist. Inc. Seafood 114 Smith St, New London, CT
- 2- Gary Yerman, Commercial Fisherman, 46 yrs. Owner/Captain, Defiance III, Old Saybrook, CT
- 3- Scott Yerman, Commercial Fisherman, 25 yrs, Owner/ Captain - F/V Carley Grace New London, CT
- 4- Rob Morsch, Commercial Fisherman, 20 yrs. Owner/Captain- F/V Mystic Way, Colchester, CT
- 5- Jim Kennedy, Commercial Fisherman, 20 yrs, Captain, F/V Samantha Brooke II, Westbrook, CT
- 6- Mike Theiler, Commercial Fisherman, 28 yrs. Owner/Captain, F/V, Jeanette T, F/V Emma Marie, F/V Amy Catherine, Waterford, CT
- 7- TA Scott Fisheries, New London, CT
- 8- Scott Eschenfelter, Commercial Fisherman, 25 yrs. Owner/ Captain, F/V Hannah Story, F/V Sharon E, New London , CT
- 9- Rick Lofstad, Commercial Fisherman, 45 yrs. Owner/ Captain, F/V All for Joy, F/V Olivia Joan, New London, CT
- 10- Rob Cabral, Commercial Fisherman, 30 yrs, Owner/Captain F/V Provider, New London, CT
- 11- Doug Pogany, Commercial Fisherman, 20 yrs. Owner/Captain F/V Kestrel, Clinton, CT
- 12- Gary Ruddy, Commercial Fisherman, 30 yrs. Owner /Captain F/V Git-er-Done, Old Saybrook, CT
- 13- Joe Bryda, Commercial Fisherman, 40 yrs. Owner/Captain F/V Athena, Montville, CT
- 14- Mike Dowie, Commercial Fisherman, 30 yrs. Owner/Captain F/V KMACK, Essex, CT
- 15- Ron Yerman, Commercial Fisherman, 20 yrs. 20 yrs. Captain F/V Samantha Brooke, Milford, CT.
- 16- Dan Russell, Commercial Fisherman, 40 yrs, Captain F/V Mystic Way, Colchester,

**Name:** John Connelly

**Email Address:** johnaconnelly3@gmail.com

**City, State, Zip Code:** Towaco, NJ 07082

**Check all that apply:** Private Recreational Angler

**Comments:** I support whatever is needed to help the summer flounder stock recuperate. I will give up fishing for summer flounder for however long it takes to rebuild the stocks.

I also know that many commercial fishermen rely on summer flounder to feed their families.

However, allowing them to keep fish that are 13 inches seems ridiculous since most of the fish goes to waste as bones and cat food. Unfortunately their by methods destroys a significant amount of habitat not t mention the by-catch that is wasted. And then it becomes food for crabs.

We need to thin about the foods that we eat, as well as what ends up on the ocean floor.

Thanks



**Name:** Nancy Solomon

**Email Address:** director@longislandtraditions.org

**City, State, Zip Code:** Port Washington

**Check all that apply:** NGO

**Comments:** We support the development of a new quota system for summer flounder, due to the inequitable distribution of the quota within the region. There is also increasing evidence that summer flounder are now more plentiful in northern states, yet fishers here in NY are not allowed to harvest them due to strict quota regulations, while southern fishers from North Carolina and elsewhere come to New York because they can harvest them due to their disproportionate share of the quota. Please correct this injustice by reformulating the quota.

**Name:** Frank Proctor

**Email Address:** fproctor1@gmail.com

**City, State, Zip Code:** Harkers Island, NC 28531

**Check all that apply:** Private Recreational Angler

**Comments:** I support any and all efforts to return the flounder fishery to viability. The stock is depleted and action, soon, is required. Please stop kicking the can down the road!

**Name:** roy diehl

**Email Address:** crab554@aol.com

**City, State, Zip Code:** union beach

**Check all that apply:** Commercial Industry

**Comments:** this comment is for summer flounder (fluke), i have fished commercially full time since 1980, i have seen the ups and downs , i believe the coast wide quota is way to low there are a lot more fluke out there than we all know about . we catch our quota's in record times even though the fleet has diminished

i support the most restrictive plan to reduce the latent permit s by requalifing

i am strongly against any type of landing flexibility ,his is a way to go around any state permitting,here in new jersey we have worked very hard with state regulators to keep the fishery open all year for our boats. this is being pushed by Rhode island boats that are buying up the new jersey landing licenses and are currently landing minimal amounts here hoping to land in Rhode island and effectively steal new jersey's historically allocated quota .

**Name:** Timothy Swanson

**Email Address:** tcistpete@aol.com

**City, State, Zip Code:** wantagh ny 11793

**Check all that apply:** Commercial Industry

**Comments:** I have been a commercial fisherman in N.Y. for over 40 years. Before the NMFS started managing fish and fluke in particular N.Y was ahead of the conservatiuon curve by having a 14 inch size limit. Some states had as low as a 10 inch size and were landing huge quantities of fluke and as it turns out were rewarded for such when the distribution process divided up the allotment, N.Y. got penilized. Also other states had a much more efficient way of counting fish landed i.e. port agent. Me and the 20 other boats fishing out of Freeport NEVER had a reliable port agent and a huge portion of our fish landed during the determining years was NEVER reported .Personelly I was NEVER asked by anyone about my fluke landings and I caught A LOT of fish. It is time for N.Y. to get its fair share of the quota that we deserve. Thank you Tim Swanson

**Name:** Paul Olinski

**Email Address:** pauloski1@msn.com

**City, State, Zip Code:** Kearny

**Check all that apply:** Private Recreational Angler

**Comments:** I have already submitted my comments, but I have something to add. The commercial fishing industry mostly wiped out the Cod, Whiting, Ling, Sea Bass, etc., etc. by the late 70's. There was not much left for them to go for except Summer Flounder (Fluke). and they fished that fishery hard starting in the late 70's and the 80's. So basing their quota on those years skews the traditional numbers that were in the 60's and early 70's more favorable to recreational anglers. In 1976 my Dad and I rented a rowboat left at 7 AM and by 2 PM we had caught over 100 Fluke all of keeper size and kept some to eat and share. By 1986 when I went on a private boat we were able to easily fill our limits by 3 PM (7 AM start). By 1996 fishing for Fluke was getting really tough, but on a half day party boat you still had a good shot at a limit. By 2006 I went on a half day party boat and caught 75 shorts and not one keeper. A couple years later I decided to quit wasting my time and money and I stopped Fluke fishing. The rules are backwards. Recreational anglers should not be forced to keep the larger (BREEDER FEMALES) while releasing the smaller males whose lifespans are short (They never get very big) and which will probably never attain keeper size.

**Name:** Paul Tokarz

**Email Address:** tok67@verizon.net

**City, State, Zip Code:** East Taunton , MA 02718

**Check all that apply:** Private Recreational Angler, Commercial Industry

**Comments:** I believe the commercial fluke permits should be made available to current MA/Fed commercial fishing permit holders ,who currently do not have one.

The new open permits should only be made available to purchase in the upcoming year; to the current MA/Fed commercial fishing .(yearly renew would take place as permits )

Then close the permit process for a few more years.

Would like to mention the true boat commercial fisherman is like a farmer. Some have really big farms and some have small farms. however every contributes to the system.

Thank you for reading.

**Name:** michael muller

**Email Address:** rellum00@gmail.com

**City, State, Zip Code:** VIRGINIA BEACH

**Check all that apply:** Private Recreational Angler

**Comments:** I can't fathom the cost benefit inadequacy of your organization's logic in regards to the summer flounder fishery. For the benefit of 200-400 commercial entities that supply the wholesale environment with product that results in untallied product waste at appx \$11-\$15 lb retail, your willing to advocate, endorse, and protect a destructive fishery where cheating is rampant, code is readily flaunted and derided by its adherents, and the overall GDP impact is mostly negative. The environmental impact of this commercial fishery alone doesn't justify it's existence, but yet your organization blindly forges ahead with allocation quotas and mesh size and season closures with an air of authority of GOD all the while watching blissfully as the fishery collapses and takes almost as much bycatch species with it. The commercial fishery industry is a failure, Lobster,Cod, Summer flounder,Tuns,Tautog, etc,etc,all spiraling to destruction under its own overharvesting wasteful fishing methods, and until your organization wises up and returns it to a pinhook environment dependent upon skill and biomass, the participants themselves don't and won't do whats needed for their own survival.

**Name:** Richard Cotti

**Email Address:** maureen50@charter.net

**City, State, Zip Code:** Ludlow

**Check all that apply:** Commercial Industry

**Comments:** I am a small boat (20') commercial fisherman for striped bass, bluefish and summer flounder in Massachusetts. I certainly would like to continue to be able to sell summer flounder. Days to fish for fluke are limited in Massachusetts since we cannot fish for them on Friday and Saturday and Monday and Thursday are for bass. I can't compete with larger boats and draggers, but as an individual rod and reel fisherman I sell an extremely good product with hardly any discards. By the time the fish here in any appreciable numbers, a substantial portion of the quota has already been filled. I do sell fluke every year, and anything that can be done to extend the commercial season would be appreciated. I know that I don't sell enormous amounts of fish but I would like to fish for fluke on the limited days I am allowed to. Thank you for your consideration in this matter.

**Name:** john haran

**Email Address:** sector13@comcast.net

**City, State, Zip Code:** dartmouth,MA 022748

**Check all that apply:** Other

**Comments:** The commercial fishermen that rely on summer flounder because their groundfish stocks have been cut so much that they no longer can groundfish can not absorb any shifting of quota from commercial to recreational.

Landings flexibility would be beneficial to the commercial fleet. It would allow for safer trips and decrease our carbon footprint.

**Name:** Robert Sevigny

**Email Address:** robertsevigny@verizon.net

**City, State, Zip Code:** Warwick RI 02886

**Check all that apply:** Private Recreational Angler, Commercial Industry

**Comments:** The last couple of years have been the worst i have seen it in Narragansett Bay, RI. I have been fishing for 50 years around the bay and went fishing a few times the last couple of years, only a few because there are a tiny percent of Fluke that come into the bay. some of the trips produced zero fish a couple of times a half dozen fish and those were in the outer bay. In years past we were able to fish in the inner bay, those days are gone. Even outside the bay there were not many fluke caught with the exception of Block island. Something needs to be changed.. Robert Sevigny

**Name:** Warren Kremin

**Email Address:** Wdkremin@aol.com

**City, State, Zip Code:** Bronx, ny 10474

**Check all that apply:** Commercial Industry

**Comments:** Need for fluke to keep my 50 employees working and hopefully be able to create more jobs.

**Name:** Stephanie Villani

**Email Address:** bluemoonfish@optonline.net

**City, State, Zip Code:** Mattituck, NY 11952

**Check all that apply:** Commercial Industry

**Comments:** NYS commercial fishermen need more fluke quota. This is why:

--it is very tough to make a living as a commercial fisherman. Expenses are high and low quotas lead to fishermen going out of business. There are not many commercial fishermen left in this state. Fishermen from the USA are the most highly regulated in the world.

--We personally have a large number of customers that want local fish. if there isn't enough for them, they end up buying inferior product from out of the country. 85% of seafood sold in the USA is from abroad.

--commercial fishermen from other states come to NY waters and harvest the fluke that NY fishermen are not allowed to harvest. It is not a matter of overfishing; the fluke stock is healthy. Check various state and federal records on this. Quotas should be made more equal.

--NY State needs to support a healthy fishery, including the fishermen and their customers. We have some of the finest fish in the world harvested off of the NY State coast -- we should be able to take part in responsibly harvesting fluke rather than allowing people from other areas to come and take it. In addition, NY State needs to support our local seafood industry as more and more people are aware of where their food comes from -- they want fresh, local fish.

From: David Dow <ddow420@comcast.net>  
Date: Wed, Oct 10, 2018 at 5:55 AM  
Subject: Summer Flounder Amendment Comments  
To: <nmfs.flukeamendment@noaa.gov>  
Cc: David Dow [ddow420@comcast.net](mailto:ddow420@comcast.net)

I am a retired marine scientist and grassroots environmental activist living on Cape Cod. I used to work at the Fisheries Lab in Woods Hole (Northeast Fisheries Science Center) where amongst other duties I was the Recreational Fisheries Coordinator in the Northeast and a member of the NEFMC's Habitat Plan Development Team which helped Omnibus Habitat Amendment 2. In recent times Summer flounder, scup and black sea bass have moved into the waters in Nantucket Sound and adjacent embayments. These areas are being effected by eutrophication (nitrogen enrichment); climate change (warming waters and increased ocean acidity in sediments and water column); toxic chemicals which may bioaccumulate in the marine food chain (contaminants of emerging concern like PFOS and PFOA) and construction of wind farms in southeastern New England/US Navy Training & Testing in the Providence and Boston Regions. In addition, the stocks of forage fish such as sea herring have been dramatically reduced and may not be adequately supplemented by menhaden and other forage fish migrating up from the Mid-Atlantic region.

All of these factors combined may reduce the "productive capacity" of Summer flounder Essential Fish Habitat and increase the "natural mortality rate" in populations dynamics models (the latter is usually measured by difference in the mass balance computations). I laud the MAFMC for considering modifications to the commercial quota allocation; developing a commercial landings flexibility framework; revising the the FMP objectives; and ensuring compatible management between the states, Atlantic States Marine Fisheries Commission and NEFMC which regulates Winter flounder which are migrating northwards into the Gulf of Maine. Since Summer flounder, black sea bass and scup are also targeted by saltwater anglers, some accommodation needs to be made in the quota allocations between commercial and recreational fishing. The shifting baseline in the ocean surrounding Cape Cod needs to be accounted for in the SAW/SARC process that estimates the spawning stock biomass status; growth and reproduction rates and resulting ABC control rules/quotas developed by the MAFMC/ASMFC. Omnibus Habitat Amendment 2 developed by the NEFMC didn't include the effects of eutrophication; climate change and other

human uses on the EFH of Winter flounder or other managed species. One consequence of this that there have been drastic reductions in the Gulf of Maine cod and sea herring quotas.

**Section 7.0 Landings Flexibility Framework Provisions** tries to address some of my concerns, but it seems to be too narrow. It is good that flexibility would be added to allow quotas and landings to be extended to states in New England. The changes in EFH “productive capacity” in state and federal jurisdictional waters have to be addressed. Cape Cod embayments have lost oyster reefs & seagrass beds with erosion in salt marshes as a consequence of “N” enrichment; increased water temperature and acidity in the sediments/water column; and periodic anoxia/hypoxia in the bottom waters during the Summer. The grazing food chain is giving way to the microbial food web from late Spring into early Fall when the water column stratified (see EMaX carbon flow model of the Northeast Continental Shelf ecosystem for the consequences on the link between primary production and fisheries yield). From my perspective some type of adaptive, ecosystems-based management approach will be required to address these changes in “natural mortality” and how it effects the distribution of Summer flounder in space and time. Since the US Navy training and testing may involve sonar and explosives, this could effect both fishing vessels and Summer flounder, scup and black sea bass. Wind farm construction may help black sea bass populations, but the potential effects on Summer flounder appear to be unknown.

The final point that I wanted to make is that making changes to the Summer flounder landings has socioeconomic implications for coastal communities on places like Cape Cod where tourism; second homeowners; retirees and saltwater angling are important components of the **"Blue Economy"**. We are losing our working waterfront areas which effects both commercial fishing and saltwater angling. Section 7.0 needs to address this area in the landings flexibility framework. Most FMPs have both a natural and socioeconomic science component, but these are often poorly linked. Here on Cape Cod the 15 towns will spend \$ 4-7 billion over the next 20-30 years to reduce “N” loading from septic systems which has impacted our water quality and habitats for marine species. There is a dialog on “climate resilience” and link to coastal beach/wetland erosion. There is also concern on the effects of extreme weather events on coastal infrastructure and emergency responses for human populations. We face challenges from PFAS contamination of our drinking water and health effects on vulnerable populations (URI STEEP grant is exploring effects on immune system of children). Thus there will be shifts in the socioeconomic baseline on land which could effect both commercial fishing and saltwater angling for Summer Flounder. black sea bass and scup which are managed by the MAFMC/ASMFC/Massa. Division of Marine Fisheries.

Thanks for your consideration of these comments.

Dr. David D. Dow  
East Falmouth, Ma.

**Name:** thomas kuhner

**Email Address:** crab414@optonline.net

**City, State, Zip Code:** babylon n.y.11702

**Check all that apply:** Commercial Industry

**Comments:** 75 yearold life time commercial fisherman. tired of getting screwed over

**Name:** Russell Cleary

**Email Address:** skipjack93@yahoo.com

**City, State, Zip Code:** Pepperell

**Check all that apply:** Commercial Industry

**Comments:** Do not penalize those permit-holders who have not fished for Summer Flounder if better opportunities were with fisheries for which there was greater species abundance.

**Name:** Kammy Ball

**Email Address:** happ2@optonline.net

**City, State, Zip Code:** Montaukt NY 11954

**Check all that apply:** Commercial Industry

**Comments:** I am Kammy Ball wife of Donald Ball owner and sole operator of the F/V KAMMY B a commercial fishing dragger in Montauk NY. My husband has been fishing all his life and has been certainly screwed on the quota. I am angry and have been angry for so long now. I have written, been to meetings stateing how unfair Ny state is treated in the quota share. I will try again stating my views.

REQUALIFYING- I FEEL THE ALTERNATIVE 1B-1 WILL BEST SAVE THE RESOURSE AND THE TRADITIONAL FISHERMAN. IT WOULD BE FOR THE PROTECTION OF BOTH WHICH IS EXTREMELY IMPORTANT.

QUOTA ALLOCATION- WE ALL KNOW THAT ALL THE OTHER STATES GOT HIGHER PERCENTAGE OF THE ALLOCATION THAN NY. THIS WAS WRONG FROM THE BEGINNING. THE SIMPLEST SOLUTION WOULD BE TO TAKE 1% OFF THEIR ALLOCATION AND GIVE IT TO NY.....BUT THAT IS NOT IN THE AMENDMENT.....SO THAT BEING SAID, THE BEST CHOICE FOR ME IS 2B-2.

I'D LIKE TO THANK NYS DEC FOR TRYING TO DO THE BEST THEY CAN FOR NY FISHERMEN.

Sincerely,

Kammy Ball, wife of

Donald Ball



**Name:** david monroe

**Email Address:** fudmonroe@yahoo.com

**City, State, Zip Code:** Laurinburg, nc 28352

**Check all that apply:** Private Recreational Angler

**Comments:** we flounder fish at least 40 days a year. Release many 14.5-15in fish expecting more and bigger fish the next year. The ratio of released to keepers is about 30 to 1. Where are the fish going?

**Name:** Jonathan Mentzel

**Email Address:** jmentz21@gmail.com

**City, State, Zip Code:** Patchogue NY 11772

**Check all that apply:** Private Recreational Angler, Charter/Headboat For-Hire, Commercial Industry

**Comments:** I would like fluke limits to increase

From: <crab554@aol.com>

Date: Wed, Oct 10, 2018 at 4:11 PM

Subject: ny state request

To: <nmfs.flukeamendment@noaa.gov>

no action should be the way to go on fluke , i hold ny and nj permits and have fished for fluke for 35 years . i have always followed the rules new York is notorious for the scam. just remember the set a side fiasco? the same players now ask that you the mafmc steal the fluke for them this isn't going to fly.

roy diehl  
belford co op  
belford nj  
732 241 1980

From: **Joe Angevine** <angevinejoe@gmail.com>

Date: Thu, Oct 11, 2018 at 3:02 PM

Subject: Fluke allocation

To: <nmfs.flukeamendment@noaa.gov>

As a commercial fluke permit holder I believe the allocation should be equally distributed with all the states on the east coast

Sent from my iPhone

From: <hasfish@aol.com>  
Date: Thu, Oct 11, 2018 at 3:07 PM  
Subject: Fluke comment  
To: <nmfs.flukeamendment@noaa.gov>

October 11, 2018

To whom it may concern,

I am writing this letter as a concerned NY commercial Fluke fisherman. I have several thoughts regarding the unfair and outdated Fluke regulations here in the NE. They are:

-the use of 1980 data to figure out quota for each state is nuts! To have NC and Virginia with such a large share of the pie while NY gets such a small slice in unfair.

-interstate quota should be allowed

-coast wide measures for each state should be equal

-flexible landings are ng

-top quota states should be topped off to allow other states to catch up

Sincerely

Capt. Harvey Smith

F/V Soaker

**Name:** anthony zucco

**Email Address:** octopus139@hotmail.com

**City, State, Zip Code:** east hampton ny 11954

**Check all that apply:** Commercial Industry

**Comments:** we can't stay in fishing business with this low allocation

**Name:** Brendan casey

**Email Address:** rmpc61@optonline.net

**City, State, Zip Code:** centerport new york 11721

**Check all that apply:** Commercial Industry

**Comments:** since the fluke fishery has been rebuilding ,n,y, state citizens have been unfairly discriminated against. the fluke quota was given to the states that were keeping the smallest fish . ny dec was not intrested in accurate record keep .letting point lookout fish dock send fluke back in tractor trailers to southern states beefing their quotas up, while ny got nothing towards their future quota share .its time for the government to make all fisherman have the equal rights to the fluke fishery. the constitution never gave one state the lion share of fish over another .i vote to make the summer flounder fishery equal landing to all states involved .

**Name:** Ed Warner

**Email Address:** Stock7879@aol.com

**City, State, Zip Code:** HAMPTON Bays ny 11946

**Check all that apply:** Commercial Industry

**Comments:** the fluke quota system is not fair and balanced for all states. Now only a couple of states receive the lion share of fish. This situation needs to be addressed now and changed immediately. Ed Warner

**Name:** arthur surrey

**Email Address:** artiesurrey@aol.com

**City, State, Zip Code:** Montauk New York 11954

**Check all that apply:** Commercial Industry

**Comments:** at least give 60 lbs to commercial fisherman that's what fits in a carton and give up to 100 lbs in summer for rod and reel fisherman. Rod and reel fisherman can only profit from middle of June to beginning of Sept. even the small Draggers after that they disappear. New Jersey and Connecticut fish same waters with at least 3 times are limit that also includes recreational. Thanks Artie

**Name:** John Davi

**Email Address:** captjohn63@yahoo.com

**City, State, Zip Code:** Port Jefferson Station New York

**Check all that apply:** Commercial Industry

**Comments:** Council members,

Unfortunately, I was unable to attend the public meeting that took place in New York. However, I am writing to address my concerns and comment on the summer flounder amendment.

Please consider that during the time a baseline was being set to establish interstate quota percentages, there were inconsistencies in the reference data that was being used to establish those baseline quotas. New York did not have the opportunity to establish a true baseline during the qualifying years resulting in an unreliable, underreported, inaccurate, and prejudicial baseline reference. This distortion can, and must, be corrected with the updated and more accurate data that has been collected over recent years.

Quota transfers between states should be considered if a state does not harvest its full allotment. Distribution across the states on a percentage basis, or an even and equitable distribution, would be welcomed.

I do not support and vehemently oppose "flexible landings" and do not support the consideration of such, nor do I support the establishment of a framework for the consideration of "flexible landings". This would undoubtedly harm inshore fisherman in all States.

Coast wide measures should be put in place to ensure equitable fluke quota distribution for all states while correcting for past inaccuracies. I propose an option that would be a compromise between states.

Proposal

The Atlantic Fisheries Compromise

The top three States with the highest percentage of fish will be temporarily capped at current levels. With the increase of fish quota per annum, the increase would only be distributed to the remaining States, until all States are in line with the recommended fish levels of sustainability for fisherman for those States. This would remove the pressure to reduce quota percentage from the top three States. Once the disadvantaged states get caught up to sustainable levels, the original percentages can resume for all States.

Thank you for your time and consideration. Please feel free to contact me if you have any questions or concerns, or wish to further discuss my proposal.

Respectfully,

John Davi, Jr., Member

NYS Marine Resources Advisory Council

Commercial Fisherman

631-300-8527

[captjohn63@yahoo.com](mailto:captjohn63@yahoo.com)

**Name:** Eric Lundvall

**Email Address:** [ericlarslundvall@gmail.com](mailto:ericlarslundvall@gmail.com)

**City, State, Zip Code:** Saunderstown, Rhode Island 02874

**Check all that apply:** Commercial Industry

**Comments:** STATUS QUO. I oppose all proposed measures of this summer flounder ammendment.

Sincerely,

Eric Lundvall, F/V Estrela Domar, owner, captain

Pt. Judith, Rhode Island

Federal Summer Flounder Moratorium permits 151988.

**Name:** edward rennar

**Email Address:** [joxer821@aol.com](mailto:joxer821@aol.com)

**City, State, Zip Code:** montauk

**Check all that apply:** Commercial Industry

**Comments:** Please keep it limited-entry entry do not ask current license holders to requalify.

**Name:** Alfred Schaffer

**Email Address:** Alfred.schaffer@icloud.com

**City, State, Zip Code:** East Hampton ny 11937

**Check all that apply:** Commercial Industry

**Comments:** The NY allotted quota was a mistake from the beginning. NY port agent used box count verses everyone's actual weight but you know that so the weights were squed to start with. I believe coast wide measures for equal distribution amongst states as a good part of the fish are caught off NY. We should start entire process over on an equal basis. I also don't believe in flexible landings amongst states good practice. It would work against state boats and fish prices year round. Something needs to get done as the system now is completely disproportionate. Thank you Al Schaffer

**Name:** Mitchell Fulcher

**Email Address:** Mjfulcher7266@gmail.com

**City, State, Zip Code:** East Hampton, ny, 11937

**Check all that apply:** Commercial Industry

**Comments:** The current summer flounder quota system really needs an immediate overhaul for many reasons; two being the gross inequality of state shares and the northern migration of the species itself. New York's coast has been a hot spot for summer flounder fisheries for decades yet the state only receives a paltry 7.6% share. It's not uncommon to see vessels from many coastal states fishing side by side with their New York brethren allowed to harvest as much as 200x the local vessels' minute daily quota. With the northern migration of summer flounder becoming more pronounced each passing year, it is a good argument for a reallocation of some quota to a group who have been handcuffed by unfair and outdated regulations for far too long, the commercial fishers of New York. Time for some reasonable change is here now.

Thank you,

Mitchell Fulcher

F/V Finestkind

**Name:** Tor Vincent

**Email Address:** duckislandmarine@gmail.com

**City, State, Zip Code:** Northport NY 11768

**Check all that apply:** Commercial Industry

**Comments:** The New York State quota has been flawed for decades. From the way our port agent counted the fish to the rigged surveys designed to fail. We need to adjust the quota much more equitably to all the states. That would bring some fairness to this long standing problem. I do not favor flexibility but rather a simple adjustment in state quota.

Thanks for the effort

**Name:** CARL BENSON

**Email Address:** farm08753@aol.com

**City, State, Zip Code:** TOMS RIVER

**Check all that apply:** Private Recreational Angler, Commercial Industry

**Comments:** SUMMER FLOUNDER COMMERCIAL ISSUES AMENDMENT

I will be addressing the 4 issues that are presented for comment. But first, I wish to comment about the process. For the past five years, MAFMC, ASFMC and NMFS have been utilizing resources: funds, staff, scientist and members to address these issues, while the summer flounder biomass is not attaining the goals set by the Magnuson Stevens ACT. From the user position, summer flounder is now more restrictive for both recreational and commercial fishers. It was not that long ago that the summer flounder bio mass was incorrectly declared as rebuilt. How did we get here. in my view, these groups did not do their job and allowed other priorities to intercede and deflect focus on the prize. This 25 year long failure must be the priority.

For the past 5 years, there has been no collaborative research funding to address options to increase biomass. After the mismanagement of the Research Set Aside program, only one MAFMC funding opportunity in its 5 year plan was implemented and the funding was not awarded to any summer flounder proposals. Instead Black Sea Bass off shore mortality reduction was funded. Summer flounder biomass is low and in trouble, while BSB are twice their biomass target.

In 2014, a research proposal was awarded to FDU to study hook size appropriate to harvest summer flounder while reducing the catching of "shorts". Both MAFMC's RSA and NOAA's Bi-Catch Reduction Engineering Program awarded funding. FDU selected NOAA's offer. Over 7500 summer flounder were caught utilizing hooks ranging from size 2/0 through 9/0. The study indicated the hook size to utilize to harvest target sized SF while reducing the catch of smaller non target fish. The results were presented to various groups including MAFMC and NJMFC. NJ DEP utilized the study results to defend its position of not going to 19' summer flounder for the 2017 season. NJ arranged for a hook manufacturer to provide samples thru Bait and Tackle stores. The study was peer reviewed and published. Why has this information not been used to address reduce discard mortality.

During 2018. the wonder rig gained popularity. This rig is not new, but was shared with the general fishing public thru Internet sites. The rig uses a light as possible buck tail, with hook removed, and a leader to a NO.6 hook(twelve sizes smaller than recommended for 18" summer flounder) and a live bait, such as minnow(killifish), peanut bunker, spearing, mullet, snapper bluefish, etc. The above BREP study showed that gut hooking was increased with the use of live bait. However utilizing the proper hook size out weighed the live bait aspect.

The point is that discard mortality must be addressed and the best process implemented to insure the biomass regaining its rebuilding target.

I recommend

4.0 PROPOSED REVISIONS TO FMP OBJECTIVES- when the Council and Board identify preferred alternatives come back in the same form to get public comment. Not approved.

5.0 FEDERAL MORATORIUM PERMIT REQUALIFICATION-Alternative 1B--- eliminate the largest number of Moratorium rights

6.0 COMMERCIAL QUOTA ALLOCATION-Alternative 2A--- Status Quo- Seems like a stacked deck to move from the 4 ? southern? to the 5 ?northern? states so that the havenots take from the haves. Looks like a law suit is in the future. Lets rebuild the summer flounder stock instead of foolishly wasting resources.

7.0 LANDINGS FLEXIBILITY FRAMEWORK PROVISIONS-3-A STATUS QUO. Could have impact on dealers and shore based operations that are currently fragile.

**Name:** Brian Boyce

**Email Address:** crab.4.u@hotmail.com

**City, State, Zip Code:** Belford N.J. 07718

**Check all that apply:** Commercial Industry

**Comments:** Summer Flounder Commercial Issues Amendment Comments

I am the owner operator of fishing vessel Linda permit # 250231.

I recently attended public hearing on proposed changes to summer flounder regulations. I have been fishing for summer flounder for approxamatly 45 years. Long before there were permits.

Your permit requalification plan is a sham. I can not agree to requalify permit owners who already have permits. I am going with alternative 1A in this regard.We do not have 401 ks or a big pension our permits are our retirement.

On the proposed commercial quota reallocation I again go with the status quo 2A. we have suffered many years with short quotas and 2 week seasons. We can not handle any more cut backs.

On Landing Flexibility Frame Work plans I again go with the status quo 3A Landing big quotas from Virginia or Carolina will only drive fluke prices down.This business is tuff enough with out market glut.

The best thing that should be done with summer flounder is reduce size limit on sport fishery .It seems the higher you raise the size limit the less the biomass becomes. You can not kill all the large spawning females and expect a stock recovery.Also catching 20 small fish to get one keeper is stupid how many released fish are dead??

Brian Boyce

fishing vessel Linda

permit 250231



**Name:** Gus Lovgren

**Email Address:** gus.glove@gmail.com

**City, State, Zip Code:** Brick, NJ 08723

**Check all that apply:** Commercial Industry

**Comments:** 10/10/2018 Gus Lovgren

Summer Flounder Amendment Comments

My name is Gus Lovgren, I am a captain of the fishing vessel Kailey Ann as well as a member of the Fisherman's Dock Co-Op Inc. in Point Pleasant, NJ. I would like to start by saying all proposed options for goal 2 would be completely devastating for New Jersey fishermen. We have had our quota's reduced year after year under the guise that our sacrifices would be rewarded in the near future. In the past four years alone, our quota has been reduced over 30 percent despite our landings falling short of the directed quota allotments. The economic impact has been disastrous; vessels are being sold, and those who were planning to retire are being forced back to continue working, while most of us our struggling to pay our bills.

The issue is that the stock biomass has moved northward into southern New England. While I agree with this statement, I strongly disagree with where the line has been drawn for the shift in quota allocation. We have not seen a shift in our local summer flounder biomass; we are still catching the same fish in the same spots that our grandfathers have fished for over 60 years. What I have noticed in recent years is boats with North Carolina and/or Virginia fluke permits fishing off the New Jersey coast to obtain their quota and return back to the south to offload their catch. This includes both southern boats as well as New England boats with southern permits

New Jersey's sustainable fishing regulations have made us the center point for some of the most highly sought seafood on the east coast, including not just summer flounder, but also black sea bass, scallops, scup, and more. It seems as if many of these proposals are punishing us for the sacrifices we made to assure the healthy biomass that we are currently experiencing. For example, New Jersey is the only state that has created six directed fluke seasons, allowing for year round fishing without saturating the market or putting too much pressure on the species at any one time. Despite us fishing year round, we never have to venture very far to catch our limit.

The next issues I would like to address is the stock biomass assessment of summer flounder. Since the introduction of the Magnuson-Stevens Act of 1976 and the removal of the foreign fleet from our waters, the fluke biomass has been on a steady incline until recent years. We fell below the targeted biomass goal and saw reductions in the spawning biomass with little change to commercial regulations during that time. What did change was increases in recreational size limits. The current recreational size limit of 18 inches forces fisherman to target spawning females while increasing the mortality rate of discarded undersized fish. This 18 inch size limit also paints targets on the backs of commercial fisherman who are allowed to retain 14 inch fish. These regulations have been the cause of much verbal abuse I have received, as well as threats to my boat, my gear, my crew and relatively my safety and well being. I propose reducing the recreational size limit to 16 inches and adding an amendment limiting the amount of fish that can be kept over 24 inches. This would limit the amount of pressure on spawning females.

As for goal 1, "Implementing Re qualifying Criteria," I support alternative 1B-5, for the qualifying period from 1999-2014. However I believe the cumulative quota should be increased to 5000

pounds, or to a cumulative landings total of 1000 pounds over the span of any 1 year during that time span. If you do not meet those qualifications than you obviously are not dependent on the summer flounder fishery for you livelihood.

With goal 2, "Modifications to Commercial Quota Allocation," I support alternative 2A; no action. I have stated above in great detail that I see no other alternatives that aren't completely devastating to New Jersey fisherman. In terms of quota reallocation, I see this already happening with the buying and selling of permits to vessels in the New England area.

As for goal 3, "Landings Flexibility," I support alternative 3A; no action. States create their own quotas to adversely affect their local economy. Allowing boats to land their catches in home ports outside of their state permits could be disastrous to local jobs, as well as prices for other fisherman. For example, how would a North Carolina game warden be able to monitor the offload of fluke in Connecticut on such short notice? Furthermore, by amending goals 2 and 3, a handful of select fisherman would be rewarded, but it would cripple small family owned and operated vessels. For instance, what type of effect would it have if a boat from southern New England, with permits for North Carolina, Virginia, and New Jersey now saw a major increase in their local quota while being allowed to land all those limits in their home port? The market would become saturated and prices would tumble. The fisherman with single-state permits would feel the effects the most. I could see this type of proposition to being just as disastrous to the industry as the introduction of the catch-share program, it creates a few big winners while driving the smaller enterprises into a guaranteed death.

Commercial fishing is America's oldest industry as well as the 7th most regulated in the country. We have the most sustainable fisheries in the world, but low quotas have driven market prices to record highs while ex-vessel prices have remained stagnant. We have reached the point where the average citizen cannot afford fresh local caught fish. In turn they buy cheap, low quality imported fish. We now import over 90 percent of the seafood in America from countries with little to no concern for regulations or sustainability. We are humble people doing the jobs we love, like our fathers and their fathers before them. What was once a thriving industry is now an over-regulated mess. Please take into consideration my suggestions for amendments and take into account the possible ramifications.

Thank you for your consideration, Gus Lovgren F/V Kailey Ann Fisherman's Dock Co-Op

**Name:** Paul Bruce Beckwith

**Email Address:** suebeckwith82@msn.com

**City, State, Zip Code:** Montauk

**Check all that apply:** Commercial Industry

**Comments:** I am not really sure how flexible landings will help the majority of NYS commercial fluke fishermen. I am in favor of a coast wide quota on fluke similar to that on scup in the winter period where all Federally commercial moratorium summer flounder permit holders can catch and land the same trip limits on fluke in the winter period regardless of what state they are from in their respective states. Reasonable once a week landings with sustainable trip limits on fluke that won't cause derby type fishing. I feel everyone fishing in Federal waters regardless of what state should have the same trip limits.

**Name:** Don Ball

**Email Address:** Happ2@optonline.net

**City, State, Zip Code:** Amagansett N.Y. 11930

**Check all that apply:** Commercial Industry

**Comments:** Don ball commercial fisherman owner of f/v Kammy B. To add to my previous comment that I sent the other day. The reason I like the scup plan is because all federal permits and landings are equal. It eliminates the flexible landing bull crap. I am against flexible landings. Too unfair for inshore guys who don't have out of state permits. It only benefits the wealthy. Permits should go back to the states where they came from to benefit those states fishermen. Donald Ball

From: <happ2@optonline.net>

Date: Fri, Oct 12, 2018 at 5:17 PM

Subject: Summer flounder amendment

To: <nmfs.flukeamendment@noaa.gov>

Don Ball commercial fisherman owner of f/v Kammy b out of Mtk. Adding to previous sent comments. Not in favor of flexible landings as it only benefits the wealthy big enterprises. Reason I approve the scup plan is that it makes things fair. All boats and permits are equal and this is what the amendment is about... fairness. State permits should only allow fish to be landed and sold in the state of the permit. Thank you Don Ball

**Name:** John Howell

**Email Address:** jfhowell84@hotmail.com

**City, State, Zip Code:** 08731

**Check all that apply:** Private Recreational Angler, Commercial Industry

**Comments:** 6.0 COMMERCIAL QUOTA ALLOCATION-Alternative 2A--- Status Quo-NJ is in the northern region. There is no reason to lump NJ with the southern states in an attempt to reduce NJ's quota percentage. NJ is gaining fluke biomass wise due to northward movement. There is no reason to lower NJ's quota by lumping NJ with southern states.

7.0 LANDINGS FLEXIBILITY FRAMEWORK PROVISIONS-3-A STATUS QUO. Really should not allow out of state boats to land fish in NJ.

From: Ken Morse <ken@tightlinestackleinc.com>

Date: Thu, Oct 11, 2018 at 3:45 PM

Subject: NY Fluke

To: <nmfs.flukeamendment@noaa.gov>

New York is ALWAYS GETTING SCREWED BY OVER REGULATION!!!!!!!!!!

Your killing us!!!!

Please

Stop over regulation!!!

Your making my livelihood impossible!

Kenneth Morse  
Tightlinestackleinc

Sent from my iPhone

From: William Wasilewski President F/V William&Lauren Inc <wlfisheries@aol.com>

Date: Thu, Oct 11, 2018 at 4:33 PM

Subject: Fluke amendment

To: <nmfs.flukeamendment@noaa.gov>

I am submitting the following comments in regard to the summer flounder amendment.

As for the requalifying part of the amendment I like alternative 1A. The reason being the resource is currently being sustainably managed and has been for quite some time. As stated by the councils own research many permits remain inactive. The reason for that is low quotas, expensive start up costs, and not many qualified fishermen to go fishing. Not to mention limited availability of state permits.

If the council feels compelled to requalify permits I think that alternative 1B-5 would be a good choice.

It is a middle of the road alternative with a 31% reduction. It also doesn't just reward newer entrants into the fishery but takes into account those with a long history of participation in the fishery.

The next topic of concern is changing the different states allocation. This is blatantly unfair. Historical landings have been a keystone of fisheries management. Now we're going disregard this because the biomass has shifted? I do not see the merit in this. The resource is and always has been spread out over a large geographical area with most of the fish caught in federal waters. If anything boats that have to travel further north to catch small quotas may not find it economical to do so which in turn would promote more conservation.

I urge the council to adopt alternative 2A.

In closing the council should not be requalifying permits or changing state allocations. It's akin to changing the rules in the middle of the game. It is unfair to most fisherman involved in the summer flounder fishery.

Thank you for considering my comments,

Bill Wasilewski  
F/V William&Lauren

Sent from my iPhone

William Wasilewski  
President F/V William&Lauren Inc

From: Brendan & Rachel Casey <rmpc61@optonline.net>  
Date: Thu, Oct 11, 2018 at 4:48 PM  
Subject: fluke  
To: <nmfs.flukeamendment@noaa.gov>

it time to stop discriminating against new york fisherman. a flawed system was developed by your advisory council to take away the equal rights of new york fisherman to the summer flounder fishery.its a fact. vote now to make all states involved in the fluke fishery even . like it was before this unjust summer flounder quota system was enacted. thank u Brendan casey, new york fisherman

From: Candace Caraftis <caraftisfish@aol.com>  
Date: Thu, Oct 11, 2018 at 6:33 PM

Subject: Dr. Christopher Moore, I am submitting comments today in regards to the Summer Flounder Commercial Issues Amendment. For 20+ years, this antiquated state-by-state allocation issue, using outdated data, has been debated for the commercial industry, as well as the recreational industry. As a member of the New York Fishing Community, I do not believe that any of the commercial quota allocation alternatives listed in this Amendment properly address the issue. The current state-by-state commercial allocation that was adopted in 1993 is inequitable, disproportionate and inappropriate. It is in fact a violation to the Magnuson-Stevens Act National Standard 2, requiring that the best scientific data available is utilized, for which these allocations are not. None of the alternatives proposed address the real issue, which is the need for a complete overhaul of the state-by-state allocation of the commercial quota for Summer Flounder. This Amendment falls short of an alternative to

To: <nmfs.flukeamendment@noaa.gov>

From: Alfred Schaffer <alfred.schaffer@icloud.com>  
Date: Fri, Oct 12, 2018 at 9:10 AM  
Subject: Flk  
To: <nmfs.flukeamendment@noaa.gov>

Fluke distribution amongst states needs to be reconsidered. The NY allocation has been wrong right from the beginning as our port agent counted flk by the box method an other states used actual weights so we started disadvantaged right from the start. A large majority of the fish are caught off NY so I believe we should start from the beginning on all states on a equal basis . The truth is the data is sqed an the observer program is a joke as data is only used for negative purposes . If data was used properly we would have a increase in flk quota . I have also personally run a ventless trap servey for ASMFC an proved to the scientists how it was disigned to fail . Government run science is a rediculus farce . Back to flk I also don't believe flexibly in landings amongst states is advantageous to smaller boats an think its a bad idea. Something needs to be done as NY needs to get a larger portion of the quota an real science needs to be looked at through uncorrupted eyes

Thank you Al Schaffer

Sent from my iPhone

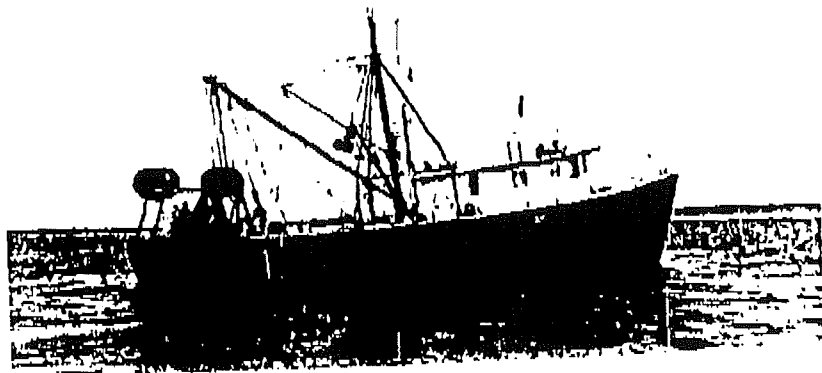
From: jon semlear <jsemlear@hotmail.com>

Date: Fri, Oct 12, 2018 at 11:47 AM

Subject: Fluke quota

To: nmfs.flukeamendment@noaa.gov <nmfs.flukeamendment@noaa.gov>

I am a pound net fisherman in New York State. NY2877. Please afford our state a reasonable share of the coast wide fluke quota. Our survival in our industry depends on it. Thank you. Jon Semlear



ROBERT HAMILTON JR. INC.  
 F/V MISS NANCY [REDACTED] F/V JEREMY H  
 527 MAIN STREET  
 GREENPORT, N.Y. 11944  
 631-477-0243, 631-477-0928 FAX  
 516-383-1430 CELL

9/8/18

TO: Chris Moore PhD  
 Mid-Atlantic Fishery Council  
 N. State St Suite 201  
 Dover, DE 19901

FAX 302-674-5399

Comments on Summer Flounder  
 Amendment.

3 pages including cover

Chris Moore PhD

9/8/18

Mid-Atlantic Fishery Council

N. State St Suite 201

Dover De 19901

Fax 302-674-5399

## Comments on Fluke amendment

### Commercial Quota Allocation

I support alternative 2B-2

NY State has been unfairly given a low share of the quota (7.6%) of the fluke biomass. The 1980-89 data was severely lacking. NY state did not collect trip reports and the port agents reported very few of the fishing vessels trips.

I will support an increase in quota for N.Y. State.

I am total opposed to 2D.

Using the scup model for fluke would be devastating to the small inshore vessels.

With a scup trip limit in winter of 50,000

Those of us who fish in state waters get approximately 1.2% (600 lbs) for a daily quota in the summer months.

If fluke were regulated according



to the "scup model", NY state  
summer period fluke landings would be  
lower than our current 50 lbs/day or  
NONE - Fishery closed.

I am 100% opposed to managing fluke  
mirroring the "scup model"!

### 3A - No Action

I am totally opposed to the  
landings flexibility for fluke and  
especially "allowing vessels to possess  
multiple state possession limits at  
one time for separate offloading."

This will certainly foster  
a derby fishery, where the  
largest boats will use up the  
quota before others can utilize  
the resource

Sincerely  
Robert Hamilton - Jr

Robert Hamilton

9/15

September 13, 2018

TO: Chris Moore PHD

FROM: James Puhala

25 Linden Ave N

Westbrook ,CT 06498

The time has come for change in the methodology of the personnel at Atlantic Fisheries. Their judgement is clouded or politically influenced.

Science proves that the biomass of fluke has shifted from the Mid Atlantic to the North but the people making these decisions have totally ignored this fact.

States like MA, CT and RI are being treated unfairly. The fluke are in our area and the allocations do not reflect this fact.

The states of VA and NC are unfairly harvesting the North Atlantic fluke due to their high allocations, allowing them nearly 50% of the allocation is ludicrous. It shows the poor management of this system.

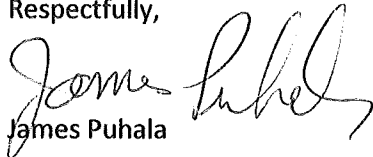
It appears that this will continue to hurt the Northeast fisherman.

Making the right decision is difficult but the only decision needs to be more allocations for the Northeast Region.

Make the correct decision and avoid politics. Think about what science has dictated.

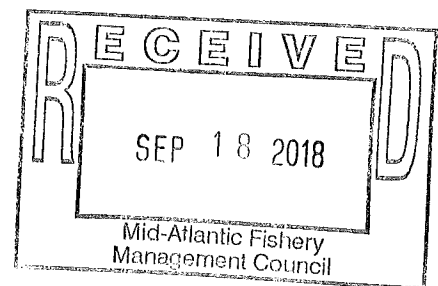
I hope these comments will not fall on deaf ears.

Respectfully,



James Puhala

413-374-7402



9/15

TO: Chris Moore PHD

FROM: Gary Rutty

43 Clark St., Old Saybrook, CT 06475

I hold a fluke permit to drag for fluke in CT.

After attending a recent meeting, I am very upset on the way allocations for fluke are handled.

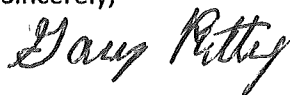
It seems no one accepts the fact that the biomass of fluke has now moved to the North Atlantic and science proves this. Yet we get the smallest allocations for fluke. I cannot understand how North Carolina and Virginia are allowed to come into North Atlantic waters and harvest and sell our fluke, using past years as the reasoning for giving them high quotas is not sound judgement.

Please consider increasing CT quotas.

I am strongly in favor of increasing allocations to greater fluke for the North Atlantic States.

Waiting years to enact changes is completely unfair.

Sincerely,



Gary Rutty



## Kiley Dancy

---

**From:** James Fletcher <unfa34@gmail.com>  
**Sent:** Tuesday, September 25, 2018 1:59 PM  
**To:** Beaty, Julia; Kiley Dancy; Moore, Christopher; Batsavage, Chris  
**Subject:** ALTERNATIVE TO REDUCING SUMMER FLOUNDER VESSELS WITH SUMMER FLOUNDER  
COMMERCIAL ISSUES AMENDMENT  
**Attachments:** 37\_fisheryjournal\_1991.pdf

PLEASE MAKE A PART OF RECORD

WHERE IS INFORMATION ON RANCHING SOUTHERN FLOUNDER POSSIBLY IN NEW YORK  
THIS IS 1991 HOW MUCH HAS "BEST SCIENCE IMPROVED" ???

--

James Fletcher  
United National Fisherman's Association  
123 Apple Rd.  
Manns Harbor, NC 27953  
252-473-3287





# The big shift from trawl fishery to fish farming and aquaculture



Except when feeding, bastard halibut kept in tanks or cages spend most of the time lying quietly on the bottom. The fish lie one on top of another not as a result of a swarming instinct but rather as a manifestation of their habitual need, known as thigmotaxis, to constantly be in contact with some surface.

The aquaculture being conducted in Japan today can be divided into two major categories; open-sea system fish farming that utilizes open areas of natural sea environment, and closed-area system aquaculture conducted in artificially enclosed sectors of water. The fish farming method is one that relies basically on the natural productive capacity of a given sea area.

The object of this method is to release fish seeds in the natural sea environment and control or maintain that environment in ways beneficial for growth of the young so as to increase and maintain the reproductive capacity of the marine resources involved.

This in turn leads to recovery of fishing ground productivity and helps stimulate fishing boat fisheries within the cycle of the resources' natural reproductive patterns. The aquaculture method, on the other hand, is by nature a commercial pursuit. This method provides the fishery operator the means to actively control the growth of his marine products, create added value and gain commercial profit from sales. Particularly in the case of closed-area system aquaculture of fishes, the tendency is to choose high-value fish with rapid growth characteristics and engage strictly in feeding aquaculture.

In Japan, the market price of fish varies greatly by species. High class fish like bastard halibut, red sea bream and tunas for example draw market prices that are more than ten times the price per kilogram of mass-catch fishes like sardine, sand lance and mackerels. This price gap between different species of fish has been the largest single factor contributing to the growth of commercial-type aquaculture of fishes in Japan. The present price structure for these types of marine products is based on traditional Japanese eating habits with regard to seafood. But in another sense, it also reflects the development of Japan's consumer economy that has accompanied the high economic growth rate the country has enjoyed since the 1960's.



Closed-area system aquaculture using net cages hung in surface waters is conducted by family labor. The feeding operation can be performed by one person, while the selection work, net cleaning and shipping preparations are performed by 2-3 people.

The species we introduce in this issue, bastard halibut, *Paralichthys olivaceus*, is a prime example of a high-class consumer fish that has become the object of commercial aquaculture under the unique conditions of Japanese marine production mentioned above. In all parts of Japan today, the production of bastard halibut is being actively expanded by means of both fish farming and aquaculture methods (FIG.1). Bastard halibuts and righteye flounders have been important fishery products in Japan since the Edo Period (17th-19th centuries), caught actively in inland sea areas, bays and outer sea coasts with sand and mud bottom composition throughout the country. The fishing methods have included seine net, sailing seine, gill net, long line and hand-and-line.

Among these, seine net and sailing seine methods became mechanized in the Meiji Period (1868-1912) and later developed into small-scale trawl net methods. The trawl net method using motorized boats is the most efficient fishing method of all for catching demersal fish, and, with the growth of fisheries in modern times, its use has spread beyond coastal fisheries into offshore and even far sea fishing grounds. Flatfish fishery is no exception to this tendency, with the trawl net method continuing to be responsible for the largest amount of catch.

In recent years, however, trawl net fishery has diminished somewhat in importance. Since around 1980, a strengthening of international restrictions on trawl fisheries in the northern North Pacific Ocean, has led

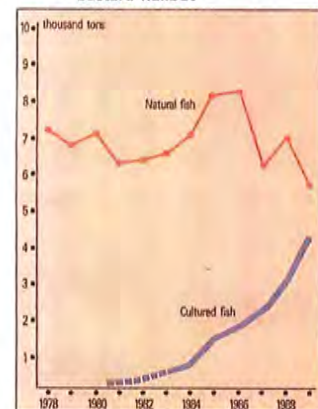
to a sharp reduction in catch. In some cases it has become necessary to suspend fishing operations completely. In the case of off-shore fisheries for flatfish, total catch has been decreasing steadily since the latter half of the 1970s. Furthermore, in coastal small-scale trawl net fishery, although fish farming has proven effective as a means to increase resources of shellfish species, the catch of demersal fish such as bastard halibut continues to decrease.

In light of these conditions, revitalization of coastal fisheries through propagation of resources has become an important subject of industry attention. And, in the case of high-class fish like bastard halibut with its strong market demand, conditions are ripe for a major expansion of commercial-type aquaculture. Artificial production of bastard halibut seeds began on a mass scale at the Fisheries Experimental Stations of Aomori, Tottori and Niigata Prefectures around the year 1975, after which release of fry was begun.

Since then, the number of prefectures engaging in fish farming of bastard halibut has continued to increase. In the year 1988, the nationwide production of bastard halibut seeds at national and prefectural sea farming centers was approximately 15.2 million fish, of which about 8.9 million were released in the sea after intermediate rearing.

Meanwhile, closed-area system aquaculture of bastard halibut was begun by fishery operators in about 1980. Since then, operations have spread to all parts of the country, including entries by operators from outside the fishery industry. At present there is an annual production of about 4,000 tons coming from the warm current coasts of Western Japan including the three dominant prefectures of Ehime, Kagoshima and Mie. (FIG.1)

FIG. 1: Japanese production of bastard halibut





# The bastard halibut's mode of life and suitability to aquaculture

**A**lmost all flatfish varieties are saltwater species, and they inhabit all of the world's oceans. They are distributed from the cold water regions to the tropics, but the largest resources are found in the temperate zone.

Flatfish are a heterosomata group. Immediately after hatching they have symmetrical bodies and swim in a vertical position. As they grow, however, one of the eyes gradually moves along the periphery of the head to the other side, finally becoming fixed in a position above the other eye. Its swimming posture then changes from the vertical to the horizontal, the structure of the head bones, nerves and muscles change and it enters a benthic life with its eyeside facing against the sea floor and its eyed side facing up.

Within the family Paralichthyidae, Japanese halibut is a variety with very distinct characteristics. Its eyes are small and its mouth large and strong with large, sharp teeth aligned in a single row.

In the natural state, bastard halibut reach an average body length of 3cm two months after hatching and 6cm within three months. After this the growth rate increases rapidly and, if conditions are favorable, the young will grow to a length of 30cm and weight of 250g one year after hatching,

40cm and 700g by the second year and 50cm and about 1.4 kg by the third year. At their largest, bastard halibut will reach a body length of 70–80cm and a weight of 4–5kg. In many fish species there is a tendency for the growth rate to slacken after sexual maturity is reached, but it is a characteristic of bastard halibut that growth continues without regard to sexual maturity. While the body growth rate is somewhat inferior to that of yellowtail, it far exceeds that of red sea bream for example. (FIG. 2) Bastard halibut is a bottom-dwelling fish that belongs to the order Pleuronectiforms, a group commonly referred to as flatfish. (FIG. 3) Among the flatfish inhabiting Japanese waters, the largest resources consist of two families of the suborder Pleuronectoidei; Paralichthyidae (bastard halibuts) and Pleuronectidae (righteye flounders). These two species groups also have higher value as marine products. While both groups are distributed throughout the coastal waters of Japan, bastard halibuts are generally distributed more in the south, with both the number of varieties and size of catches increasing the farther south one goes. On the other hand, righteye flounders are northern type species found most abundantly in Hokkaido, the northern island of Japan, with its number decreasing in southern waters. (FIG. 4 and



As a photochromatic, bastard halibut is sensitive to color, matching its own coloring to that of the bottom it inhabits. The photo shows the case of fish in the shaded part of a concrete tank.

FIG. 2: Comparison of growth for natural bastard halibut and righteye flounders

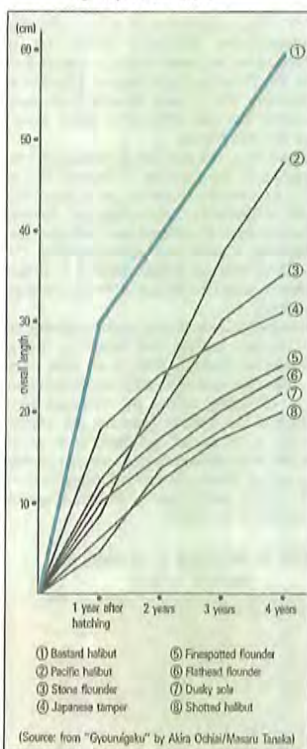


FIG. 3: Taxonomy of bastard halibuts

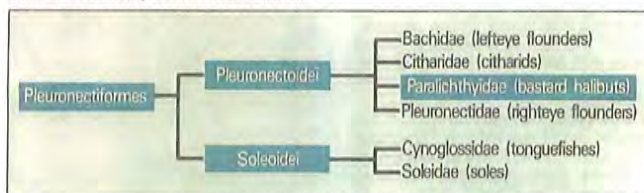


FIG. 4: Catch of natural bastard halibut (1989)

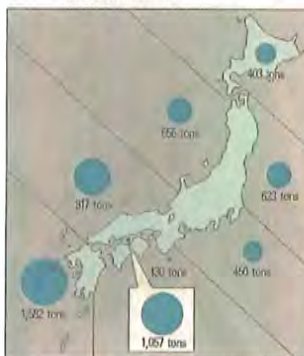


FIG. 5: Catch of natural righteye flounders (1989)

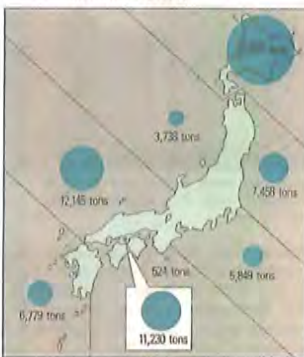


FIG. 5)

When bastard halibut reach a body length of about 11mm, about 25–30 days after hatching, the left-right symmetry of their body structure begins to distort and they enter a period of metamorphosis. This metamorphosis is completed by about the 50th day after hatching. The swimming fry inhabit surface and middle layer waters at a depth of greater than 20 meters. Upon entering the bottom-dwelling stage at about 12mm of body size, however, they move to sandy bottom areas at a depth of less than 20m, most commonly inhabiting river mouth areas or areas with eddies. For purposes of spawning or feeding, adult fish will make migrations between waters of different depths and between north and south. Prior to spawning they approach shore and live in shallow waters at a depth of 20–30m. After spawning they will migrate in a northerly direction in search of food. When water temperatures begin to drop in the fall they will move to depths below 50 meters and begin to migrate south, where they eventually spend the winter at depths of 90m or more. Throughout their life cycle, they consistently inhabit sea areas with sand and mud bottom composition. Bastard halibut is a typical carnivorous fish. During the larval stage they feed on planktons, but after reaching a body length of about 3cm they gradually shift to a piscivorous nature. Among bastard halibuts and righteye flounders are varieties that feed mainly on bottom-dwelling marine animals, but bastard halibut, with its well-developed teeth and strong swimming capability, feeds abundantly on the young of small and middle sized fishes that inhabit its habitat, as well as bottom-dwelling crustaceans. In its natural state, bastard halibut feeds primarily on anchovy and sand lance. In addition to these, it also feeds on the young of horse mackerel and chub mackerel, together with Japanese whiting, scorpionfish and righteye flounders. Its feeding habits are greatly affected by water temperature. At water temperatures below 10°C bastard halibut ceases to feed altogether. Within the range of 10–20°C it can be said that the higher the temperature the greater their feeding activity. When the temperature reaches 25°C their appetite begins to weaken, and at temperatures over 27°C they again cease to feed.

(Note) The abovementioned statistics derive from a thesis by Prof. Akira Ochiai.

For operators of bastard halibut aquaculture, the following three characteristics of the fish are extremely beneficial:

- 1) It is a high priced fish.
- 2) It is an active feeder with a fast growth rate.
- 3) Being sedentary by nature, it is easy to handle.

However, there are several problems connected with bastard halibut aquaculture that until recently have caused production to remain at a comparatively low level. These detrimental factors are all based in the ecological characteristics of the fish, and they include:

- 1) Diseases at the fry stage: A bacterial nebula of the intestines occurs around the time of metamorphosis, sometimes causing all the seed fish to die in a few days.
- 2) Cannibalism following metamorphosis: After the metamorphosis period, feeding habits change and the young show a preference to feed on small animals. At this stage cannibalism occurs with increasing intensity, resulting in a dramatic drop in the survival rate of the seed fish.
- 3) The difficulty of building culture facilities suited to the behaviour of the fish: With conventional net cage culture facilities commonly used in fish aquaculture, net vibration resulting from wind and wave motion causes flounder lying on the bottom to react by swimming up. This results in increased energy expenditure and reduced feeding efficiency. Also, net abrasion can cause external injury to the flounder that increases the mortality rate.
- 4) Appearance of whitened individuals: Among artificially produced bastard halibut seeds there is a high occurrence rate of whitened individuals that do not form a colored membrane on the surface of their eyed side.
- 5) With cultured bastard halibut, dark patches often form on the surface membrane of the eyeside.

Of the abovementioned problems, 1), 2) and 3) hinder the economics of aquaculture production, while 4) and 5), although not affecting the quality of the fish meat, are factors which decrease the commercial value of the product, thus threatening the economic feasibility of culture operations. However, the experimental efforts of researchers and the adaptations worked out by operators in recent years have served to alleviate these problems and stimulate a growth in production.



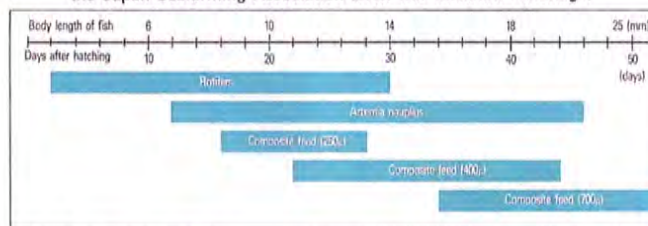
# The key lies in the fishermen's maintenance of the fishing grounds

The first attempt at artificial breeding of bastard halibut were made at the end of the 19th century, but at that time there was little success in raising the young after hatching. In 1965, Prof. Teruo Harada of the Marine Research Laboratory of Kinki University undertook the insemination and hatching of eggs obtained from natural fish and succeeded in rearing the offspring for over one year. Then, in 1969, the same professor succeeded in rearing the young obtained by artificial hatching into parent fish from which he was able to gather eggs, thus making a complete life-cycle aquaculture possible for the first time.

## Seed production

In the case of bastard halibut, it was in the 1980s that systems for mass production of seeds became established. These systems resulted from the perfection of technology for rearing hatched young produced by means of artificial insemination to an intermediate fry stage (body length 3–5cm) in large-sized (150-ton) or small sized (50-ton) water tanks on land. In one example, hatched young are placed in a 50-ton tank at a density of 20,000 fish per cubic meter of water, then thinned to a density of 10,000/m<sup>3</sup> upon reaching a body length of 8mm and again to a density of 5,000/m<sup>3</sup> upon reaching a length of 13mm. Each production batch thus requires four tanks, and two or three productions can be made a year, meaning a total annual output of

FIG. 6: Example of a feeding schedule from the Miyako Office (Iwate Pref.) of the Japan Seafarming Association (after Mr. Tatsuhiro Fukunaga)



two to three million seed fish. Until 1985, a variety of feeds were used for the fry and young, including Rotifers, Artemia nauplius, fish eggs, frozen mysids, minced fish meat, etc. Since 1987, however, the diet has been simplified to include just three elements; Rotifers, Artemia nauplius and composite feed, (FIG. 6) The most important things to watch for in the seed production process for bastard halibut are the outbreak of diseases caused by bacteria or parasitic insects and the occurrence of individuals with abnormal coloring. The former tend to be infectious diseases that result in extremely high mortality rates. Research to identify the bacteria responsible for each disease is in progress, and it has become clear that some of the infectious diseases are transmitted by organic feeds. The basic disease prevention measures include maintaining sanitation

during the seed production process and obtaining disease-free parent fish. Meanwhile, concerning the occurrence of abnormal coloring in flounders, whitening of the eye side is a well-known phenomenon. The phenomenon is the result of a non-contagious disease and is a partial body discoloration that is different from albinism. The appearance of coloration in bastard halibut is closely related to the metamorphic process by which the fish acquires its left-right asymmetrical characteristics. And it is now believed that the whitening occurs as a result of nutritional deficiencies during the fry stage. Recently, positive results are being achieved in the prevention of whitening by feeding the young a nutritionally fortified, fine-grained composite feed beginning about 10 days after hatching.

while in 1988 the number was roughly 97,000 (29% of the released stock). The economic return on the releases can be calculated as in TABLE 1.

According to this calculation, a production yield of ¥220–248 is gained for each fish released, and when the cost of producing the seeds is subtracted, it creates an added value of ¥150–200 per fish. Fishery catches include a mixture of natural and released fish, and the ratio of released fish in the total catch is shown in the TABLE 2.

TABLE 2: Catch composition with regard to released bastard halibut

Year class		1987	1988	1989
Gill net fishery, by area	A	17.9%	23.3%	23.5%
	B	14.7	12.5	21.4
	C	15.2	19.8	9.3
	D	58.5	65.0	77.8
Trawl fishery, by area	E	18.8	34.2	34.5
	F	34.4	29.0	45.7
	G	18.0	8.6	19.6
	H	19.0	9.5	4.5

Having judged that it is reasonable to assume that effective propagation of resources can be achieved by releasing seed fish in the prefecture's coastal waters, and seeing an increasing recognition of the value of seed release among the local fishermen, the prefectural government decided to call an end to the experimental stage and begin promoting the transfer to full-scale project operations. In 1991, studies were begun concerning the best methods for implementation of operations. When operations are begun, the fishermen will bear a certain percentage of the seed production costs and the local fishery cooperatives will be responsible for the work of releasing the seeds.

Although there are hopes that fish farming of bastard halibut will help restore the coastal resources, there are still a number of serious problems lying ahead. They involve the following:

When looking at the catch statistics concerning recaptured fish, we see a big difference in age and size structure between 1987 and 1988. In 1987 we see that the greater percentage of recaptured fish were second-year fish with a body length of around 30cm, while in 1988 the majority were first-year fish with body length of around 20cm. This represents a very poor fishery condition from an economic standpoint. It can be said that this situation resulted from the fact that the depth to which the released fish migrated to spend the fall and winter season corresponded with the operating depth of offshore trawl fisheries, and that the fishermen deliberately concentrated their operations in areas with the greatest concentration of young fish.

In the future, the following types of measures will be necessary to ensure the effectiveness of fish farming operations:

- 1) Establishment of protected areas around the points of release.
- 2) Restraint from conducting fishing operations in areas inhabited by first-year fish.
- 3) Prohibiting the sale of small-sized flounder on the market.
- 4) Regulations concerning the mesh size of fishing nets

Only when these essential measures are met will it be possible to achieve a balance between the maximum yield from the resources and economically sound fishery production.



Fukushima Prefecture is located along Japan's Pacific coast at a latitude of 36° 50'–37° 50'N. Its roughly 100km of relatively straight coastline stretches north-south with a coastal bottom composition mainly of sand and silt (FIG. 7). The offshore area is a complex one in terms of its oceanographic makeup, due to the fact that it is the meeting point of the southward-moving Oyashio cold current and the northward-moving Kuroshio warm current. As a result, the area is interspersed with cold spots and warm spots and current rifts that made it an abundant breeding ground for planktons and, thus, a good fishing ground. These offshore waters have long been developed as fishing grounds for saury, skipjack and tuna fisheries. In the coastal fishing grounds, the main ob-

## Achieving results with large-scale release of seed fish

jects of fishery are chub mackerel, sand lance and saury among the pelagic fishes, and bastard halibut, righteye flounder, octopus and crab among the bottom dwellers. The principal fishing boats used in coastal fisheries here are 19-ton class offshore trawl boats, 8-ton class small trawl boats and 5-ton class small gill net boats.

Bastard halibut, one of the main coastal fishery resources of this region, has shown a decreasing trend since the 1970s. The year 1984 saw an exceptionally large survival rate, and large catches continued for the following 2–3 years, after which catches returned to the previous low levels. In the case of bastard halibut, 60–80% of the catch comes from bottom trawl fisheries and 20–40% from gill net fisheries. In years when resources are large there is an increase in the catch by trawl fisheries. It is probably correct to assume that the decline in resources in recent years is due to the fact that the intensity of trawl fishery is exceeding the reproductive capacity of the resources.

The Fukushima Prefectural Fisheries Experimental Station began the experimental release of bastard halibut fry in 1982. And, these releases have been accompanied by continuing surveys of the migrations, distribution and re-capture by fishing boats of the released fish. Although the released fish show patterns of migration between shallow and deep waters of the coastal and offshore areas as they grow, there seems to be little north-south migration. It has been judged that the majority of fish released in the central part of the prefectural waters are eventually caught as yearling or second-year fish within the boundaries of the prefectural waters. Growth of the released fish has

been found to be greatly affected by the body length at the time of release and the season in which they are released. It has been shown that fry that have been raised after hatching at an accelerated rate by using warm exhaust water from a thermal electric power station and released in July or August at a body length of 7–10cm, will grow at a faster rate than natural flounder, reaching a length of 20–30cm within the first year. Between the years 1982 and 1986, the Fisheries Experimental Station continued to release fry at a rate of 5–39 thousand fish a year. When national and prefectural subsidies became available in 1987, however, the Station switched to local seed production and radically increased the size of its experimental releases. In connection with this, they also intensified their surveys of recaptured fish landed at the prefecture's fishing ports. Under this intensified program, a total of 246,000 fish were released in 1987, 336,000 in 1988, 217,000 in 1989 and 392,000 in 1990.

The extent to which these large-scale releases have contributed to local fisheries has gradually become apparent. The number of released fish recaptured by bottom trawl and gill net fisheries in 1987 was estimated at 40,000 (16% of the released stock),

TABLE 1: Estimated economic return on fish released

Year	Released fish (thousands)	Recaptured fish (thousands)	Recapture rate (%)	Estimated value of released fish (million yen)	Estimated value of recaptured fish (million yen)	Estimated net value (million yen)
1987	246	40	16.3%	61 million yen	248 million yen	1,525 million yen
1988	336	97	28.9%	74 million yen	220 million yen	763 million yen

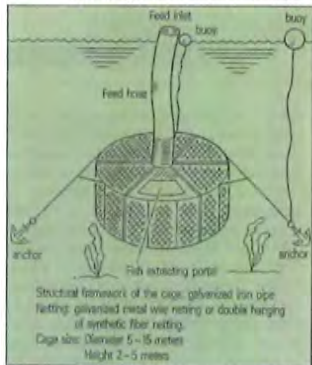


# Creating a culture environment as close as possible to nature itself

After their metamorphosis, bastard halibut enter a benthonic life mode. For this reason, culture facilities different from those used for yellowtail or red sea bream had to be developed. At first, between the years 1978 and 1980, bastard halibut culture using the existing net cage type of facility began to spread. However, the nets were found to cause abrasion injuries that increased the incidence of disease, resulting in a high mortality rate especially in the hot summer months. This caused most culture operators to either switch to another type of fish aquaculture or to quit their culture business altogether. After this, a new method appeared in which large-scale on-shore water tanks were built and fed with sea water for culture purposes. Also, a number of on-land culture facilities raising kuruma prawns in Kagoshima Prefecture began to switch to the culture of bastard halibut. It was with the emergence of this on-land water tank method that aquaculture of bastard halibut became a full-fledged industry, and today this method is still the dominant one. However, in recent years a number of new materials have been developed for spreading on the bottom of conventional net cage

facilities. This has led to successful use of surface water net cages in the aquaculture of bastard halibut in the Seto Inland Sea, with its year-round calm sea conditions and long period of suitable water temperature.

FIG. 8: Sea bottom type sunken culture cage for bastard halibut



And use of this method seems to be spreading. Also, in some areas a method by which

TABLE 3: A comparison of on-land tank and sea-surface net cage methods

	On-land tank	Sea-surface net cage
Advantages	<ul style="list-style-type: none"> <li>The bottom is stable and the fish can live undisturbed</li> <li>Ease of observation makes it possible to spot disease outbreak early, easy to monitor</li> <li>Environmental factors such as water temperature and salinity can be controlled</li> <li>Feeding and shipping work are more easily performed on land than on the sea</li> <li>By spreading sand on the bottom of the tank, a perfectly suited life environment can be achieved to raise better quality fish</li> </ul>	<ul style="list-style-type: none"> <li>Culture facilities can be built at far less cost than on-land tanks</li> <li>No power costs are incurred</li> <li>Operations can be performed by family labor</li> <li>It can be conducted as a side business with agriculture or boat fishery</li> </ul>
Disadvantages	<ul style="list-style-type: none"> <li>It is not easy to obtain sites that can supply good quality sea water</li> <li>A large investment is necessary to build facilities, large investment risk</li> <li>Large energy cost is involved in pumping up sea water to the facility</li> <li>Electric supply cutoff or pump breakdown can cause production losses</li> </ul>	<ul style="list-style-type: none"> <li>The facilities are on the water, making daily operations more difficult</li> <li>Fish growth is somewhat slower than in on-land tanks</li> <li>There is a danger of losing fish due to net damage</li> </ul>

net cages are lowered to the sea bottom and held in place by means of anchors is being tried. (FIG. 8) Thus, culture facilities for bastard halibut can be roughly divided into two types, the on-land tank method and the sea-surface

net cage method, each having its distinct advantages and disadvantages. (TABLE 3) Since bastard halibut is one of the highest priced fishes of all, operators were still able to recover their investment on high-cost on-land facilities and power supply by taking



Cultured bastard halibut 3 full years after hatching. On this 1.5kg cultured fish black spots have been formed on the eyeless side (right). It is believed that this coloring abnormality is caused more by the culture environment than by nutritional factors. In some on-land tank culture operations sand is spread on the bottom of the tank to give the fish a natural life environment. This enables the culture stock to grow to adult fish with the same coloring as natural fish.



To prevent cannibalism the fry are placed in separate cages according to size, after which sorting is repeated once every 2 or 3 months, as growth requires, to keep the size of the fry in the different cages uniform. The guideline for culture intensity is 10kg/m<sup>2</sup>. Even in waters with good tidal exchange, the rate is kept below 20kg/m<sup>2</sup>. The nets are changed 3-4 times before the stock reaches a size of 400-600g, each time replacing them with nets of larger mesh to improve flow-through. When changing the nets and bottom material is also cleaned.



Except at feeding time, the cages are kept covered with tarps. The aims of this practice are to 1) darken the cage to keep the fish relaxed, 2) to cut out sunlight formation of black spots and therefore blackening of the fish skin, 3) to prevent the flounder fry escaping, and 4) to restrain the growth of seaweeds.



Feeding salsalance are so, the larger as The fish at swallowing



## AQUACULTURE OF BASTARD HALIBUT IN JAPAN

advantage of large scale operating merits. In the future, however, if growing nationwide production leads to a drop in the market price of bastard halibut, the lower-cost net cage method should prove more advantageous. In such a case, it is conceivable that the present on-land tank operations may switch to the culture of an even higher priced fish like puffer.

### Feeding

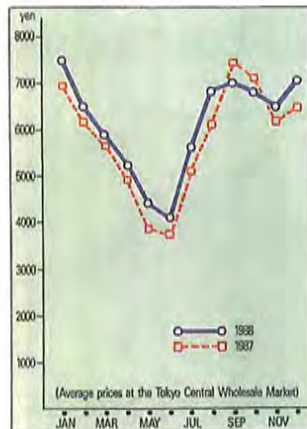
In bastard halibut culture today, there is still use of both fresh fish feeds and composite feeds. After the fry stage, there are three types of feeding methods that are used by different operators or at different stages in the fish's growth; 1) small fish like sand lance and anchovy can be fed to the fish whole, 2) they can be fed dry pellet form composite feed or, 3) the meat of fish like sardine or mackerel can be minced and mixed with composite feed material, nutritional additives and fermented foodstuff, and fed to them in the form of moist pellets.

Generally speaking, however, because of the rising price of fresh fish for feed purposes and such social factors as concern about water pollution, the trend is moving away from fresh fish feeds in favor of composite feeds. Bastard halibut is a fish whose meat consists of less fat and a higher percentage of protein than the feed fish like sand lance and anchovy. Thus it requires a greater amount of protein. From feed experimentation it has been determined that the preferred ratio of protein is about 56% (in dry weight).

### The culture schedule

In April when the water temperature rises

**FIG. 9: Market prices for bastard halibut**



above 14°C, the bastard halibut culture operators purchase fry that have been raised through an intermediate stage to a body length of 5 – 6cm from the seed producers and release them in their culture facilities. Because this is a feeding type of aquaculture, the fish grow at a faster rate than natural fish, reaching the minimum marketable size of 400 – 500g in November of the same year after six months of culture. If raising is continued, the fish will reach a size of 1kg by September or October of the following year, after about 18 months of culture.

The market price of bastard halibut varies

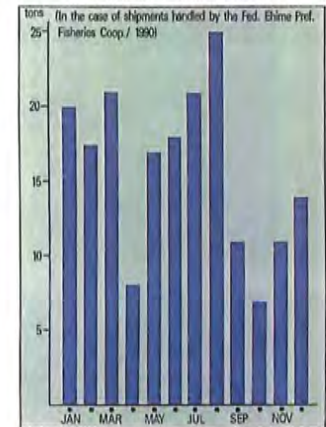
with the season, and there is also a different price scale depending on the body size. The prices are high in the season from summer into autumn and in the winter, with the peak prices coming in the year-end and new year season from December into January. The price then begins to drop in the early spring, reaching the lowest levels in May and June, when the largest shipments of natural fish are reaching the market. (FIG. 9) In terms of size, the highest price is placed on "one kilo class" fish between 900g and 1.2 – 1.3kg. By way of example, the prices in one producing area market in Ehime Prefecture during May of 1991 were ¥2,100/kg for 400g class fish, ¥2,500/kg for 600g class and ¥3,300/kg for 1kg class. Cultured bastard halibut are shipped almost year-round from the producing areas to the consuming areas.

1) A policy by which 400 – 600g fish are shipped at the year end/new year season  
2) A policy of raising the fish to a size of about 1kg and then choosing a time of high market price for making their shipments. The histogram of FIG. 10 shows the volume of bastard halibut shipments sold at the Federation of Ehime Prefectural Fisheries Cooperatives by month. Here we see two peak periods; one from Jan. to Mar. and the other from June to Aug.

The former consists of fish shipped at a size of 400 – 600g, while the latter represents "one kilo class" fish that have been raised by the culture operators for a year and several months. Most shipments are con-

cluded within the month of August. This is because in the months of August and September when the water temperature is at its highest, feeding efficiency decreases and culture operations become economically disadvantageous, and because September is the month when typhoons present the threat of net damage. In the case of on-land tank culture, most operators adopt a policy of shipping 400 – 600g fish within their first year because of the fact that an extended culture period means increased power cost.

**FIG. 10: Seasonal changes in the amount of shipment of cultured bastard halibut**



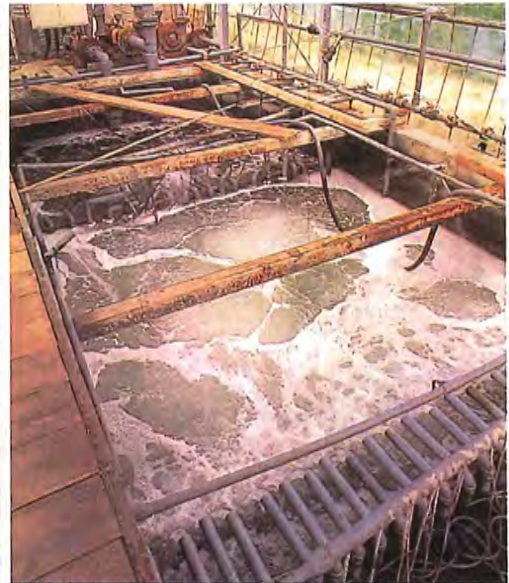
It would otherwise cause imping out the cage and



ce to the fish. The sand according to size, and fed to smaller fish stock accordingly, the feed voraciously, and lance whole.



This is a bastard halibut culture facility in Asahi City, Chiba Prefecture, located about 10km inland from the coast. Seawater is supplied to the facility every day by means of a 30-ton tank lorry, and the water is circulated through a filtration system while in use. Because it is a closed life environment the water temperature is maintained in a range from 20 – 25°C. The facility is made up of 30 tanks, each 8m in diameter, and the production schedule is aimed at 60,000 adult fish per year. This highly unique culture operation is a joint venture between a pig raiser and a manufacturer of water purification equipment.



In the circulation/filtration system the water is purified by a combination of physical, chemical and biological means.



A dike type culture facility built in an inlet.



A square type tank (6m x 6m). A drain is located in the center.



## EXAMPLE 2

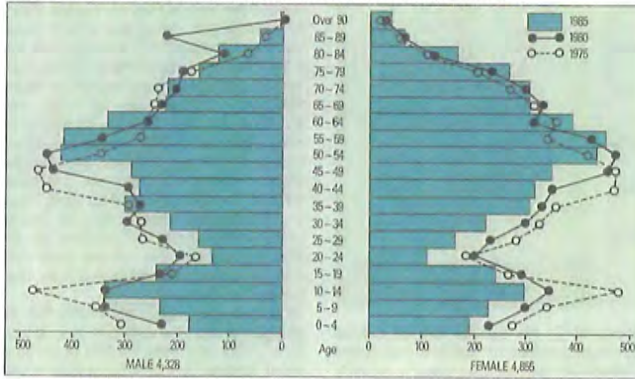
Cage net aquaculture in surface sea waters: Nakajima, Ehime Pref.

FIG 11: The geographic layout of Nakajima Township



## Changeover from orange growing to bastard halibut culture

FIG 12: Progression of population demographics by age and sex



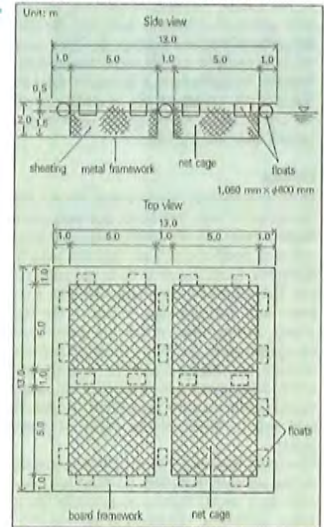
diving fisheries, thus making their livelihood from a half-agriculture, half-fishery economy.

In the 1960s, Nakajima prospered as one of the major orange-producing areas in the prefecture. After that, however, the high growth rate of the national economy brought about changes that sent the orange-based economy of Nakajima into decline. Young jr. high and high school graduates began to leave the islands to seek employment in the cities, causing population decline especially in agriculturally deprived areas. Then, nationwide over-production of mandarin oranges caused market prices to drop drastically in 1968 and again in 1972. Furthermore, the other half of the local economy, fishery, was hurt by a decline in resources of red sea bream and abalone in recent years and a lack of commensurate growth in the market price of such high-class fishery products. This situation has been worsened by an overall aging of the fishery labor force as young

people began to leave fishery for other jobs in the late '70s. Negative factors like these eventually resulted in a general weakening of the industry, with both the volume of catch and total fishery sales continuing to decline after reaching their peak in 1983. Then, the final blow came to the weakened regional economy of Nakajima when the government agreed to open its orange market to imports in 1989. With this, local leaders and the population in general began to have serious doubts about their economic future. (FIG. 12)

Meanwhile, during the years 1985 and '86, the Ehime prefectural government conducted a survey aimed at regional development for the one city and four townships along the prefecture's Seto Inland Sea coast. The conclusion of this survey was that this area possessed high developmental potential in the fields of both fishery and tourism. Based on this conclusion the "Iyonada Central Marinnovation Plan" was adopted in 1989 to utilize the region's fishery indus-

FIG 13: Culture cages employed



try and the unique environmental qualities of the individual townships in an integrated development project. As one of the townships within the auspices of this project, Nakajima set about the work of revitalizing their local economy under the slogan "Cultivating the Sea".

This "Marinnovation Plan" sought to deal with the challenges presented by such contemporary trends as the increasing internationalization of agriculture and fishery,

PHOTO COURTESY OF NAKAJIMA TOWNSHIP



Sorting mandarin oranges



PHOTO COURTESY OF NAKAJIMA TOWNSHIP





The cage nets are set up in quiet bay areas. On the mountains behind are terraced mandarin orange orchards.



Transportation between islands and from the islands to the city of Matsuyama consists of three car ferries and two high-speed passenger boats.



In this area cage frames are constructed of cedar legs with cedar boards tied thereto as strength members and loorboards as well.

social changes resulting from advancements in technology and communications, the aging of the work force and the diversification of life styles. Towards these ends the project set the following four goals as the main items of its agenda:

- 1) Development of marine resources and the promotion of fisheries
- 2) Renovation of local fishery centers and strengthening of distribution and processing capacities.
- 3) Rationalization of fishing household economies and raising the next generation of successors to the fishery business.
- 4) Preparing the basic facilities for marine recreation and improving transportation links to the urban areas.

To undertake substantial development of this type requires a revolutionizing force strong enough to break out of conventional habits and life styles. In a word, it requires both a pioneering spirit and entrepreneurship. Bastard halibut aquaculture in Nakajima got its start through the efforts of ten enterprising volunteers on one of Nakajima's islands, Nuwajima, in 1988. These ten people, who until then had made their living by orange growing and assorted fisheries, decided to undertake bastard halibut aquaculture after making a visit to Kamiura Township, the prefecture's pioneering region for sea-surface bastard halibut culture, and seeing the culture methods that were prospering there. They began by purchasing 15,000 fry as seed fish for their first experimental culture stock. Within half a year the bastard halibut had been raised successfully to a size of 500g with a 65% survival rate. These represented the same standards being achieved by culture operations in Kamiura.

The success of this initial culture venture convinced local authorities that bastard halibut culture could play a significant role in promoting local fishery development, and it was decided that the township's



Bastard halibut in a marketable size of 1kg.

government offices would open a new section to serve as an administrative outlet through which support would be offered to local fishermen seeking to invest in materials for culture operations or to sell their bastard halibut production. By the following year, new operators began to engage in bastard halibut culture one after another in Nuwajima and other islands. Nakajima has four independent fishery cooperatives, one for each of the main islands. But, in order to facilitate smooth development of the culture operations in the area, an inter-cooperative council was set up to deal exclusively with this new fishery, and it now functions as a venue for the exchange of information and opinions between members of the different cooperatives.

In the meantime, a different movement emerged among the younger generation of the township's orange growers. Four young orange orchard operators in their twenties and thirties got the idea to begin bastard

halibut seed production as a business to supplement their agricultural income. They began by interning themselves at the Ehime Prefectural Fisheries Experimental Station to receive training in the techniques of fry raising. Next they made a joint capital investment to set up a company. Three 10-ton size fry-raising tanks and four 10-ton tanks for raising feed planktons were built, and in March of 1989 raising operations were begun.

By May of the same year they were able to supply 120,000 fry to culture operators in the township. Presently, the company is aiming toward an annual production of 300,000 culture seeds, and if this goal is realized it is expected that the township will become self-sufficient in the entire culture process from seed production to the raising of mature fish.

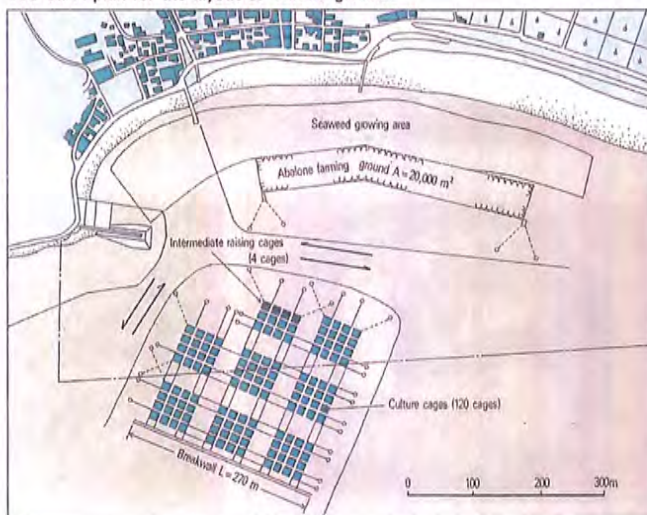
In Nakajima the bastard halibut aquaculture industry is growing yearly and, as of 1991, thirty of the roughly 600 local fishermen are involved. In all they operate 215 surface cage nets, in which some 320,000 fish are presently under culture.

Being an area where inland sea waters mix with outer sea waters, both the current conditions and water quality of the waters around Nakajima's islands are well suited for aquaculture. However, the water temperature here, which ranges from a low of 10°C in winter to a high of 25°C in summer, makes these waters too cold for winter culture of either yellowtail (suitable range: 15–20°C) or red sea bream (suitable range: 20–28°C). As a result neither of these fish has been cultured in the area.

Concerning the reasons why bastard halibut culture has taken hold so well in Nakajima, one of the leaders of the culture operators

and director of the inter-cooperative council, Mr Masatoshi Tanaka, suggests that, in addition to the fact that the area has optimum water conditions for bastard halibut culture, the operator's long years of experience as orange growers involved with such jobs as seed selection, fertilization, elimination of weeds and disease-carrying pests, has given them the basic sensitivity and know-how necessary to successfully manage living things and their life environment. He believes this expertise has helped them in acquiring the essential techniques of fish aquaculture: choosing seeds, feeding, cage cleaning and disease prevention. He goes on to stress that the ultimate goal in promoting bastard halibut culture is to get the young people who will eventually be the successors to the industry involved so that they will stay on the islands. And in order to do this, he believes there is a need to increase the number of operators and build it into a substantial industry that contributes to the local economy with an annual production in the range of one million fish (500–700 tons of adult fish). As the goals of its "Cultivating the Sea" program, the government of Nakajima Township decided to 1) invest government funds in the abovementioned seed production company for the construction of a fishery cultivation center that will eventually be integrated into the fishery cooperative organization, and 2) to create areas strictly for concentrated aquaculture by building breakwalls around the main island of Nakajima and to build artificial reefs for abalone and top shell farming. These projects are scheduled to be completed by the year 1995. (FIG. 14)

FIG 14: A plan for the layout of culture grounds





# Quality in white-meat fish

The Japanese have a preference for eating fresh fish raw in the form of "sushi" or "sashimi". With regard to sea food, it seems the Japanese tastes and culinary art have evolved basically around the enjoyment of raw fish. Thus, the Japanese are especially sensitive about the freshness of fish meat. In the Japanese sushi and sashimi tradition, white-meat fishes like bastard halibut and red sea bream are appreciated as delicacies because of their low fat content and light flavor, and also because of the special texture they derive from the high myofibril content of the meat. Also, because of the low fat and oxygen content in their meat, they tend to lose their freshness and deteriorate at a slower rate than red-meat fishes. The protein contained in fish meat is different from animal protein in that it contains a much lower percentage of the basic muscle protein from which muscle membrane is made and a higher percentage of myofibril protein from which muscle fiber is made. This means that the meat has a softer consistency that makes it especially well suited for eating in the raw state. On the other hand, the low muscle membrane protein content means that the muscle tissue is much weaker and the fat and protein content less stable than animal meat. This in turn means that changes in meat quality occur more quickly, which makes it more difficult to handle properly. In the case of fish meat, the way the fish is handled, stored and shipped after being caught results in significant differences in the meat quality of the end product. In order to preserve the unique characteristics of fish meat and achieve the desired meat quality in the end product, the Japanese have devoted much effort to the perfection

of shipping methods since olden times. In recent years it has become a popular method in some areas to ship live fish from the producing area to the consuming area or, as shown in the photo, to build stock points for keeping live fish near the urban centers.

At the same time the Japanese have also developed techniques for making processed foods from a variety of fishes. In the case of white-meat fishes, dried whole fish, dried fish flakes and "surimi" (minced fish meat products) are most popular.

1) Dried whole fish ... At times, fish like cod, flatfish and bastard halibut contain a large amount of body fluid that reduces the flavor of the meat. In such cases the fish can be dried naturally in the sun, heat-dried or smoke dried to reduce the moisture content and increase the flavor.

2) Dried fish flakes ... The meat of red sea bream, cod or bastard halibut is boiled and soaked in water to remove the fat, after which the meat is compressed and shredded into flakes and flavored. (Note) Red-meat fish contains a high percentage of sarcoplasm that causes the protein to coagulate when boiled, thus hardening the meat. White-meat fishes on the other hand have a low sarcoplasm content, so the meat can be easily shredded after boiling.

3) Surimi ... After removing the fat content from the meat, it is minced well until it achieves a sticky consistency and then used as the raw material for such processed foods as "kamaboko", "chikuwa" or "hanpen". A wide variety of white-meat fishes, including lizard fish, croaker, Japanese whiting, shark, flatfish, sharp toothed pike conger and Alaska pollack, can be used as raw material for surimi.



**FIG 15**  
The Hota Fisheries Cooperative, located on the shores of Tokyo Bay near the Tokyo metropolitan area, has built ten circular fish tanks (diameter: 10m) with prefectural grants, and 28 square fish tanks (6m x 6m) strictly with cooperative funding. With these facilities the cooperative cultures 100 tons of bastard halibut annually in addition to culturing or keeping a wide variety of high-priced fishery products such as red sea bream, silver salmon, black sea bream, spiny lobster, sea urchin, abalone, oysters, scallops and top shell, which it then sells to the Tokyo market. Taking advantage of its location just 100km from the enormous metropolitan consumer market, the cooperative seeks to 1) buy young fish from other regions, raise them for about a year and then ship them to market at an appropriate time, and 2) to build up a "Live Fish Center" that keeps live stocks of a variety of high-priced fishery products that can be supplied to the Tokyo market at any time in response to changing market demand.



The sashimi section at a supermarket. In this expensive delicacy, slices of fresh white-meat fish like red sea bream and flounder are sold in assortment packs along with tuna slices.



Processed foods made from "surimi" fish meat: Kamaboko, chikuwa and hanpen.



Fresh, semi-dried flatfish.



An auction at the Central Wholesale Market. Flounder is often auctioned off in its live state.



Summer Flounder Comments:  
8 / 2018 FROM  
United National Fisherman's Association  
123 Apple Rd Manns Harbor NC.

Mid Atlantic Fishery Management Council & Atlantic States Marine Fisheries Commission should investigate original premise of the Summer Flounder Supc & Black Sea Bass management.

1. Were are the plans to improve fishing & production of fish?
2. Were the plans designed by the DEPARTMENT OF STATE & DEPARTMENT OF COMMERCE AS A METHOD TO REDUCE LANDINGS OF U.S. FISH AND ALLOW DEPENDANCE ON IMPORTED FISH? YES!

EXPLANATION: NOTHING IN ORIGINAL PLANS DOES ANYTHING TO INCREASE THE NUMBER OF FISH BY OCEAN RANCHING OR ENHANCEMENT THROUGH GENETIC SELECTION.

*INSTEAD ORIGINAL PLANS BEGAN TARGETING LARGER FEMALES WITH A 5 ½ NET SIZE WHEN COMMERCIAL INDUSTRY PROPOSED A 5 INCH NET SIZE.*

*FISH SIZE CREATED DISCARDS IN COMMERCIAL & RECREATIONAL FISHERY.*

*A PROPOSAL FROM INDUSTRY TO SET A DOLLAR VALUE FOR THE TOTAL FISHING YEAR WAS & HAS BEEN IGNORED BY Mid Atlantic Fishery Management Council & Atlantic States Marine Fisheries Commission.*

WAS THE ORIGINAL PLAN DESIGNED TO REDUCE FISHING LANDINGS IN ORDER TO CREATE A MARKET SHARE FOR IMPORTS? YES!

DID MANAGEMENT INTENTIONALLY CREATE DISCARDING? YES

DOES THIS AMMENDMENT REDUCE DISCARDING OR REDUCE WASTE? NO!

**1. 1. Consider implementing re-qualifying criteria for federal commercial moratorium**

**permits:** Federal permit qualification criteria have not changed since establishment in 1993

STATUS QUO: Council does not list total square miles of EEZ 940 vessels are available for fishing.

Council present management targets large female & has unacceptable discarding in both Commercial & recreational fishing.

**2. 2. Consider modifications to commercial quota allocation:** The current commercial allocation was last modified in 1993 and is perceived by many as outdated given its basis in 1980-1989

STATUS QUO:

Fishing effort has changed due to turtle excluder regulations; Council will not endorse cable teds..

**3. Consider adding commercial landings flexibility as a framework issue in the Council's FMP:**

STATUS QUO.

**4. Revise the FMP objectives for summer flounder**

STATUS QUO

## 4.0 PROPOSED REVISIONS TO FMP OBJECTIVES

### 4.1 Current FMP Objectives

The current FMP objectives for summer flounder, adopted via Amendment 2 (1993), are:

1. Reduce fishing mortality in the summer flounder, scup and black sea bass fishery to assure that overfishing does not occur.
2. Reduce fishing mortality on immature summer flounder, scup and black sea bass to increase spawning stock biomass.
3. Improve the yield from these fisheries.
4. Promote compatible management regulations between state and federal jurisdictions.
5. Promote uniform and effective enforcement of regulations.
6. Minimize regulations to achieve the management objectives stated above

1. WAS THE ORIGINAL PLAN DESIGNED TO REDUCE FISHING LANDINGS IN ORDER TO CREATE A MARKET SHARE FOR IMPORTS? WAS THIS THE INTENT FOR THE PLAN? PLAN TARGETED LARGE FEMALES & PREVENTED THE LANDING OF SMALLER MALES!

4.1 **\*\*2\*\*** DID NOT REDUCE MORTALITY INSTEAD *INCREASED MORTALITY ON FASTEST GROWING OF THE YEAR CLASS*

4.1.**\*\*3\*\*** CHANG CALCULATED FISHERY YIELD AT 40 MILLION POUNDS Mid Atlantic Fishery Management Council & Atlantic States Marine Fisheries Commission Along with State & Commerce never intended to reach improved yield.

4.1.**\*\*\*4\*\*\*** plan always allowed Atlantic States Marine Fisheries Commission a way to circumvent utilization Federal placed mandatory reporting and log books with permits, on commercial BUT NO SUCH REPORTING ON RECREATIONAL: Mid Atlantic Fishery Management Council REFUSES TO HAVE APP REPORTING ON RECREATIONAL LANDINGHE Where are completable regulations?

4.1. **\*\*\*5\*\*** fines are not the same for commercial vs. recreational this was a sham.

The proposed revisions are based on feedback from the Council and Board, as well as both bodies' Advisory Panels. Feedback on goals and objectives was also taken from the scoping process for this amendment and the Council's 2012 Visioning and Strategic Planning Project Stakeholder

Mid Atlantic Fishery Management Council & Atlantic States Marine Fisheries Commission should admit COMMERCE & STATE HAVE REQUESTED A REDUCTION IN COMMERCIAL LANDINGS FOR TWO REASONS.

1. REDUCE LANDINGS TO ALLOW FOR MORE IMPORTS.
2. REDUCED DOMESTIC LANDINGS WILL INCREASE PRICE THUS AIDING IMPORTS WITH MORE MONEY FOR PRODUCT.

**Goal 1:** Ensure the biological sustainability of the summer flounder resource in order to maintain a sustainable summer flounder fishery.

**Objective 1.1:** Prevent overfishing, and achieve and maintain sustainable spawning stock biomass levels that promote optimum yield in the fishery.

AS stated the entire plan targets large fast growing female fish; thus DESTROYING THE BEST GENETIC REPRODUCING FEMALES. Gold 1 can not be achieved. NOTHING IN ORIGINAL PLAN or this proposed amendment DOES ANYTHING TO INCREASE THE NUMBER OF FISH BY OCEAN RANCHING OR ENHANCEMENT THROUGH GENETIC SELECTION.

**Goal 2:** Support and enhance the development and implementation of effective management measures.

Management measures do not include apps for recreational reporting; as recommended by advisers,

Do not include better science, or enhancement with ocean ranching. WHAT BETTER MANAGEMENT THAN ENHANCEMENT WITH SOUTHERN FLOUNDERS? OR HONEST SCIENCE?

**Goal 3:** Optimize economic and social benefits from the utilization of the summer flounder resource, balancing the needs and priorities of different user groups to achieve the greatest overall benefit to the nation.

INSERT: DEPARTMENT OF COMMERCE & DEPARTMENT OF STATE. \*\*\* POLICY \*\*\* IMPORTED FISH ARE BEST FOR NATION!

Thus: NO APP RPORTING BY RECREATIONAL. Utilize genetics to reduce fish size & reproductive ability.

## 5.0 FEDERAL MORATORIUM PERMIT REQUALIFICATION

STATUS QUO:

5.1.1 Alternative 1A: No Action/*Status Quo*

Alternative 1A make no changes !

## 6.0 COMMERCIAL QUOTA ALLOCATION

6.1.1 Alternative 2A: No Action/*Status Quo*

Alternative 2A make no changes to the current state allocation OR percentages,

## 7.0 LANDINGS FLEXIBILITY FRAMEWORK PROVISIONS

7.1 Landings Flexibility Framework Provision Alternatives

STATUS QUO: MAKE NO CHANGES:

7.3.1 Alternative 3A: No Action/*Status Quo*

Mid Atlantic Fishery Management Council HAS NO AUTHORITY TO CONTROL STATE LANDING REGULATION. WHY IS THIS IN PROPOSED AMENDMENT?

THIS AUTHOR POINTS OUT THE CURRENT FLOUNDER MANAGEMENT PLAN HAS:

1. DECREASED THE GROWTH RATE OF SUMMER FLOUNDERS.
2. INTENTIONALLY TARGET LARGER FEMALE FLOUNDERS.
3. ALLOWED A MARKET SPACE TO DEVELOPE FOR SMALLER IMPORTED FISH.



4. IMPOSED RESTRICTIONS ON COMMERCIAL FISHING WITH PERMITS, LOG BOOKS AND REPORTING; WHILE NOT IMPOSING LIKE RESTRICTIONS FOR RECREATIONAL FISHERS.
5. IGNORED ADVISOR ADVICE ON METHODS TO REDUCE DISCARDS. IGNORED CONSTRUCTIVE ADVISOR ADVICE ON APP REPORTING, ALLOWE INCORRECT SCIENCE, NEVER ASKING HOW CHANG PROPOSED 40 MILLIOM POUND HARVEST.
6. DID NOT QUESTION SUMMER FLOUNDER AGING AT NORTH EAST SCIENCE CENTER.
7. PROPOSING MANAGEMENT CHANGES, FOR DEPARTMENT OF STATE & DEPARTMET OF COMMERCE IN ORDER TO REDUCE LANDINGS & INCREAS IMPORTED FISH PRICES.

If New York or any state Wants an increase in quota Ocean Ranching offers a solution; The fish can be selected to have special spots thus these will allow a state or region an increase in landings. Science has not been utilized to increase the population! Why?  
The summer Flounder Commercial issue Amendment does not address pore Science or pore Management unless the original goal was to limit U.S. Production of Sea Food.

STATUS QUO :

NEW MANAGEMENT SHOULD IDENTIFY IN ACRES OR SQUARE MILES THE TOTAL AREA 940 VESSELS ARE EXPECTED TO HARVEST. [WITH POSSIBLE INCREASE FROM OCEAN RANCHING]  
MANAGEMENT SHOULD IMPLEMENT OCEAN RANCHING & ENHANCEMENT AS IN YAMAHA JOURNAL NO. 37, [REALIZING THIS INFORMATION IS 28 YEARS OLD]  
MANAGEMENT SHOULD ASK DEPARTMENT OF COMMERCE & DEPARTMENT OF STATE FOR EQUAL IMPORT TARIFFS FOR LIKE SEAFOOD.

MANAGEMENT SHOULD IMPLEMENT APPS ON RECREATIONAL LANDINGS TO ASCERTAIN LANDINGS FROM THE RECREATIONAL FISHERMEN TO RETURN TO PRIVATE DOCKS; POSSIBLY 80% OF LANDINGS FROM THE EEZ.

AS For hearings no generalization should be allowed, AN EXACT NUMBER FOR STATIS QUO SHOULD BE REQUIRED FROM STAFF!

JAMES FLETCHER  
UNFA 123 APPLE RD.  
MANNS HARBOR NC.  
10-10-2018

pressure. The policy makers also assumed an open market, when in fact most of the countries involved were substantially subsidizing fisheries for a variety of social, political, and economic objectives.

The existence of MSY in multiple realms—politically, scientifically, and legally—has reinforced its perception as being based in science rather than in policy. With the focus firmly on establishing harvest points for individual fish, our attention has been diverted away from the overall impact of fishing on ocean ecosystems. The failure of MSY to protect stocks has contributed to public disillusionment over the ability of scientists to manage resources.

Once established at the policy level, MSY proved to be resilient indeed. It became institutionalized and the early criticism of its scientific weaknesses was forgotten (Holt and Talbot 1978, Barber 1988). It has also been entrenched at a deeper level, where it has acted as a legal and political instrument that controlled scientific ideas about how nature works. This entrenchment at the legal, political, and philosophical levels has contributed to the persistence of MSY. But the establishment of MSY in the first place owed more to justifying a political and economic agenda than it did to sustaining fish stocks.

Responses to this article can be read online at:  
<http://www.ecologyandsociety.org/vol14/iss1/art6/responses/>

#### **Acknowledgments:**

Thank you to Sidney Holt, Jim Lichatowich, Tony Koslow, and Dan Bottom for discussions around this paper.

#### **LITERATURE CITED**

Allard, D. C. Jr. 1978. *Spencer Fullerton Baird and the U.S. Fish Commission*. Arno Press, New York, New York, USA.

Barber, W. E. 1988. Maximum sustained yield lives on. *North American Journal of Fisheries Management* 8(2):153–157.

## **Comments for 2018 Fluke Amendment**

Chuck Weimar  
F/V Rianda S  
Montauk NY

As a federally permitted Summer Flounder commercial fisherman, fishing in the EEZ, I feel that this proposed amendment is long, long overdue.

The current state by state quotas are outdated and arbitrary.

The management system should be changed to a federal quota while fishing in the EEZ.

The management should allow for the fish caught in the EEZ to be landed at the port of the captain's choice like other species (ex. Squid, butterfish, whiting, tuna, scallops, etc.) that are harvested in the EEZ.

### **Quota Allocation**

- State by State quota allocation was based on erroneous miscalculated information between 1980 and 1989. Different methods of collection landing information between port agents resulted in the erroneous quota allocation for New York.
- Because NMFS port agents used different methods of recording catch, the NY commercial industry was severely short changed in the state by state quota process for the last 20+ years.
- Being from NY and fishing in federal waters, we should not be discriminated against because of our state of origin.
- Before this arbitrary state by state quota allocation for fish harvested in the EEZ, most all of the boats would travel up and down the coast catching fluke and unloading in any state the captain chose. Now, it has gotten to an unrealistic point of wasting fuel, wasting time, and sacrificing product quality.
- Additionally, safety at sea should be addressed in this amendment. Steaming hundreds of miles in each direction unnecessarily, makes no sense at all in this day and age.
- We are fishing with a federal permit in federal waters and have to comply with all federal regulations. Why should our home port determine what we are allowed to catch?
- Through the process of this amendment, it should be emphasized that fluke harvested from federal waters (EEZ) will no longer be managed on a state by state basis. This amendment is long overdue.

### **Commercial Management Measures and Strategies**

- The management system should be changed to federal quota when fishing in federal waters and the ability to land in whatever port is the safest and closest port the captain chooses. Getting the harvest to the market with the best quality should be paramount to the American consumers and this management council.

- Flexible landings could be a possible solution if a coast wide quota is not implemented – it makes no sense to have to steam all over the ocean to land fish that are caught right in federal waters right off our home port.
- The amendment must follow the national standards 4 and 10.
  - **National Standard 4** – Conservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocations shall be (A) fair and equitable to all fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such a manner that no particular individual, corporation, or other entity acquires an excess share of such privileges.
  - **National Standard 10** - Conservation and management measures shall, to the extent practicable, promote the safety of human life at sea.

#### Other Issues/Comments

- Do not let state by state politics get in the way of managing a coast wide resource.
- Representatives from various states were chosen to be on the council because of their knowledge and expertise in the fisheries NOT their political associations. Now it seems that politics is the driving the bus.
- After the Magnuson Stevens act was passed and the NMFS the council process was formed, it was all about conservation. Now it is all about ALLOCATION. What happened?

Thank you for consideration of my comments.

(Weimar comments continued)

As a resident and a licensed commercial fisherman from New York, also a federally permitted vessel fishing in the EEZ, I am being denied equal access in the EEZ because of the state of my residence.

The regulations that are now in effect are outdated, arbitrary and illegal according to the national standards set forth by Congress in 1976.

Regulations for conservation should be equal for all permit holders. Meanwhile federally permitted New York boats fishing in the EEZ have a regulatory discard rate that is unacceptable and should have been changed 20 years ago.

This change is long overdue!!!

IB/ support

(Weimar comments continued)

**Subj: Re: Landing Flexibility for Fish Harvested in EEZ**  
**Date:** 10/11/2012 2:19:03 P.M. Eastern Daylight Time  
**From:** [john.bullard@noaa.gov](mailto:john.bullard@noaa.gov)  
**To:** [STAR2017@aol.com](mailto:STAR2017@aol.com)  
**CC:** [cmoore@mafmc.org](mailto:cmoore@mafmc.org), [richardbrobins@gmail.com](mailto:richardbrobins@gmail.com), [jigilmore@gw.dec.state.ny.us](mailto:jigilmore@gw.dec.state.ny.us),  
[adilemia@kbcc.cuny.edu](mailto:adilemia@kbcc.cuny.edu), [tilefish1@optonline.com](mailto:tilefish1@optonline.com), [johnmcmurray@optonline.net](mailto:johnmcmurray@optonline.net)

Dear Charles,

Thank you for your email regarding the management of commercial fisheries in both Federal and state waters. Your active participation in the management process is essential to the success of commercial fisheries in the Northeast.

As you know, we strive to work cooperatively with all Mid-Atlantic coastal states through the Mid-Atlantic Fishery Management Council and Atlantic States Marine Fisheries Commission. It is vitally important that states have the ability manage their inshore fisheries, and jointly manage fisheries harvested in both state and Federal waters. Without cooperation among the states, the management programs of the individual states, and the joint management of commercial fisheries up and down the coast would be severely compromised.

Any state may allow vessels permitted by another state to land in their ports, if they so choose. It is my understanding that vessels in a situation where safety is a concern are permitted to land and off-load fish in any state because of 'safe harbor' provisions. The example from your email is one such case. Virginia has allowed North Carolina vessels to land and offload summer flounder in its ports when it is unsafe for the vessel to return to its homeport. On a regular basis, North Carolina then transfers the appropriate amount of quota to Virginia to cover the landings made by North Carolina vessels made in Virginia ports. The states have worked out this arrangement themselves, and other states may do so as well.

Many individuals from your area share your concern with this issue. However, the Mid-Atlantic Fishery Management Council and the Commission are the appropriate management bodies to consider changes to state-by-state quota allocations. I encourage you to discuss these concerns with a Council member from your area. I also encourage to you contact the Council to determine how best to have your issue discussed at the next available meeting. The contact information for the Council and all of its members is available on the website ([www.mafmc.org](http://www.mafmc.org)).

Thank you for your comments. I will keep these issues in mind, and raise them to the Council at the next appropriate opportunity.

John

On Wed, Oct 3, 2012 at 9:53 AM, <[STAR2017@aol.com](mailto:STAR2017@aol.com)> wrote:

Dear Mr. Bullard

Thank you for coming to New York last week to meet with the fishing industry officials here.

I am a commercial fisherman from New York who fishes in the EEZ and would like to address the inequalities in the landing regulations for federally permitted boats fishing in the EEZ. The resource is harvested in federal waters and the states have no jurisdiction outside of 3 miles. The landing regulations of the federally harvested fish are unjust.

The state by state quotas clearly violate MSA national standard 4 and national standard 10.

We would really appreciate your attention regarding this discrimination in the fishing management plan that was put in place about 20 years ago. It is really time for the agency to review the state by state quotas while fishing in the EEZ.

We have been stonewalled by the politics of the council's membership geographic representations now rather than the coast wide quotas while fishing in the EEZ.

These are a few ideas that I hope that you will consider. We need landing flexibility to even inequalities of the state by state management

1. This can be accomplished in the winter months when the fish are caught in federal waters. If a boat owner buys a permit for a particular state, then a call to the fishery via boatracs, should allow landing in any state that the owner wants.
2. Due to global warming, fish populations are migrating further northeast. It is ridiculous to catch summer flounder in federal waters south of New York and then steam 250 or more miles back south to land the fish, only to have the fish trucked back north to be sold.
3. By creating landing flexibility, fishing boats become more efficient, burning less fuel, less carbon footprint, less discards and ultimately a more profitable industry, while delivering a fresher product to the consumer.
  - a. Safety issues are addressed (MSA national standard 10) – smaller vessels will not be steaming all over the ocean.
  - b. Discards are reduced
  - c. Fuel is not wasted and fuel costs are reduced
  - d. A precedent for this type action has already been set. North Carolina already allows its state permitted vessels to offload in Virginia
  - e. When these fish are unloaded in the southern states, they are then shipped back north to be sold in New York markets.

The efficiency of the entire fishing fleet should not be dictated by these outdated landing regulations. With these simple actions, most of the state by state inequalities can be eliminated.

I hope that you will consider some of my suggestions and review the politics and policies of the landing regulations.

Thank you for your attention.

Sincerely,

Charles Weimar

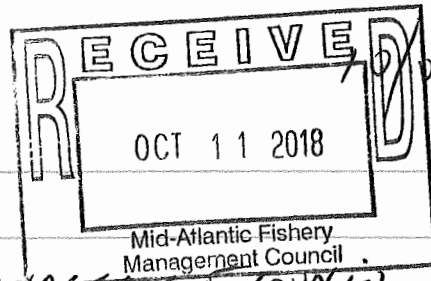
F/V Rianda S

Montauk NY

**John K. Bullard**  
**Regional Administrator**  
National Marine Fisheries Service



MR CHRIS MOONE PHD  
EXECUTIVE DIRECTOR  
MID ATLANTIC FISHERY MANAGEMENT COUNCIL



RE SUMMER FLOUNDER  
AMENDMENT COMMENTS

DEAR MR MOONE

MY NAME IS JOHN G. MITCHELL F/V ICEBREAKER -  
FEDERAL PERMIT # 214883. I AM A ROD+REEL  
(HOOK & LINE FISHERMAN) AND I AM FURNISHING  
YOU WITH A SUMMARY OF MY COMMENTS AT NEW  
YORKS 09/27/2018 SUMMER FLOUNDER MEETING AT  
STONY BROOK UNIVERSITY.

- 1 - F/V ICEBREAKER HAS SUFFICIENT SUMMER FLOUNDER  
LANDINGS TO RE-QUALIFY UNDER ALL ALTERNATIVES  
LISTED IN THE AMENDMENT.
- 2 - I THINK WE SHOULD RE-QUALIFY FEDERAL PERMITS  
BY OVERALL PARTICIPATION IN THE FISHERY AND NOT  
SPECIES BY SPECIES. PERMIT HOLDERS WHO DO NOT  
HAVE A STATE FOOD FISH LICENSE AND THOSE WHO DO  
NOT HAVE ANY LANDING OR INCOME HARVESTING  
SEAFOOD SHOULD NOT BE ALLOWED TO RENEW THEIR  
LICENSE.

10/05/2018

- 3- THE REVISED STATE QUOTA SUMMER FLOUNDER ALLOCATION UNDER 2B-2 (10.70998%) IS STILL MUCH TOO LOW FOR NEW YORK. HOWEVER IT IS THE BEST OPTION AVAILABLE AT THIS TIME. MY CHOICE IS THEREFORE ITEM E 2B-2 10.70998%.
- 4- I AM AGAINST THE SWP PROPOSAL AND PREFER THAT NEW YORK STATE CONTINUE TO HAVE FULL AUTHORITY OVER THE ENTIRE SUMMER FLOUNDER QUOTA DISTRIBUTION. NEW YORK (A/O 2016) HAD 310 STATE FLUKE PERMIT HOLDERS - OF WHICH 200 HAD SOME LANDINGS. THE VAST MAJORITY OF THE NY STATE FLUKE PERMIT HOLDERS DO NOT FISH FOR FLUKE DURING THE FALL AND WINTER PERIODS. HOPEFULLY WE CAN INCREASE THE NY FLUKE QUOTA SUFFICIENTLY - SO THAT THE LARGER VESSELS HAVE A VIABLE ECONOMIC OPPORTUNITY TO TARGET FLUKE DURING THE SUMMER MONTHS. I AM AGAINST 2D-1 AND ANY OTHER OPTIONS WHICH WOULD CHANGE THE CURRENT SYSTEM OF SUMMER FLOUNDER DISTRIBUTION.
- 5- I AM FOR LANDINGS FLEXIBILITY WHICH WOULD HELP NEW YORK AND ALL COMMERCIAL FISHERMEN.

RESPECTFULLY



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

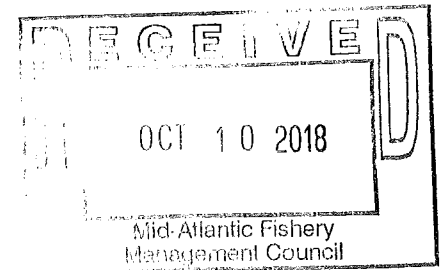


**North Carolina  
Wildlife Federation**

*Affiliated with the National Wildlife Federation*

1346 St. Julien St  
Charlotte, NC 28205  
(704) 332-5696

1024 Washington St.  
Raleigh, NC 27605  
(919) 833-1923



October 5, 2018

Chris Moore, PhD  
Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

Dear Dr. Moore,

Please accept the following comments from North Carolina Wildlife Federation regarding the Summer Flounder Commercial Issues amendment.

**Issue 1:** We support reducing capacity in the fishery if warranted. From a resource perspective, as long as total harvest remains at or below the annual quota and bycatch is not a concern, the distribution of the catch is an issue for the commercial fishermen to discuss and we have no further comment.

**Issue 2:** The current state-by-state allocation is based on historical landings from 1980-1989. During this time period North Carolina vessels played a large part in establishing the quotas in many of the mid-

Atlantic and New England states. We believe any adjustment to the current allocation is unwarranted and disproportionately disadvantages North Carolina.

While we understand the issues associated with North Carolina being unable to land summer flounder in their home port due to inlet shoaling and winter weather conditions, North Carolina vessels still have the ability and interest in harvesting their summer flounder allocation wherever they find them. North Carolina vessels are highly mobile and can travel to the fish, whether in North Carolina waters or those waters off Massachusetts. Summer flounder trawling in North Carolina waters, and a small part of Virginia waters, are impacted by TED restrictions that constrain flounder catches and require vessels to travel north. We do not believe a reallocation that disadvantages the highliner state is fair or equitable, or consistent with the interjurisdictional premise of the Commission. There are usually losers in the allocation battles and we believe that revising current allocations based on presumed centers of biomass or shifts in effort is a dangerous precedent and primarily impacts North Carolina fishermen.

**Issue 3:** Mobile commercial fishing fleets work throughout our respective jurisdictions and the resource is protected by a peer-reviewed stock assessment that provides a responsible catch target. The intent appears to be to reallocate and take advantage of the difficulties North

Carolina has in landing summer flounder in their home port and provide more opportunities to states where they can land them. The current processes for accounting for North Carolina summer flounder that must be landed in other states has worked and provided benefits not only to North Carolina fishermen but the states where they land. We believe the specific processes should be left to the individual states.

In summary, commercial quotas and their allocations, when based on historical landings that are now constrained by quotas, are nearly impossible to redistribute equitably. Whether other states did not have the adequate program or failed to monitor their catches during the qualifying period should not penalize those states that had those programs, especially not 30 years later.

Respectfully Submitted,



Tim Gestwicki  
CEO / North Carolina Wildlife Federation



101 South King Street P.O. Box 518 Hampton, Virginia 23669 Phone (757) 722-1915 Fax (757) 723-1184

October 8, 2018

Dr. Chris Moore

Summer Flounder Commercial Issues:

Requalifying is not an issue. Most federal permit holders could not qualify for state landing licenses and there for this is not an issue.

Adding Landing Flexibility is also not needed. State should be able to manage their quota to best suit their needs. Many state already allow flexibility. For the past 4 years there has not been a single good recommendation for how additional flexibility would work. Why waste valuable council time by creating another framework.

Commercial allocation is the main issue and absolutely needs to remain status quo.

- A. This has always been a predominately Virginia and North Carolina fishery. This is actually the only trawl fishery for the southern states. The boats would shrimp or scallop in the summer and fish for summer flounder in the winter. We don't have Scup, Whiting, Yellow Tails, and Monkfish etc... New York could have request an adjustment much like Connecticut, but the fishery wasn't valuable then and they were busy catching other species. The northern fleets still have other fisheries, while most of the southern boats do not have ground fish quota.
- B. Virginia and North Carolina have also done a good job reporting and have solid landings records. This is based in strong enforcement of the management.
- C. New York has many reason/excuses but has poor landings records and everyone knows that many fish were landing and sold illegally. Based on the recent fiasco that was the RSA there is no indication that New York has done anything to strength the enforcement issue.
- D. Virginia and North Carolina have worked well together to manage the quotas, allow for flexibility, and not overlap seasons in order to maximize the value of the landings. Both states have increased landing qualifications to reduce the eligible vessels and eliminate latent effort. While New York has been busy trying to justify taking quota from other states they have done nothing to change the 1 lb. qualifying threshold for commercial Summer Flounder. New York still has almost 500 eligible commercial flounder permits.

Thank you for your consideration to these comments.

C. Meade Amory

L. D. Amory Co. Inc.

# FISHERMAN'S DOCK CO-OP INC

57 CHANNEL DR. PT. PLEASANT NJ 08742



10/8/18

JIM LOVGREN

## Summer Flounder Amendment comments

Please accept these comments from the fishermen members of the Fishermans Dock Co-op Inc in regard to the possible changes to the Summer Flounder management plan. I will point out that Point Pleasant has been in the top three landing ports for Summer Flounder for the last 10 years [with at least 80% of those landings coming from the Co-op] so any redistribution of quota will have a substantial negative impact on our boats and our Docks financial health. Since we have suffered through the lowest Summer Flounder quota's in history the last three years any further reduction in our catch could be catastrophic.

First let me address the issue of the stock biomass moving north into the southern New England area, with the southern range moving north from Cape Hatteras. Long time Fishermen have observed this movement over the years with a number of species, and in my opinion the biomass of Summer flounder, Scup, Black Sea Bass, Whiting, Black Back Flounder and even Ocean Quohogs have shifted their center of biomass about 80 miles to the north north east in the last 30 years.

The waters off of New Jersey is now the exact center for the populations of Black sea Bass, Scup, and Summer Flounder, therefore we find it rather ridiculous that New Jersey should be lumped into the Southern States and be facing a reduction in our states quota because we have lost access to them. The New Jersey summer Flounder population remains high and healthy and the fact that we are grouped into the loser's column with Virginia and North Carolina, confirms the fact that this amendment is nothing more than a blatant political attempt to steal quota from New Jersey, something the ASMFC is a master at. I insist that some science be offered that proves that New Jersey has lost access to Summer Flounder and therefore we should give up quota to northern states. Better think about this, because there is no science to support that move, so worse case scenario is a visit to the nearest court room.

Summer Flounder allocation has been a controversial issue ever since the original plan divided the quota into a state by state share based on landings from the 1980's. The states that got the largest shares were the states that caught the most. Plain and simple. Northern states did not target Summer Flounder because they were too busy catching Groundfish, a large portion of the landings in Massachusetts, New York, and Rhode Island were caught by southern boats who landed in those states in the summer time. Now that there are no more Groundfish to target, these fishermen want to take quota from the fishermen who historically targeted them. Certain states did a terrible job of handling state permits for Summer Flounder and now have so many fishermen targeting them that they have tiny trip limits and short seasons. That does not entitle them to steal from other states because of their poor management. In New Jersey we have about 180 Summer



Flounder permits, of those only about 8 are for hook and line. How many hook and line fishermen does New York and Massachusetts have? I can guarantee its in the hundreds. I can also guarantee that none of those hook and line fishermen reported their catch and that they were sold for cash out of the back of their car or truck to avoid income taxes and also not reported as landings. Same goes for trawl fishermen from certain states who sold Flounder for cash to avoid taxes. If you avoid reporting landings to avoid taxes don't complain later that your fish weren't counted.

As for the need to address the shift in the biomass to the north by stealing from the southern states to give to the northern states, I would correctly argue that there has already been a large redistribution of the Summer Flounder quota to the north by the selling of Virginia, North Carolina, and New Jersey permits to boats from New York, Rhode Island, Massachusetts, and Connecticut. Out of state boats now land probably half of the Virginia and North Carolina quota, [hopefully those two states submit that information] so there has already unofficially been a very large shift in landings quota from southern boats to northern boats. I find it rather interesting that this amendment NEVER even thought about gathering that information because it would prove that this amendment is nothing more than out right theft by the northern states.

In regard to revisions to the FMP Objectives, I would add to the current objectives, #7. "No stealing quota from other states".

I would amend #2 to reduce mortality on the SSB by the recreational industry by reducing their size limits so that they are not forced to solely target only large Females. The 18 inch and bigger size limit is the

SOLE REASON that the stock has been declining over the last few years, anyone with common sense would agree that you can't catch all the females and expect a stock to be sustainable. This problem is solely caused by management because they have refused to address a tough issue and always take the easy way out. There have been a number of idea's that have never been seriously looked at over the last 20 years that could possibly address this issue, but nothing has ever been done. Jim Fletcher's total length is one such idea. Slot limits are another.

In regard to the proposed changes to the objectives, I have a problem with goal #3 and 3.1: This wording is nothing more than an attempt to change commercial and recreational allocations by using economic data to prove that one group contributes more to the economy than the other because they spend more money to catch a fish. This would institutionalize inefficiency and be a big step backwards for fishery management. A short example of commercial vs recreational money; both industry's have a secure infrastructure of businesses that depend on fishing for their income, the difference between the users, though, is that recreational fishermen are spending money that they have already earned and will spend it on something regardless of whether its fishing or taking the family out to dinner. Commercial fisherman by the act of catching and selling their fish are literally printing new money that they have created by that act and would not be contributing to the economy if they didn't. So all the money they spend on their boats, and paying taxes would not exist.

In regard to the requalifying options we believe that there are too many permits caused by too lenient qualifying landings, but do not like to see people lose permits, but it is clear by the data provided that there are hundreds of permits that simply do not catch Summer

Flounder, and never have. Therefore we support Alternative 1B-5 a qualifying period from 1999 to 2014 with a 1,000 pound cumulative landings over that period. If a person didn't catch that then its hard to argue they deserved the permit in the first place. Not for nothing but the federal permit is really illrelevant it's the state permit that is important

I have discussed the Commercial quota allocation a bit before, but for the record we support Alternative 2A no Action. We feel that the industry has already addressed this allocation issue by the buying and selling of state permits. If there are problems in regard to boats from Massachusetts having to steam to North Carolina to land their fish that may be addressable by state by state cooperation allowing for some type of landings flexibility.

We strongly oppose alternative 2B using the political based biomass distribution model, not only is it out right theft, but it would cause enormous economic harm to New Jersey Fishermen who have depended on this fishery for generations, and who have reported their landings and paid their taxes on those fish.

In regard to Alternative 2c this is the least damaging to the historical participants, while also redistributing quota evenly to all states at a certain level of Quota. I devised this plan 15 or so years ago while on the council, which proves how long this issue has been around, but I set the division level at a total of 20 million pounds before being divided into the described shares. That would put the commercial allocation at 12 million pounds. The baseline of 10.7 million in Alternative 2c-2 is not that far off and would cause less damage to the states with higher quota's so it is preferable to the lower baseline of

2C-1. While we do not support this alternative it is preferable to the others, but facts being facts no action is still the correct way to go.

Alternative 2d is so radical it should have been thrown in the considered but discarded trash bin.

Lastly, landings flexibility is a complicated issue and can and should be addressed on a state by state cooperative level. We do not support making landings flexibility a frame workable item. Just as fishermen have addressed their states lack of quota, by buying other states permits it's possible that these states can work together to address this problem without substantial council or commission involvement. One last thought regarding those fishermen from the northern states who have spent a lot of money on those southern permits, reallocating quota will cost them a lot of money since their permits would then see a reduction in their allowable catch and devalue their permits and since Virginia and North Carolina would have to reduce their trip limits it might not even be financially possible to make a trip from the Block canyon area to pack down south.

Thanks for your consideration,

Jim Lovgren

Sec. Fishermans Dock Co-op Inc.

F/V Langley Douglas

F/V Bella Sky

10/9/2018

MAFMC & ASMFC

Commercial Summer Flounder Allocation

I own 2 vessels with federal summer flounder permits based out of Scituate Mass. I also have licenses to land summer flounder in NC, VA, and Mass.

The current state by state allocation works well. Many others have bought permits to Land in VA and NC and like me they knew very well the conditions regard where the fish would be landed. We think the allocation should stay STATUS QUO.

As for landings flexibility. Currently we are able to catch both VA NC and NJ quotas all in one trip and land them in each state. Any other type of flexibility would create enforcement and management problems. There is no need to create a framework for landings flexibility. NO

Requalifying isn't an issue because of individual state permits. NO

Best Regards,

Troy Dwyer

A & D Fisheries

Scituate Mass.

10/10/18

Chris Moore  
Ph.D., Executive Director  
Mid-Atlantic Fishery Management Council

Dear Chris,

Being an advisor to the Mid-Atlantic Fishery Management Council, and my deep passion for our fisheries, I feel it is my responsibility to let the council know of my fishing update for this 2018 summer flounder season. My personal catch this year, along with my fellow fisherman, has been very disappointing and quite disturbing. I don't remember a year that had so few amount of both short and keeper fluke being caught all around Long Island waters. From Montauk, Long Island Sound and central south shore, the lowest catch that I can remember in years, and I have been fishing these waters for over 45 years. It was very difficult to catch a daily limit of 4 fish at 19". Also, very few fluke under 19" were caught in comparison to past years. This lack of recreational fish numbers this year should raise concerns for all.

I think the recreational catch limit should remain at 4 fish per person, same length of season, May 4 to Sept 30, but a decrease in size limit to 18". Also, by decreasing the size limit, it would cut down on fish mortality from catch and release.

I am advising that the fluke regulations be reassessed and commercial take should be cut back. The recreational sector has been cut back enough over the years, not only with lower quotas, but increased size limits as well. Summer flounder is one of the most important and popular recreational target species in our waters. It is a big part of the charter and party boat business. According to data, summer flounder are overfished and the council needs to step up and protect this very important species for all interests. It is better to be on the side of caution in this time of uncertainty in fluke biomass.

I believe giving these fish time to rebuild with less commercial dragging pressure and less dead discarded overage dumped over board. Preventing waste of this valuable resource is mandatory. It will have a positive effect to the overall fishing community to restore these fish, achieving optimal yield on an ongoing basis.

Hopefully, the council will take my observations and recommendations into consideration on a new outlook for summer flounder regulations for the future. We must act now.

Thank you.

Best,

Mark Krause

An Advisor to the Mid-Atlantic Fishery Management Council  
Atlantic Mackerel, Squid and Butterfish



*Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries*

October 12, 2018

Dr. Chris Moore, Executive Director, MAFMC, Dover, DE 19901

To: [nmfs.flukeamendment@noaa.gov](mailto:nmfs.flukeamendment@noaa.gov)

Dear Dr. Moore:

On behalf of the 200 employees of our family-owned processing and freezing facilities and fishing vessels here in Cape May, NJ, thank you for the opportunity to provide you with these brief comments on the proposed *Summer Flounder Amendment*.

*Requalifying criteria for federal commercial moratorium permits:*

This is the only portion of the amendment that we can support moving forward. If pressed to choose from the alternatives in the document today, we could support further consideration of Alternative 3, using a 10 year time period and a  $\geq 1,000$  pound cumulative catch, with the reasonable goal of reducing permits by about 40%. However, we would strongly prefer to have seen an alternative analyzed that would require  $\geq 1000$  pounds of landings in any one year, for example, rather than a long-term average, which the document proposes in each instance. We expect this approach would likely protect the majority of the currently productive fleet, as Alternative 3 may also.

*Consider modifications to commercial quota allocation:*

We strongly oppose each of these options. Our company depends on a supply of summer flounder from our boats and others with a suite of state permits on board. All of this state-generated fishing history should be retained as allocated today since this fleet is mobile and has long followed the fish where they happen to be. The Commission, unfortunately, recently ignored the historic investment in New Jersey's menhaden bait fishery by taking New Jersey quota and allocating it to other states that we compete with, in one afternoon. This should not, also, occur with the New Jersey fluke fishery or with MAFMC support.

*Landings flexibility as a framework issue:*

As we work with NJ DEP on a solution to this logistical problem, which would allow out-of-state-destined fluke to remain on board after unloading other species here, we have come to the conclusion that this problem can be adequately mitigated by an agreement by the States to work with local industry and their environmental police to authorize this system coastwide.





*Managing the Needs of our Customers Through our Commitment to Sustainable Fisheries*

*Revise FMP objectives:*

We are not certain how important this is and hope there can be broader discussion before the proposed language in the public hearing document is adopted by the Council and Commission, particularly since it would also affect the scup and black seabass fisheries. Again, has the AP made any recommendations?

We offer two comments, at this time; first, relative to the existing language on reducing fishing mortality on juvenile summer flounder, we would support this language being eliminated as the Commission should immediately address the recreational fisheries' harvest of mature females by allowing some small fish to be retained rather than discarded dead, particularly to be benefit of young anglers.

A slot limit or a total length allowance makes a lot of sense in that fishery in particular, and, second; we would like to see the language in Objective 3.1 be restated to read, "Maximize access to the fishery..." and are concerned that this objective seems to place fishing history, at the same level of consideration as "current importance", which is not well defined in terms of net benefits to the nation. Sustainable seafood production, or maintenance of a strategic food supply from the sea, could usefully added as stated goals.

Thank you for your attention to and your consideration of our comments. We look forward to working with the Council and Commission on the maintenance of a sustainable commercial fishery for summer flounder in our region.

With best regards,

*Wayne Reichle*

Wayne Reichle  
President

October 12<sup>th</sup>, 2018

Chris Moore, PhD., Executive Director  
Mid-Atlantic Fishery Management Director  
North State Street, Suite 201  
Dover, DE 19901

Dear Director Moore,

I am writing to comment on the Summer Flounder Commercial Issues Amendment. There are two concerns that I wanted to address regarding this Amendment:

Under Commercial Quota Allocation, Alternative 2D: Implement “Scup Model” Quota System for Summer Flounder. Currently there are too many unknowns to consider this alternative. We don’t yet have an idea of what the daily or weekly quota might be. This alternative could very likely turn into a derby fishery where fishermen might take risks in weather they might not normally head out in as to not miss out on a chance to land part of the quota. This alternative also has the possibility to disrupt the fragile markets the industry works hard to maintain. There is a possibility that the quota could be met so quickly that it shuts down the fishery for a significant amount of time. Without inventory, buyers would have to fill their needs elsewhere and sometimes those market losses are hard to recover.

Regarding the Landings Flexibility Alternative, we think that it would be more appropriate for any landings flexibility program to go through the full amendment process rather than through a framework. In the Public Hearing Document, it states that “*frameworks can often be completed in 5-8 months and address one or a few issues in a fishery*”. This alternative could have significant effects on the industry and therefore should be thoroughly analyzed and be required to hold a series of public hearings along the coast. Although frameworks are appropriate for some actions, we feel that this action is too complex for a framework. By taking Landings Flexibility out to scoping it would help identify the key issues that the industry feels are necessary to analyze before implementing a program.

Thank you for the opportunity to comment.

Sincerely,

Katie Almeida  
Fishery Policy Analyst  
The Town Dock

October 12, 2018

To Whom it May Concern;

As a New York and Federal summer flounder dealer, we hope that the Mid Atlantic Council will reconsider how they split state by state quota's and how the coastwise quota is managed.

It's important to us that being in one of the best fluke grounds in the country that we are able to supply our customers on a consistent basis with summer flounder.

Under the current format, it makes it very difficult for both fisherman to make a living and for us to get a consistent local market for our product.

We hope that you consider flexible landing and/or an increase in the way the coastwise quota is distributed.

Sincerely,

Bob Gosman Co. Inc.  
Gosman's Fish Market

## **CHESAPEAKE BAY PACKING**

**800 TERMINAL AVENUE  
NEWPORT NEWS, VA 23607  
PHONE 757.244.8440  
CHESAPEAKEBAYPACKING.COM**

October 12, 2018

Dr. Chris Moore  
Mid-Atlantic Fishery Management Council  
North State Street, Suite 201  
Dover, DE 19901

Re: Summer Flounder Commercial Issues Amendment Comments

Dr. Moore

We appreciate the opportunity to comment on the Council's amendment to the Summer Flounder components of the Summer Flounder, Scup, Black Sea Bass Fishery Management Plan. We understand the Council's interest in updating the FMP's goals and objectives to consider the needs of the current fishery and to reflect on the fishery's regional history.

Our packing operation, located in the small boat harbor in Newport News, was largely built on summer flounder landings in the 1980's and 1990's. In the early years of our operation, our dock packed over 1.3 million pounds of summer flounder annually, and the fishery has been a foundational component of our business ever since. As the Council reviews and updates the overall goals for the FMP, we would urge the Council to build on the fishery's successful history, and consider the historical social and economic dependence of the region's fishing communities on this iconic fishery. These historical characteristics of the fishery should be central to the FMP goals. Our business is one of many commercial seafood packing operations in Virginia and throughout the region that have been highly dependent on the summer flounder fishery.

Over time, the states of Virginia and North Carolina have worked to improve the coordination of their state management measures to enhance the economic performance of this fishery, resulting in higher exvessel landing values, and better economic performance. The states have been able to achieve this coordination under the framework of the current FMP, and this flexibility should be preserved as the Council looks forward in this fishery. Both of these states also took important steps in the early stages of the development of the fishery to qualify permits, beyond the Council's 1-pound qualifier, resulting in an economically viable population of state permits. Virginia's fishery has also had the benefit of an effective catch monitoring and enforcement system.

With respect to specific changes proposed in this amendment, we are not able to support changes to the existing allocations. The allocations were based on historical landings and the modern fishery has been built on that foundation. Summer flounder has been an essential component to our fishing community since the commercial fishery's inception. Virginia's economic dependence on the summer flounder is further amplified by the ongoing decline in landings that have occurred in this fishery since the FMP was implemented (reference Figure 1.) A reallocation of the fishery would pose a risk to our company and to our broader fishing community in the small boat harbor. National Standard 8 provides for the sustained participation of fishing communities and a substantial reallocation action would directly jeopardize our community's ability to sustain our historical participation in the fishery.

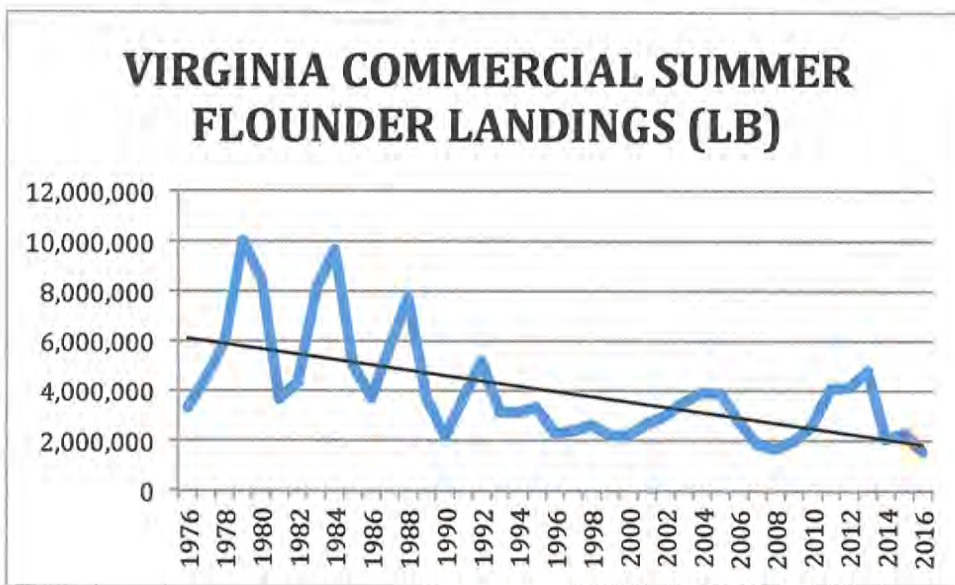


Figure 1. Virginia commercial landings 1976-2016. (reference: st.nmfs.noaa.gov)

We would also be concerned about changes to landings management systems that would raise concerns about catch monitoring or enforcement. Abuses of the RSA program in the absence of an effective catch monitoring system were well documented by NOAA OLE. We believe the options for landings flexibility would pose significant catch monitoring risks that could undermine the overall integrity of the management plan and the performance of the fishery.

Thanks again for the opportunity to comment on the proposed amendment.

Sincerely,

  
Terry Molloy  
General Manager



# Virginia Seafood Council

P. O. Box 2

Kilmarnock, VA 22482

vaseafoodcouncil@gmail.com

RE: Summer Flounder Commercial Issues Amendment

## 1. **Requalifying** Status Quo

If it is the intention to reduce permit capacity it should be pointed out that many states have taken steps to reduce latent effort. These same states have very good quality data for landings with solid enforcement protocols and reliable reporting.

With a recommendation that the Council and Board direct the states to work to reduce Latent effort as it best applies to their management system. Each state has developed a good management system based on landings, gear types and other criteria that best suits their needs and therefore should be better suited to reduce latent effort at their level.

## 2. **Commercial Allocation:** Status Quo

It must be stressed that in scoping and documents and every series of comments since the majority supports status quo.

This was and has always been a mainly VA, NC & NJ fishery. Most of the states in the northern range were fishing for Yellowtail, black backs, grey sole, scup, etc... The southern states VA NC & NJ have very few fisheries. The summer flounder is 85% of our entire offshore trawl fishery and it has deep historical ties. We have entire communities in small rural towns that depend on this fishery, jobs that rely on summer flounder and have for the past 25 years. The northern states have many other fisheries available, they have ground fish and have catch shares. This is the only fishery we have – Leave the state by state allocation the way it is

## 3. **Landings Flexibility** Status Quo

Each State has the ability to be flexible with their quota. It happens in many species and happens many times a year with summer flounder.

Any vessels that have purchased a state license knew very well what the landing requirements were when they purchased the license. There has been significant investment in these licenses.

Accountability and enforcement are nearly impossible with any flexible landing options. Landings flexibility is a nightmare scenario for managers.

The council process is already bogged down with enough issues and after discussing this for 5 years there is no actual idea that works. Stop kicking the can down the road!

Executive Committee,

Virginia Seafood Council



**BEFORE THE**  
**MID-ATLANTIC FISHERY MANAGEMENT COUNCIL,**  
**the ATLANTIC STATES MARINE FISHERIES COMMISSION,**  
**and the NATIONAL MARINE FISHERIES SERVICE**

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**In the Matter of:**

**Summer Flounder**  
**Commercial Issues Amendment**

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**STATE OF NEW YORK**  
**and the**  
**NEW YORK STATE**  
**DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**WRITTEN COMMENTS**

Dated: October 12, 2018

***FILED BY EMAIL***

## INTRODUCTION

The State of New York and the New York State Department of Environmental Conservation (together, “New York”) submit these written comments on the draft August 2018 Summer Flounder Commercial Issues Amendment (“Draft Amendment”) and the Draft Environmental Impact Statement (“Draft EIS”) prepared in connection with the Draft Amendment.<sup>1</sup> The Draft Amendment and Draft EIS present four alternatives for state-by-state allocation of the annual commercial quota for summer flounder. All of those alternatives are rooted wholly or partially in allocations that have been in place since 1993 (the “1993 Allocations”), which are based upon flawed and outdated data that do not reflect the current, undisputed concentration of biomass and fishing effort in the waters proximate to Long Island. New York requests that the Mid-Atlantic Fishery Management Council (the “Council”) and the Atlantic States Marine Fisheries Commission (the “Commission”) reject those four alternatives and, as required by the Magnuson-Stevens Act and the Interstate Fisheries Program Management Charter (“Interstate Fisheries Charter” or “Charter”), evaluate and adopt an alternative allocation that is fair, equitable, and reasonably based on current information about the fishery.<sup>2</sup>

Even though more reliable and consistent data have become available since 1993, and while both the summer flounder stock and commercial fishing activity have shifted northeast toward the waters off New York since 1993, the 1993 Allocations have continued to allot New York only 7.65% of the total coastwide commercial quota for commercial landings<sup>3</sup> of summer flounder while allotting almost 50% of the quota to North Carolina and Virginia, which are located far from the center of the fishery. All the quota allocation alternatives proposed by the Council and the Commission in the Draft Amendment and evaluated in the Draft EIS would either retain this allocation method or modify it only partially. As a result, every alternative proposed in the Draft Amendment and evaluated in the Draft EIS would continue to cause summer flounder to be disproportionately landed

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<sup>1</sup> See *Draft Amendment to the Interstate Fishery Management Plan for Summer Flounder, Scup, and Black Sea Bass for Public Comment: Summer Flounder Commercial Issues and FMP Goals and Objectives* (August 2018); *Summer Flounder Commercial Issues and Goals and Objectives Amendment: Draft Environmental Impact Statement* (August 2018).

<sup>2</sup> New York expects that the Council will ultimately adopt a commercial allocation alternative to propose to the National Marine Fisheries Service (“NMFS”), at which point NMFS would solicit public comment on that proposal before deciding whether to approve it. Should the Council propose any of the four alternatives presented in the Draft Amendment and Draft EIS to NMFS for approval, New York intends to provide comments to NMFS explaining why it must reject such a proposal as inconsistent with the Magnuson-Stevens Act.

<sup>3</sup> To “land” fish is to “begin offloading fish, to offload fish, or to enter port with fish.” To “offload” is to move fish from a vessel. 50 C.F.R. § 648.2. “Landings” refers to the amount of fish landed, measured by weight.

in southern ports hundreds of miles from the center of the species' biomass and from the center of commercial fishing activity. These alternatives are neither fair, rational, nor efficient. Indeed, in many cases, vessels weather significant time and distance at sea traveling from the northern fishery to southern ports, only to have their summer flounder catch shipped back to northern markets for sale. For New York-based fishermen, the options will continue to be bleak and economically punishing under any of the proposed alternatives: to land summer flounder in New York subject to highly restrictive limits or to purchase costly licenses to land summer flounder in out-of-state ports potentially hundreds of miles further from their fishing grounds. For many, neither option has been economically viable, and without a meaningful change to the allocation model, the impact on New York's commercial summer flounder fishermen and ports will continue to be devastating.

By ignoring current data about the summer flounder fishery, the alternatives evaluated in the Draft Amendment and Draft EIS do not comply with the Magnuson-Stevens Act or the Commission's Interstate Fisheries Charter. Under the Magnuson-Stevens Act, the allocation of commercial fishing quotas by the Council must comply with ten national standards for fishery conservation and management codified at 16 U.S.C. § 1851(a) (the "Magnuson Standards"). Among other things, the Magnuson Standards require that fishery rules be based upon the best scientific information available, not discriminate between residents of different states, consider efficiency in the utilization of fishery resources, minimize costs, and promote the safety of human life at sea.<sup>4</sup> Similarly, under the Commission's Charter, the allocation of commercial fishing quotas by the Commission must comply with seven interstate standards (the "Charter Standards"), including that fishery rules must be based upon the best scientific information available, be designed to minimize waste of fishery resources, and ensure that fishery resources are fairly and equitably allocated among the Atlantic states.<sup>5</sup> After decades of change in the summer flounder fishery, the 1993 Allocations violate both the Magnuson Standards and the Charter Standards because they are based upon flawed and outdated data, and as a result are discriminatory, wasteful, and unsafe. For the same reasons, any allocation scheme that is based on these 1993 Allocations would violate the Magnuson Standards and the Charter Standards. Further, the Draft EIS's failure to examine other reasonable alternatives would violate the National Environmental Policy Act.<sup>6</sup>

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<sup>4</sup> 16 U.S.C. § 1851(a)(2), (4), (5), (7), (10).

<sup>5</sup> Atl. States Marine Fisheries Comm'n, Interstate Fisheries Management Program Charter § 6(a)(2), (4), (7)(ii) (last amended Feb. 2016).

<sup>6</sup> New York's comments on the Draft EIS are directed to the Council and also to NMFS, to the extent that NMFS would not separately solicit comments in the environmental review process prior to issuing a Record of Decision selecting and approving a commercial allocation alternative.

Instead, the Council and the Commission must evaluate and adopt—and the National Marine Fisheries Service (“NMFS”) may only approve—a commercial allocation proposal that is scientifically sound, fair, efficient, safe, and otherwise compliant with the Magnuson-Stevens Act and the Interstate Fisheries Charter. Optimally, the Council and the Commission would begin by dispensing with the outdated and flawed 1993 Allocations and implementing coastwide management of the commercial quota for an interim period while the Council, Commission, and NMFS (together, the “Agencies”) collect information that allows them to develop and issue new allocations that are scientifically sound, reflective of the fishery as it currently exists, fair to New York, and otherwise consistent with the Magnuson-Stevens Act and the Interstate Fisheries Charter. If the Council and Commission do not adopt this approach, a next-best alternative would be for them to significantly modify the 1993 Allocations in a way that accurately and fairly accounts for what is actually now known about the distribution of the fishery, unlike the alternatives proposed in the Draft Amendment and evaluated in the Draft EIS.

## STATUTORY AND REGULATORY FRAMEWORK

### A. Management of the Summer Flounder Fishery

The Magnuson-Stevens Act, 16 U.S.C. §§ 1801 *et seq.*, is designed to conserve and manage fishery resources in United States waters and coastal areas.<sup>7</sup> In general, the Act manages fisheries in the waters between three miles and two hundred miles off the coast of the United States, known as the Exclusive Economic Zone or “federal waters,” while states retain regulatory authority over inland marine waters and ocean waters up to three miles offshore of their respective coastlines, traditionally known as “state waters.”<sup>8</sup> To regulate fisheries within its jurisdiction, the Magnuson-Stevens Act establishes eight regional fishery management councils subject to Department of Commerce oversight through NMFS, which is part of the Department’s National Oceanic and Atmospheric Administration.<sup>9</sup>

The regional council that manages fisheries in the federal waters of the mid-Atlantic region, including the summer flounder fishery, is the Mid-Atlantic Fishery Management Council, which is composed of voting representatives from the states

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<sup>7</sup> 16 U.S.C. § 1801(b). A “fishery” is “(A) one or more stocks of fish which can be treated as a unit for purposes of conservation and management and which are identified on the basis of geographical, scientific, technical, recreational, and economic characteristics; and (B) any fishing for such stocks.” *Id.* § 1802(13).

<sup>8</sup> *See id.* § 1856(a).

<sup>9</sup> *See generally id.* §§ 1852–54.

of New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, and North Carolina, and from NMFS.<sup>10</sup> The Mid-Atlantic Council manages the summer flounder fishery in consultation with the New England and South Atlantic Fishery Management Councils, which include representatives from other states that participate in the fishery, namely Massachusetts, Rhode Island, and Connecticut (New England) and North Carolina (South Atlantic).<sup>11</sup>

Meanwhile, the Atlantic States Marine Fisheries Commission regulates fisheries in state waters off the Atlantic coast, including the summer flounder fishery, pursuant to the Atlantic States Marine Fisheries Compact formed between the Atlantic states and approved by Congress.<sup>12</sup> Each member state under the Compact is represented on the Commission: Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.<sup>13</sup> The Commission operates through species-specific management boards, including the Summer Flounder, Scup, and Black Sea Bass Management Board (“Summer Flounder Board”), which develops, proposes, and implements fishery management plans for summer flounder, including the commercial fishery.<sup>14</sup> The Commission oversees the states within the fishery with respect to the management measures they must develop and implement pursuant to those plans.<sup>15</sup>

Due to the migratory nature of summer flounder between state and federal waters, the Council and the Commission coordinate joint regulatory oversight of the summer flounder fishery in both state and federal waters pursuant to the Atlantic Coastal Fisheries Cooperative Management Act, 16 U.S.C. §§ 5101 *et seq.*<sup>16</sup>

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<sup>10</sup> *See id.* § 1852(a)(1)(B). Among these states, Pennsylvania does not participate in the summer flounder fishery. The Council also has non-voting representatives from the U.S. Fish and Wildlife Service, the U.S. Coast Guard, the U.S. Department of State, and the Commission.

<sup>11</sup> *See id.* § 1852(a)(1)(A), (C). North Carolina is represented on both the Mid-Atlantic and South Atlantic Councils. Maine and New Hampshire, represented on the New England Council, also have limited participation in the summer flounder fishery.

<sup>12</sup> Pub. L. No. 77-539 (1942), *as amended by* Pub. L. No. 81-721 (1950) [hereinafter *Atl. Fisheries Compact*]; *see also* *Atl. States Marine Fisheries Comm’n, Rules & Regulations* (last amended Feb. 2016) [hereinafter *Atl. Fisheries Rules*].

<sup>13</sup> *See Atl. Fisheries Compact*, Art. III; *Atl. Fisheries Rules*, Art. I § 1(A).

<sup>14</sup> *See Interstate Fisheries Charter* § 4.

<sup>15</sup> *See id.* § 7.

<sup>16</sup> States that are party to the Atlantic Fisheries Compact but which are not part of the summer flounder fishery do not participate in the management of summer flounder.

## B. Regulatory Process for Federal Waters Under the Magnuson-Stevens Act

Under the Magnuson-Stevens Act, each regional council, including the Mid-Atlantic Council, is responsible for management of the fisheries within the federal waters seaward of the states comprising that council, principally through developing and updating fishery management plans (“FMPs”) that establish the rules for each fishery and by proposing regulations to implement such plans.<sup>17</sup> FMPs consist primarily of “conservation and management measures” that are “necessary and appropriate for the conservation and management of the fishery, to prevent overfishing and rebuild overfished stocks, and to protect, restore, and promote the long-term health and stability of the fishery.”<sup>18</sup> Such measures may include quotas, size limits, and gear restrictions, among others.

A regional council submits any new FMP or FMP amendment to NMFS to review for consistency with applicable law, in particular with the Magnuson Standards.<sup>19</sup> As necessary or appropriate to implement an FMP or amendment, a regional council may also submit proposed regulations to NMFS for review.<sup>20</sup>

NMFS must approve an FMP or amendment if it is consistent with the Magnuson Standards and other applicable law, and disapprove (or only partially approve) it if not.<sup>21</sup> Similarly, NMFS must promulgate regulations submitted by a regional council if the regulations are consistent with the Magnuson Standards, other applicable law, and the corresponding FMP or amendment, and return them to the council for revision if not.<sup>22</sup> If a regional council fails to develop an FMP or any necessary FMP amendment, NMFS may prepare an FMP or amendment, as appropriate, along with implementing regulations. NMFS may then adopt the FMP or amendment, and promulgate any implementing regulations after a notice and comment process.<sup>23</sup>

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<sup>17</sup> 16 U.S.C. §§ 1852(h), 1853.

<sup>18</sup> *Id.* § 1853(a)(1).

<sup>19</sup> *Id.* §§ 1853(a), 1854(a).

<sup>20</sup> *Id.* §§ 1853(c), 1854(b).

<sup>21</sup> *Id.* § 1854(a)(1)(A). If NMFS disapproves a proposed FMP or amendment in whole or in part, then it must make recommendations to the regional council as to how to revise the FMP or amendment to comply with applicable law. *Id.* § 1854(a)(3)(C).

<sup>22</sup> *Id.* § 1854(b)(1) (providing also that NMFS may make necessary technical changes in the course of promulgating regulations submitted by a regional council). If NMFS rejects regulations proposed by a regional council, it must provide recommendations to the council as to how to revise the proposed regulations so that they comply with applicable law. *Id.* § 1854(b)(1)(B).

<sup>23</sup> *Id.* § 1854(c).

All FMPs, amendments, and regulations must be consistent with the Magnuson Standards.<sup>24</sup> The standards include:

- Magnuson Standard 2, which provides that “[c]onservation and management measures shall be based upon the best scientific information available.”<sup>25</sup>
- Magnuson Standard 4, which provides that  
[c]onservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.<sup>26</sup>
- Magnuson Standard 5, which provides that “[c]onservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources[.]”<sup>27</sup>
- Magnuson Standard 7, which provides that “[c]onservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.”<sup>28</sup>
- Magnuson Standard 10, which provides that “[c]onservation and management measures shall, to the extent practicable, promote the safety of human life at sea.”<sup>29</sup>

The Magnuson-Stevens Act directs NMFS to establish guidelines based on the Magnuson Standards to “assist in the development of fishery management plans.”<sup>30</sup> These guidelines (the “Magnuson Standards Guidelines”) are codified at 50 C.F.R. §§ 600.305 *et seq.*

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<sup>24</sup> *Id.* § 1851.

<sup>25</sup> *Id.* § 1851(a)(2).

<sup>26</sup> *Id.* § 1851(a)(4).

<sup>27</sup> *Id.* § 1851(a)(5).

<sup>28</sup> *Id.* § 1851(a)(7).

<sup>29</sup> *Id.* § 1851(a)(10).

<sup>30</sup> *Id.* § 1851(b).



### C. Regulatory Process for State Waters Under the Interstate Fisheries Charter

Under the Commission’s Interstate Fisheries Charter, each species management board, including the Summer Flounder Board, is responsible for management of that fishery in state waters. Like the regional councils that manage federal waters, the species management boards manage the fisheries primarily through developing or updating FMPs that establish the rules for each fishery.<sup>31</sup> States are then responsible for implementing the Commission’s FMPs in their respective waters, subject to Commission oversight.<sup>32</sup> Where a fishery is managed cooperatively between state and federal waters, the Commission’s species management boards coordinate with the regional councils to ensure that Commission FMPs (applicable in state waters) are consistent with regional council FMPs (applicable in federal waters).<sup>33</sup>

Under the Charter, FMPs—as well as state laws and regulations implementing them—must be consistent with the Charter Standards.<sup>34</sup> The standards (which overlap with the Magnuson Standards) include:

- Charter Standard 2, which provides that “[c]onservation programs and management measures shall be based on the best scientific information available.”<sup>35</sup>
- Charter Standard 4, which provides that “[m]anagement measures shall be designed to minimize waste of fishery resources.”<sup>36</sup>
- Charter Standard 7, titled “Fairness and equity,” which provides in relevant part that “[f]ishery resources shall be fairly and equitably allocated or assigned among the states” that are party to the Atlantic Fisheries Compact.<sup>37</sup>

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<sup>31</sup> Interstate Fisheries Charter § 4(a), (e).

<sup>32</sup> *Id.* § 7.

<sup>33</sup> *Id.* §§ 4(g), 6(c)(12).

<sup>34</sup> *Id.* § 6(a); *see also* 16 U.S.C. § 5104(a)(2) (directing the Commission to establish standards governing FMPs).

<sup>35</sup> Interstate Fisheries Charter § 6(a)(2).

<sup>36</sup> *Id.* § 6(a)(4).

<sup>37</sup> *Id.* § 6(a)(7).

## D. The Summer Flounder FMP and the 1993 Allocations

The summer flounder fishery is governed by the Council's and Commission's cooperatively developed Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan, as amended ("Summer Flounder FMP").<sup>38</sup> The FMP and its implementing regulations, as amended, have been reviewed and authorized by NMFS as required by the Magnuson-Stevens Act.<sup>39</sup> Pursuant to the Summer Flounder FMP, each year the Council, Commission, and NMFS (together, the "Agencies") establish an annual fishery-wide catch limit for summer flounder and then formulate a commercial landings quota based on that limit; the commercial quota is allocated among the states based on the 1993 Allocations.

To start, the Agencies develop an "acceptable biological catch" representing the total amount of summer flounder that may be caught each year as necessary to prevent overfishing and sustain the fishery. The Agencies then develop "annual catch limits" that divide the acceptable catch between the commercial and recreational sectors. This process of setting acceptable catches and catch limits may occur annually, or for up to three years at a time subject to annual adjustment.<sup>40</sup> Specifically for the commercial sector, the Agencies develop an "annual landings quota" (among other measures) designed to achieve the commercial catch limit, accounting for a research set-aside and discards.<sup>41</sup>

Once an annual commercial quota is finalized, the total landings are distributed between the states on the eastern seaboard pursuant to the 1993 Allocations. The 1993 Allocations are in Amendments 2 and 4 of the Summer Flounder FMP and 50 C.F.R. § 648.102(c)(1)(i). The 1993 Allocations distribute the commercial landings quota for summer flounder each year as follows:

- 27.44585% to North Carolina;
- 21.31676% to Virginia;
- 2.03910% to Maryland;

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<sup>38</sup> See generally *Draft Amendment* at 61–66; *Draft EIS* at 36–39. Among the amendments to the Summer Flounder FMP has been its expansion to cover two other demersal species, scup and black sea bass, under distinct management measures.

<sup>39</sup> NMFS regulations implementing the Summer Flounder FMP are codified in relevant part at 50 C.F.R. §§ 648.100–648.110. These regulations are promulgated by NMFS pursuant to the Magnuson-Stevens Act, and therefore only apply to the regulation in federal waters by the Council and NMFS. However, the Commission regulates in state waters according to the same terms for the purposes of the discussion herein. For simplicity, where reference is made to provisions of the FMP, these comments generally cite to just the NMFS regulations.

<sup>40</sup> See 50 C.F.R. § 648.100.

<sup>41</sup> Discards are fish that are caught but not landed.

- 0.01779% to Delaware;
- 16.72499% to New Jersey;
- 7.64699% to New York;
- 2.25708% to Connecticut;
- 15.68298% to Rhode Island;
- 6.82046% to Massachusetts;
- 0.00046% to New Hampshire; and
- 0.04756% to Maine.<sup>42</sup>

Each state implements management measures (on top of generally applicable measures under the Summer Flounder FMP and regulations) designed so that commercial summer flounder landings in the ports of that state do not exceed the state’s assigned allocation of the annual commercial quota.<sup>43</sup> These measures commonly include permitting or licensing requirements, periodic or seasonal landings quotas, and/or landings limits for individual vessels.<sup>44</sup>

### **E. Environmental Review of FMP Amendments**

The Council and NMFS must generally prepare an environmental impact statement (“EIS”) pursuant to the National Environmental Policy Act (“NEPA”) when they propose to amend a fishery management plan. For “major Federal actions significantly affecting the quality of the human environment,” NEPA requires agencies of the federal government to issue a “detailed statement” discussing the “environmental impact of the proposed action” and “alternatives to the proposed action,” among other matters.<sup>45</sup> Effects on the human environment that must be examined in an EIS include not just ecological impacts, but also aesthetic, historic, cultural, economic, social, and health impacts.<sup>46</sup>

The section of an EIS analyzing alternatives to the proposed action “is the heart of the environmental impact statement.” In order to fulfill its intended role of “sharply defining the issue and providing a clear basis for choice among options by the decisionmaker and the public,” an EIS must “[r]igorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.”<sup>47</sup>

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<sup>42</sup> 50 C.F.R. § 648.102(c)(1).

<sup>43</sup> See *Draft Amendment at 76* (summarizing state-level management measures).

<sup>44</sup> See, e.g., 6 New York Codes, Rules and Regulations § 40.1.

<sup>45</sup> 42 U.S.C. § 4332(2)(C).

<sup>46</sup> 40 C.F.R. § 1508.8.

<sup>47</sup> *Id.* § 1502.14(a).

Prior to taking final action, federal agencies must prepare a draft EIS for public comment.<sup>48</sup>

## RELEVANT FACTS

### A. Summer Flounder

Summer flounder (*Paralichthys dentatus*), also known as fluke, is a demersal (bottom-dwelling) flatfish distributed from the Gulf of Maine through the waters off North Carolina. As an excellent food fish, summer flounder is a valuable species to the commercial fishing industry along the Atlantic coast. The species is also highly sought after by recreational anglers. Important commercial and recreational fisheries exist from Cape Cod to Cape Hatteras.<sup>49</sup>

Summer flounder are concentrated in bays and estuaries from late spring through early autumn, when the fish migrate to the outer continental shelf for the colder months. Spawning occurs during autumn and early winter, with the larvae carried by ocean currents toward coastal areas, where the development of post larvae and juveniles occurs.<sup>50</sup> Because summer flounder move northeast up the Atlantic coast as they age and grow, the summer flounder population is spatially distributed with larger individuals more abundant toward northern latitudes.<sup>51</sup> Commercial fishing for summer flounder occurs year-round, with the greatest activity between November and April, primarily in federal waters.<sup>52</sup>

### B. Historic Overfishing and Southwesterly Distribution

By the 1980s, the summer flounder stock had been overfished and was severely depleted, reaching a low point in approximately 1989.<sup>53</sup> This overfishing

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<sup>48</sup> *Id.* § 1502.9(a).

<sup>49</sup> See generally Mid-Atlantic Fishery Management Council, *Summer Flounder Fishery Information Document* (June 2018), available at <http://www.mafmc.org/sf-s-bsb> (under “Fishery Information Documents”).

<sup>50</sup> See *id.*

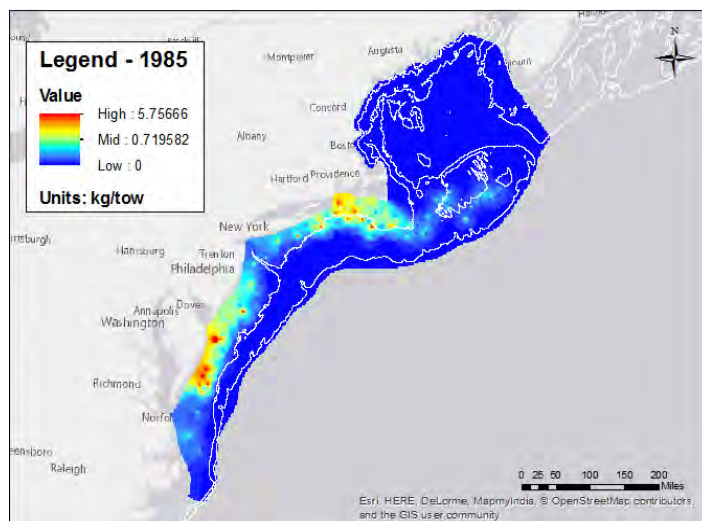
<sup>51</sup> Richard J. Bell et al., *Disentangling the Effects of Climate, Abundance, and Size on the Distribution of Marine Fish: An Example Based on Four Stocks from the Northeast US Shelf*, 72 ICES J. MARINE SCI. 1311, 1318, 1320 (2015).

<sup>52</sup> *Draft EIS* at 151–152.

<sup>53</sup> Mark Terceiro, Northeast Fisheries Science Center, National Marine Fisheries Service, Ref. Doc. 15-13, *Stock Assessment Update of Summer Flounder for 2015*, at 5, 10 (2015) [hereinafter *NMFS Stock Assessment 2015*], available at <https://www.nefsc.noaa.gov/publications/crd/crd1513/crd1513.pdf>.

also truncated the average age and size of summer flounder.<sup>54</sup> Because younger fish are more heavily distributed toward the southwest of the species' range, researchers believe that overfishing had a southwest-shifting effect on the center of biomass of the stock.<sup>55</sup> Indeed, trawl survey data indicate that in the 1980s, summer flounder were concentrated between the southern mid-Atlantic waters east of Delaware, Maryland, and Virginia, and the waters east of Long Island and south of Rhode Island (see Figure 1).<sup>56</sup>

**Figure 1: Summer Flounder Stock Distribution in 1985<sup>57</sup>**



Unsurprisingly, the geographic distribution of commercial fishing for summer flounder in the 1980s roughly corresponded to the distribution of the stock at that time. In 1983–1989, 46% or more of commercial summer flounder landings were caught in the southern mid-Atlantic—that is, in waters south of the southern tip of New Jersey.<sup>58</sup> Meanwhile, 41% or less were caught in the northern mid-Atlantic

<sup>54</sup> Mark Terceiro, Northeast Fisheries Science Center, National Marine Fisheries Service, Ref. Doc. 16-15, *Stock Assessment of Summer Flounder for 2016*, at 55–58, 87 (2016) [hereinafter *NMFS Stock Assessment 2016*], available at <https://www.nefsc.noaa.gov/publications/crd/crd1615/crd1615.pdf>.

<sup>55</sup> Bell et al., *supra* note 51, at 1318.

<sup>56</sup> OceanAdapt, Rutgers School of Environmental and Biological Sciences, Northeast US fall regional data for summer flounder, available at [http://oceanadapt.rutgers.edu/regional\\_data/northeast-us-fall/summer-flounder](http://oceanadapt.rutgers.edu/regional_data/northeast-us-fall/summer-flounder).

<sup>57</sup> *Id.*

<sup>58</sup> Mid-Atlantic Fishery Management Council, *Amendment 2 to the Fishery Management Plan for the Summer Flounder Fishery*, at 107 (Oct. 1991, adopted) (Apr. 1993, approved by NOAA) [hereinafter *Amendment 2*], available at <http://www.mafmc.org/sf-s-bsb> (under “Fishery Management Plan and Amendments”). For the purposes of these comments, the “southern mid-Atlantic waters” are comprised of NMFS statistical areas numbered 621–634. See Nat’l Marine Fisheries Serv., *Greater*

and southern New England waters proximate to Long Island—that is, in waters east of New Jersey and New York, and south of Connecticut, Rhode Island, and Massachusetts.<sup>59</sup> The remaining approximately 13% were caught further to the east or north of these waters.<sup>60</sup>

### C. The Summer Flounder FMP and the 1993 Allocations

As of 1988, management measures in the summer flounder fishery were mostly limited to state-enforced fish size limits: 14-inch minimums in New York, Connecticut, Rhode Island, and Massachusetts; a 13-inch minimum in New Jersey; 12-inch minimums in Maryland and Virginia; and an 11-inch minimum in North Carolina.<sup>61</sup> These measures proved inadequate to address overfishing and in 1988 the Agencies cooperated to establish the Summer Flounder FMP.<sup>62</sup> Since then the Council, Commission, and NFMS have managed the fishery cooperatively, in consultation with the New England and South Atlantic Fishery Management Councils.

The Summer Flounder FMP has been amended numerous times.<sup>63</sup> In 1993, the Agencies adopted Amendments 2 and 4 to the FMP, which established the 1993

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*Atlantic Regional Statistical Areas*, [https://www.greateratlantic.fisheries.noaa.gov/educational\\_resources/gis/gallery/grafostatisticalareas.html](https://www.greateratlantic.fisheries.noaa.gov/educational_resources/gis/gallery/grafostatisticalareas.html) (map of NMFS statistical areas). Forty-six percent is an underestimate of the percentage of landings caught in this region from 1983–1989 because this figure does not include data for landings made in North Carolina, Delaware, or Connecticut. See *Amendment 2* at 107. During 1983–1989, North Carolina landings represented the largest share of any state, while Connecticut landings were among the smallest and Delaware landings were de minimis. *Id.* at 98. Had catch location data been available for landings made in these three states, the likely result would have been to reflect an even greater share of catch in southern mid-Atlantic waters, where more North Carolina fishing activity would have occurred.

<sup>59</sup> *Amendment 2*, *supra* note 58, at 107. For the purposes of these comments, the “northern mid-Atlantic waters” are comprised of NMFS statistical areas numbered 611–616, and the “southern New England waters” are comprised of NMFS statistical areas numbered 533–534 and 537–539. See *Greater Atlantic Regional Statistical Areas*, *supra* note 58. Forty-one percent is likely an overestimate of the percentage of landings caught in these regions for the reasons discussed in note 58, *supra*.

<sup>60</sup> *Amendment 2*, *supra* note 58, at 107.

<sup>61</sup> Mid-Atlantic Fishery Management Council, *Fishery Management Plan for the Summer Flounder Fishery*, at 64 (Apr. 1988, adopted) (Sept. 1988, approved by NOAA) (the original Summer Flounder FMP), available at <http://www.mafmc.org/sf-s-bsb> (under “Fishery Management Plan and Amendments”). Some states, including New York, also had gear restrictions in the form of mesh size limits.

<sup>62</sup> See *id.* The Commission had originally adopted its own Summer Flounder FMP in 1982 prior to the first cooperative FMP in 1988.

<sup>63</sup> See Mid-Atlantic Fishery Management Council, *Fishery Management Plans and Amendments—Summer Flounder, Scup, Black Sea Bass*, <http://www.mafmc.org/fisheries/fmp/sf-s-bsb>.

Allocations to distribute the annual coastwide commercial landings quota for summer flounder among the states. When they were adopted, the 1993 Allocations were calculated based on commercial landings of summer flounder reported for the respective states between 1980 and 1989.<sup>64</sup> In New York, landings may have been underreported as a result of the business structure of the state’s fishing industry, which has subsequently been restructured. Landings differences between states would have also been affected by the different size limits in each state.

The Agencies acknowledged that data collection methods used to establish the 1993 Allocations were not uniform between the states, and that in the future, “data collection should be improved” in order to “allow the Council to more finely tune the management system to the needs of the fishery.”<sup>65</sup> Accordingly, the FMP was amended to establish a standardized reporting system to allow NMFS to reliably track catch and landings locations for summer flounder, among other data.<sup>66</sup> These “vessel trip report” data have been compiled ever since.

#### **D. Recovery and Northeasterly Shift of the Fishery**

The vessel trip report data and other data collected by NMFS—which are corroborated by independent research studies—show that the fishery has materially changed since the 1980s as the summer flounder stock has rebounded: the geographic distribution of both the summer flounder stock and commercial fishing activity have shifted northeast toward the waters off New York. Yet the Agencies have yet to “finely tune” the 1993 Allocations, and each annual commercial quota continues to be allocated among the states according to the 1993 Allocations.

The summer flounder stock has recovered from its former depleted condition as a result of the Summer Flounder FMP and other management measures, reaching peaks in 2003 and 2010.<sup>67</sup> The stock remains “not overfished,” and although there have been decreases in stock since 2010, the most recent stock assessment indicates that the biomass of the summer flounder stock remains

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<sup>64</sup> *Amendment 2*, *supra* note 58, at 58–59, 129; Mid-Atlantic Fishery Management Council, *Amendment 4 to the Fishery Management Plan for the Summer Flounder Fishery*, at 12–13, 29 (Apr. 1993, adopted) (Sept. 1993, approved by NOAA), *available at* <http://www.mafmc.org/sf-s-bsb> (under “Fishery Management Plan and Amendments”). Specifically, Amendment 2 implemented state-by-state allocations based upon the collected data. Just after the approval of Amendment 2, Amendment 4 was adopted to increase Connecticut’s share to account for data collection gaps; the other states’ shares were reduced incrementally to compensate.

<sup>65</sup> *Amendment 2*, *supra* note 58, at 13.

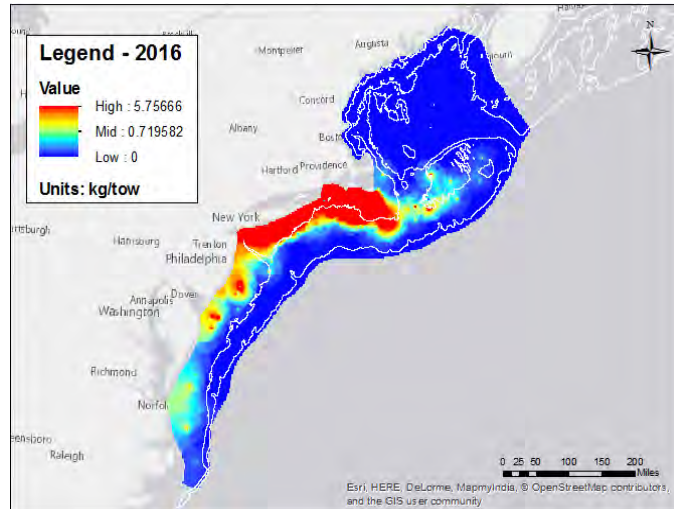
<sup>66</sup> *Id.* at 63.

<sup>67</sup> *NMFS Stock Assessment 2015*, *supra* note 53, at 5, 10.



multiple times greater than its average level in the 1980s.<sup>68</sup> This recovery has also led to an increased proportion of older and larger fish among the summer flounder population since the 1980s.<sup>69</sup> This is reflected in NMFS catch data that show an increase in the age and size of fish among commercial summer flounder landings: the percentage of fish in the total summer flounder catch aged three years and older has increased between 1993 and 2015 from approximately 4% to 75%.<sup>70</sup>

**Figure 2: Summer Flounder Stock Distribution in 2016<sup>71</sup>**



Because older and larger summer flounder are distributed further northeast in the summer flounder's range, and possibly due to other factors, the center of biomass of the summer flounder stock has shifted northeast since the 1980s.<sup>72</sup> Trawl survey data indicate that the stock is now concentrated in the northern mid-Atlantic waters east of New Jersey and south of Long Island, and in the southern New England waters east of Long Island and south of Rhode Island and Massachusetts (see Figure 2).<sup>73</sup> This biomass shift is well-documented and also acknowledged by the Council and Commission in the Draft Amendment and Draft EIS.<sup>74</sup>

<sup>68</sup> *NMFS Stock Assessment 2016*, *supra* note 54, at 12, 107.

<sup>69</sup> *Id.* at 55–58, 87.

<sup>70</sup> *Id.* at 6, 19–23.

<sup>71</sup> *OceanAdapt*, *supra* note 56.

<sup>72</sup> Bell et al., *supra* note 51, at 1315, 1318; *see also Draft Amendment* at 15–16.

<sup>73</sup> *OceanAdapt*, *supra* note 56.

<sup>74</sup> *Draft Amendment* at 14–16; *Draft EIS* at 87–89. The Draft Amendment and Draft EIS include a link to a video on NMFS's website that shows the increase through 2014 in distribution of summer

The northeast shift in the center of biomass of the summer flounder stock toward the waters proximate to Long Island has in turn driven geographic changes in commercial fishing activity. In particular, the increase in summer flounder abundance and size in waters offshore of New York has been accompanied by an increase in commercial fishing for summer flounder in these waters, as reflected in catch data collected by NMFS. As discussed above, in 1983–1989, when the stock was becoming depleted, 46% or more of commercial summer flounder landings were caught in the southern mid-Atlantic, while 41% or less were caught in the northern mid-Atlantic and southern New England waters proximate to Long Island.<sup>75</sup> Now, NMFS data show that in 2015–2016, approximately 12% of the commercial summer flounder catch was taken from southern mid-Atlantic waters, while more than 80% was taken from northern mid-Atlantic and southern New England waters.<sup>76</sup> This 80% of the commercial catch is caught in waters within approximately 150 miles of Long Island. These same waters are no closer than 200 miles, and as far as 400 miles or more, from Virginia and North Carolina.<sup>77</sup> In the Draft Amendment and Draft EIS, the Council and Commission acknowledge this well-documented spatial shift in commercial fishing activity.<sup>78</sup>

A presentation at the February 2018 meeting of the Council supports this northeast shift in commercial fishing for summer flounder. At the council meeting, researchers presented their findings that the average commercial catch location for summer flounder, as determined based on NMFS vessel trip report data, has been shifting from the southern mid-Atlantic waters offshore of Delaware, Maryland, and Virginia in the mid-late 1990s to the northern mid-Atlantic waters south of eastern Long Island in the early-mid 2010s.<sup>79</sup> In 2014, the average commercial catch

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flounder in the waters proximate to Long Island. See <https://www.nefsc.noaa.gov/ecosys/climate-change/summer-flounder.html>.

<sup>75</sup> See pp. 11–12, *supra*. The actual distribution of catch locations was likely even further skewed toward the southern mid-Atlantic, because these data did not include North Carolina landings. See notes 58–59, *supra*.

<sup>76</sup> See Mid-Atl. Fishery Mgmt. Council Demersal Comm. & Atl. States Marine Fisheries Comm’n Bd. Subcomm., *Summer Flounder Amendment—Draft Commercial Alternatives Discussion Document*, at 34–35 (July 2017) [hereinafter *Draft Alternatives*]; see also *Draft Amendment* at 23 (Figure 7). Indeed, most revenue generated from southern landings is derived from summer flounder caught in waters proximate to Long Island. See *Draft EIS* at 143–45.

<sup>77</sup> Note that the 2015–2016 data report share of catch, while the 1983–1989 data report share of landings (which do not include discards). New York has no basis to believe that the striking contrast between the two data periods would be materially different if the same metric were used for both.

<sup>78</sup> See *Draft Amendment* at 22–30; *Draft EIS* at 140–50.

<sup>79</sup> Bradford Dubik et al., National Socio-Environmental Synthesis Center, *Spatial Shifts in the Summer Flounder Fishery*, at 23–42 (Feb. 13, 2018) (presentation to the Mid-Atlantic Fishery Management Council), available at <http://www.mafmc.org/briefing/february-2018>. It should be noted

location was approximately 90 miles from Montauk, New York, approximately 300 miles from Hampton, Virginia, and approximately 450 miles from Beaufort, North Carolina (the largest summer flounder ports in these three states). According to the research findings presented to the Council, this shift in commercial fishing has been driven largely by vessels catching summer flounder in northern mid-Atlantic waters and then landing them in North Carolina and Virginia (and to a lesser extent, Maryland). Between 1996 and 2014, the average catch locations for summer flounder that was landed in Delaware, New Jersey, New York, Connecticut, Rhode Island, and Massachusetts remained roughly consistent and in each case have been situated in the waters proximate to their respective states of landing. In contrast, the average catch locations for landings in North Carolina and Virginia have shifted over that same period from the waters offshore to those states to the waters east of New Jersey and south of Long Island and Rhode Island.<sup>80</sup>

### **E. New York’s Summer Flounder Industry**

Historically, fishing for summer flounder has been part of the “bread and butter” of New York’s commercial fishermen: summer flounder’s high value and widespread popularity made it a reliable source of revenue for area fishing.<sup>81</sup> At present, available data report 416 active permits from 2012–2016 to land summer flounder in New York and 214 known commercial fishermen in New York making summer flounder landings on average for the years 2012–2016.<sup>82</sup> Compared to states with the largest shares of the commercial quota (North Carolina, Virginia, New Jersey, and Rhode Island), New York’s summer flounder landings are highest in the late spring and summer months rather than the winter and early spring; and a comparatively greater share of New York’s landings are from smaller vessels fishing in state waters, rather than larger vessels fishing in federal waters.<sup>83</sup>

Yet with a high number of active commercial fishermen and licensed vessels, New York must now impose stringent management measures in the summer flounder fishery in order to comply with its small share under the 1993 Allocations.

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that while the authors of this presentation are in the process of peer review and publication, that has not yet completed.

<sup>80</sup> *Id.* at 45–54. In these presentation slides, lighter dots represent earlier years in the time range, and darker dots represent later years. The dots for each state are connected sequentially from 1996 (lightest) to 2014 (darkest).

<sup>81</sup> See Affidavit of Capt. Bruce Beckwith and Affidavit of Capt. John Berglin. These affidavits and others, attached hereto in Exhibit A, were originally submitted in support of New York’s rulemaking petition to NMFS in March 2018. See pp. 18–20, *infra*.

<sup>82</sup> *Draft Amendment* at 47.

<sup>83</sup> *Id.* at 38–41.

In 2016, New York had daily trip limits of 70 to 100 pounds for summer flounder depending upon the time of year, and an alternative 800-pound weekly limit between January and March.<sup>84</sup> In contrast, North Carolina did not have daily or weekly trip limits, but instead enforced summer flounder possession limits between 9,000 and 12,500 pounds.<sup>85</sup> The Commonwealth of Virginia had landings limits of 7,500 (allowable once within five days) at certain times of year.<sup>86</sup> These possession and landings limits in North Carolina and Virginia are equivalent to one thousand or more pounds of summer flounder per day for a typical trip.

The stringent limits on commercial landings of summer flounder in New York ports have made summer flounder fishing no longer an economically viable choice for many fishermen based in New York: the limited revenue generated by a trip often cannot offset the costs, including fuel, time, and vessel wear-and-tear. For many fishermen, this has foreclosed or severely restricted participation in the fishery and New York's commercial summer flounder industry has suffered considerably. In colder months, when fluke are further offshore, it makes little economic sense to travel round trip to and from port under the daily or weekly limits that New York imposes to meet its landings quota. This effectively limits many fishermen to making small day trips in the warmer months—rarely worth the cost or effort for larger vessels—or to landing summer flounder as a secondary catch or bycatch on trips for other fish species.<sup>87</sup> For those who continue to fish for summer flounder, they must often do so in direct sight of vessels licensed to land summer flounder in Virginia or North Carolina—pursuing the same fish at the same time—who may land those same fish in far greater quantities.<sup>88</sup>

While New York fishermen may purchase licenses to land summer flounder in states with larger quota allocations like North Carolina and Virginia, the price of such licenses—often in the range of multiple tens of thousands of dollars—has been prohibitive for many, especially for those operating smaller vessels.<sup>89</sup> Some operators of larger New York-based boats have made the business decision to

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<sup>84</sup> New York State Department of Environmental Conservation, *2016 Compliance Report to the ASMFC for Summer Flounder* (Exhibit B). Current regulations are even more stringent.

<sup>85</sup> North Carolina Division of Marine Fisheries, *2016 North Carolina Summer Flounder Compliance Report* (Exhibit B).

<sup>86</sup> Virginia Marine Resources Commission, *Virginia's 2016 Compliance Report for Summer Flounder* (Exhibit B).

<sup>87</sup> See Affidavit of Capt. Bruce Beckwith; Affidavit of Capt. David Aripotch; Affidavit of Capt. John Berglin. These affidavits and others, attached hereto in Exhibit A, were originally submitted in support of New York's rulemaking petition to NMFS in March 2018. See pp. 18–20, *infra*.

<sup>88</sup> See Affidavit of Capt. Bruce Beckwith (Exhibit A).

<sup>89</sup> See *id.*

purchase out-of-state licenses. These fishermen catch flounder in the waters near Long Island—the center of the fishery—and then travel to out-of-state ports to land their catch, only to return to their home ports in New York. In favorable weather conditions, it takes a seventy-foot vessel approximately eight hours to travel from prime summer flounder fishing waters to Montauk, New York. In contrast, it takes thirty or more hours to travel to port in Virginia, and forty-eight or more hours to travel to port in North Carolina—with commensurate increases in fuel use and vessel wear-and-tear.<sup>90</sup> If these New York fishermen were able to land more of their summer flounder catch in their home ports, the time and cost savings would be substantial. The fishermen would also be able to support more downstream industries in their port communities, such as pack houses that pack landed fish to be shipped to market.<sup>91</sup>

Meanwhile, summer flounder that is landed in New York is highly sought after by dealers in New York.<sup>92</sup> Indeed, within the seafood industry, New York has among the largest wholesale/distribution and retail sectors of any state in the fluke fishery, together with New Jersey and Massachusetts.<sup>93</sup> Much of the seafood supplied to the New York City metropolitan area passes through the New Fulton Fish Market in the Bronx, New York. Yet as one seller at the market estimates, no more than 5% of summer flounder he handles at Fulton has been landed in New York, while a majority has been landed in Virginia, North Carolina, or New Jersey.<sup>94</sup>

## NEW YORK'S RULEMAKING PETITION

In or around 2013, the Council and Commission decided to develop an amendment to the Summer Flounder FMP to address “apparent shifts in the distribution and center of biomass for the summer flounder stock,” among other changes to the fishery. New York’s representatives on the Council and Commission were key voices in identifying changing fishery conditions and the need to update the FMP to remain compliant with the Magnuson-Stevens Act. In 2014, the Council and Commission conducted a scoping process to identify categories of issues to be

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<sup>90</sup> See Affidavit of Capt. David Aripotch; Affidavit of Capt. John Berglin (Exhibit A).

<sup>91</sup> See Affidavit of Capt. David Aripotch (Exhibit A).

<sup>92</sup> See Affidavit of Warren D. Kremin. This affidavit and others, attached hereto in Exhibit A, were originally submitted in support of New York’s rulemaking petition to NMFS in March 2018. See pp. 18–20, *infra*.

<sup>93</sup> National Marine Fisheries Service, NOAA Technical Memorandum NMFS-F/SPO-170, *Fisheries Economics of the United States 2015*, at 122 (May 2017), available at [https://www.st.nmfs.noaa.gov/economics/publications/feus/fisheries\\_economics\\_2015/index](https://www.st.nmfs.noaa.gov/economics/publications/feus/fisheries_economics_2015/index).

<sup>94</sup> See Affidavit of Warren D. Kremin (Exhibit A).

explored through the amendment process, including “commercial measures and strategies.” The Council and Commission subsequently decided to separately pursue recreational and commercial amendments, and in 2017, they identified the commercial allocation as a specific commercial management measure to address. The Council and Commission then began to develop specific proposal alternatives, including for the commercial quota allocation.<sup>95</sup>

As the Council and Commission proceeded to develop proposals for the commercial quota allocation, New York’s representatives on those bodies sought to introduce options for consideration that would uncouple the state-by-state allocations from the decades-old 1993 Allocations given the inconsistency between those allocations and the actual geographic distribution of the fishery.

The efforts made by New York’s representatives to institute serious, meaningful reform of the 1993 Allocations were unsuccessful. On March 23, 2018, New York submitted a rulemaking petition to the Council and NMFS, as well as NMFS’s parent agencies, the National Oceanic and Atmospheric Administration and the U.S. Department of Commerce, requesting that the respondents amend the Summer Flounder FMP and its implementing regulations to allocate the commercial quota for summer flounder between states in a manner that complies with the Magnuson-Stevens Act. Specifically, New York’s petition calls on the respondent agencies to repeal and replace the 1993 Allocations, which were based upon data collected during the 1980s. As set forth in the petition, even though more recent, reliable data demonstrate that both the summer flounder stock and commercial fishing activity are currently centered in the waters off of New York, the 1993 Allocations continue to allot to New York just 7.65% of the total coastwide commercial landings quota for summer flounder while allotting almost 50% of the quota to North Carolina and Virginia. As a result, the 1993 Allocations require summer flounder to be disproportionately landed in southern ports hundreds of miles from the center of the species’ biomass and the center of commercial fishing activity. Given the changes to the summer flounder fishery over the last quarter century, the petition argues that the 1993 Allocations violate the Magnuson Standards because they are scientifically outdated and flawed, discriminatory, inefficient, costly, and unsafe.

Instead of continuing to rely on the outdated and flawed 1993 Allocations, New York’s petition has proposed that the respondent agencies revise the allocations in a two-phase process. The first phase is to dispense with state-by-state allocations and to implement coastwide management of the commercial quota for an interim period while the Agencies collect information that allows them to revise the allocations so that they are consistent with the Magnuson-Stevens Act. The second phase is to use the up-to-date information to issue new state-by-state allocations.

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<sup>95</sup> See generally *Draft Amendment* at 6–7; *Draft EIS* at 44–46.

This solution would properly rely on the current distribution of fish, fishing effort, and landings to determine state-by-state allocations.

On July 10, 2018, NMFS announced in the Federal Register that it had received New York’s petition for rulemaking and was accepting comments on the petition.<sup>96</sup> In making its announcement, NMFS “emphasize[d] the importance of the Council process,” and “encourage[d] . . . the State of New York . . . to engage in the Council and Commission’s development of the Commercial Summer Flounder Amendment[.]” NMFS then noted that before it would decide New York’s petition, it would “defer[] to the ongoing Council amendment intended to address the current commercial quota allocation for summer flounder.”<sup>97</sup>

### **THE DRAFT AMENDMENT AND DRAFT EIS**

On April 30, 2018, a preliminary version of the Draft Amendment, in the form of a public hearing document, was reviewed for approval by a joint meeting of the Council and the Commission’s Summer Flounder Board. The discussion addressed various commercial quota allocation alternatives to be developed for the Draft Amendment and Draft EIS. New York, through its representatives, sought to add an additional commercial allocation alternative, similar to the proposal made in New York’s petition for rulemaking. Recognizing that an interim period of coastwide management could result in significant changes to commercial summer flounder landings, New York also proposed an alternative that would use the 1993 Allocations as a starting point to establish substantially revised state allocations based on current data. New York’s motion to add these two options to the public hearing document was rejected by the Council. New York also moved to delay release of the public hearing document to allow time for the full development of its proposed alternatives and that motion was also rejected by the Council.

In August 2018, the Council and the Commission, in cooperation with NMFS, released for public comment the Draft Amendment and Draft EIS, which did not include New York’s requested alternatives.

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<sup>96</sup> 83 Fed. Reg. 31,945 (July 10, 2018).

<sup>97</sup> *Id.* at 31,946. Consistent with its petition, which is still pending, New York maintains that if the Council fails to amend the Summer Flounder FMP to comply with the Magnuson-Stevens Act, NMFS should proceed to amend the FMP to dispense with the 1993 Allocations. *See* 16 U.S.C. § 1854(c) (authorizing NMFS to prepare and promulgate necessary FMP amendments).



The Draft Amendment proposes and the Draft EIS evaluates the following alternatives for the annual commercial quota allocation for summer flounder:

- ***Alternative 2A: No Action/Status Quo***<sup>98</sup>

The “status quo” alternative would make no changes to the 1993 Allocations. Under this alternative, New York’s quota allocation would remain at 7.65%.

- ***Alternative 2B: Adjust State Quotas Based on Recent Biomass Distribution***<sup>99</sup>

This “hybrid” alternative would partially modify the 1993 Allocations based on the shift in the geographic distribution of “exploitable” biomass, which the Council and Commission have defined as summer flounder equal to or greater than 14 inches. This biomass shift metric is based upon the shift from the “southern” region (New Jersey and south) to the “northern” region (New York and north) between the 1980–1989 period and the 2007–2016 period.<sup>100</sup> The hybrid alternative would adjust the quota allocation under the 1993 Allocations for states in each region based upon the relative change in exploitable biomass for the two respective regions, so that state-by-state allocations have “some basis in recent biomass distribution.”<sup>101</sup> Therefore, states in the northern region would each see the same percentage increase, and states in the southern region would each see the same percentage decrease.

The Draft Amendment puts forward two sub-alternatives: Alternative 2B-1 would calculate the biomass shift as a percent change relative to the northern region starting biomass, resulting in a 6% shift from the southern region to the northern region; and Alternative 2B-2 would calculate the biomass shift as an absolute shift relative to the coast, resulting in a 13% shift from the southern region to the northern region. Under these sub-alternatives, New York’s quota allocation would increase marginally from 7.65% to 9.10% or 10.71%, respectively.

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<sup>98</sup> See *Draft Amendment* at 81–82; *Draft EIS* at 50–51.

<sup>99</sup> See *Draft Amendment* at 81–90; *Draft EIS* at 51–58.

<sup>100</sup> The dividing line between “southern” and “northern” waters under this alternative is the Hudson Canyon, a submarine canyon that begins near the mouth of the Hudson River and extends seaward to the southeast.

<sup>101</sup> *Draft EIS* at 55.

- ***Alternative 2C: Revise State Allocations Above a Commercial Quota Trigger Point***<sup>102</sup>

The “trigger point” alternative would retain the 1993 Allocations except in years of great abundance. For years in which the total quota exceeds a specified trigger point, the quota up to the trigger point would still be distributed according to the 1993 Allocations and excess quota beyond the trigger would be distributed evenly between the states in the fishery, each receiving 12.375% of the excess (with the exception of Maine, New Hampshire, and Delaware, who would split 1% of the excess).

The Draft Amendment puts forward two sub-alternatives. Alternative 2C-1 would use the recent 5-year average of commercial quotas as the trigger point (8.40 million pounds): in a year below the trigger point, New York’s allocation would remain at 7.65%, and in a year of exceptionally high abundance (17.9 million pound quota), New York’s allocation would marginally increase to 10.16%. Alternative 2C-2 would use the recent 10-year average as the trigger point (10.71 million pounds): in a year below the trigger point, New York’s allocation would remain at 7.65%, and in a year of exceptionally high abundance (17.9 million pound quota), New York’s allocation would marginally increase to 9.55%.

- ***Alternative 2D: “Scup Model” Quota System for Summer Flounder***<sup>103</sup>

The “scup model” alternative—which is based on the quota distribution scheme used to manage scup—would likewise be only a partial departure from the 1993 Allocations. Under this alternative, the fishing season would be divided into two winter periods and a summer period. In a given year, the commercial quota would first be allocated between the periods based upon the historic seasonal distribution of landings from 1997 to 2016: approximately 55% to the first winter period (January–April); approximately 17% to the second winter period (November–December); and approximately 28% to the summer period (May–October).<sup>104</sup> During the winter periods, there would be no state allocations, and vessels would be able to land summer flounder in any port for which they are permitted to do so. During the summer period,

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<sup>102</sup> *Draft Amendment* at 91–99; *Draft EIS* at 59–66.

<sup>103</sup> *See Draft Amendment* at 99–106; *Draft EIS* at 66–73.

<sup>104</sup> The scup model alternative has two sub-alternatives that differ in their treatment of Maryland, which has concerns about the scup model’s compatibility with certain aspects of its state management measures. These sub-alternatives would not yield significantly different allocations for other states, including New York.

the approximately 28% of the coastwide quota would be divided between the states based upon their historic 1997–2016 share of May–October landings.

Because New York’s summer flounder industry has historically been comprised of smaller vessels equipped for in-shore summer fishing, New York’s share of landings during the summer period has historically been greater than its overall, year-round share. Therefore, under the scup model, New York would be allocated approximately 18% of the 28% distributed to the summer period. As a result, New York would receive approximately 5% (which is 18% of 28%) of the total annual commercial quota during the summer period. During the winter periods, those New York vessels that are equipped for offshore winter fishing would be on equal footing with vessels from other states in pursuing the remaining approximately 72% of the annual quota. However, it is not expected that New York vessels would participate significantly in the winter periods, because few New York vessels that pursue summer flounder are equipped for offshore winter fishing. For this reason, New York’s total annual share of summer flounder is unlikely to change significantly under the scup model. Indeed, because the 1993 Allocations were the primary driver of landings patterns during the 1997–2016 reference period, both the inter-seasonal and (in the summer period) interstate distributions of quota under the scup model are heavily rooted in the 1993 Allocations.

The Council and the Commission have not yet selected a preferred alternative to propose to NMFS.

The Draft Amendment proposes and the Draft EIS evaluates only the above alternatives. Even though the Draft EIS recognizes the need to “[c]onsider modifications to [the] commercial quota allocation” because the “[c]urrent commercial allocation was last modified in 1993 and is perceived by many as outdated given its basis in 1980–1989 landings data,” which many believe were “flawed,” and because “[s]ummer flounder distribution, biomass, and fishing effort have changed since then,”<sup>105</sup> the Draft EIS does not evaluate alternatives that would not rely upon the 1993 Allocations.<sup>106</sup>

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<sup>105</sup> *Draft EIS* at 3.

<sup>106</sup> The Draft EIS does acknowledge, but determines not to evaluate, one alternative that would entirely dispense with the 1993 Allocations by implementing periodic coastwide quotas throughout the year. The Draft EIS explains that this option was rejected for full evaluation in favor of the scup model, which would allow states to manage their quota during the summer in-shore fishery. *See id.* at 77.

## ARGUMENT

The Draft Amendment acknowledges that “establishing new quota allocation that provide[s] fair and equitable access to commercial fishery participants may enhance social and economic benefits by increasing derived value and economic returns.”<sup>107</sup> Moreover, the Draft EIS recognizes its purpose to “[c]onsider modifications to [the] commercial quota allocation” because the “[c]urrent commercial allocation was last modified in 1993 and is perceived by many as outdated given its basis in 1980–1989 landings data,” which many believe to have been “flawed,” and because “[s]ummer flounder distribution, biomass, and fishing effort have changed since then.”<sup>108</sup> Unfortunately, none of the alternatives proposed in the Draft Amendment and evaluated in the Draft EIS would establish “fair and equitable access to commercial fishery participants,” nor would any of these alternatives address the need to consider modifications to the quota allocation that address the 1993 Allocations’ “basis in 1980–1989 landings data” or changes in the fishery since that time, in a way that complies with the applicable legal standards.

The Council and Commission should therefore reject the commercial quota allocation alternatives proposed in Draft Amendment as inconsistent with the Magnuson-Stevens Act and the Interstate Fisheries Charter. Instead, consistent with the Act, the Charter, and NEPA, the Draft Amendment and Draft EIS should evaluate reasonable alternatives that are rationally based upon current information about summer flounder distribution, biomass, and fishing effort, and the Council and Commission should select such an alternative that is fair, efficient, and safe.

## POINT I

### **THE COUNCIL AND COMMISSION SHOULD REJECT THE ALLOCATION ALTERNATIVES IN THE DRAFT AMENDMENT**

The commercial quota allocation alternatives in the Draft Amendment violate the Magnuson-Stevens Act and the Interstate Fisheries Charter. As a result, the Council and Commission should reject them.

#### **A. The Status Quo Alternative (2A) Violates the Magnuson-Stevens Act and the Interstate Fisheries Charter**

The Draft Amendment’s “status quo” alternative would retain the 1993 Allocations in full.<sup>109</sup> As set forth below, this alternative is inconsistent with

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<sup>107</sup> See *Draft Amendment* at 9.

<sup>108</sup> See *Draft EIS* at 3.

<sup>109</sup> *Draft EIS* at 50–51.

Magnuson Standards 2, 4, 5, 7, and 10 and Charter Standards 2, 4, and 7. The Council and Commission must reject this alternative.

### **1. The Status Quo Alternative Is Inconsistent with Magnuson Standard 2 and Charter Standard 2 Because It Is Not Based Upon the Best Available Scientific Information**

Both Magnuson Standard 2 and Charter Standard 2 provide that fishery management plans must be “based (up)on the best scientific information available.”<sup>110</sup> The status quo alternative, which would continue the 1993 Allocations in full effect, is not based upon the best scientific information available because it is not based on current, reliable information about the summer flounder fishery, but rather upon flawed, outdated information. More recent information about the fishery—information that is available to, and in most cases compiled by, or based upon data collected by, the Agencies—shows that the geographic distribution of the fishery bears little relationship to the status quo allocation of fishing privileges under the 1993 Allocations.

The Magnuson Standards Guidelines established by NMFS explain that “relevance” and “timeliness” are among the “[c]riteria to consider when evaluating best scientific information” under Magnuson Standard 2. As to relevance, the Guidelines state that “[s]cientific information should be pertinent to the current questions or issues under consideration and should be representative of the fishery being managed.” As to timeliness, the Guidelines explain that “the temporal gap between information collection and management implementation should be as short as possible,” and “[h]istorical information should be evaluated for its relevance to inform the current situation.”<sup>111</sup> The 1993 Allocations are based upon commercial landings reports from 1980 to 1989—which are neither relevant nor timely data about the summer flounder fishery.

The best current information about the summer flounder fishery shows that biomass and fishing activity are concentrated in the waters proximate to Long Island, and moreover, that the fishery has moved northeast since the 1980s. Indeed, as the summer flounder stock has recovered in recent decades, the biomass has shifted northward to become increasingly distributed at higher latitudes: summer flounder migrate north as they age, and more fish are living to older ages as a result of effective fishery management. Current NMFS data show that only approximately 12% of commercially caught summer flounder now come from the southern mid-Atlantic waters proximate to North Carolina and Virginia, while over 80% come from the northern mid-Atlantic and southern New England waters in the

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<sup>110</sup> 16 U.S.C. § 1851(a)(2); Interstate Fisheries Charter § 6(a)(2). The Magnuson-Stevens Act uses “based upon” while the Charter uses “based on.”

<sup>111</sup> 50 C.F.R. § 600.315(a)(6).

area east of New Jersey and mainland New York and south of Connecticut, Rhode Island, and Massachusetts—the waters in which Long Island is situated. Indeed, the average commercial catch location in 2014 was approximately 90 miles from Montauk, New York; approximately 300 miles from Hampton, Virginia; and approximately 450 miles from Beaufort, North Carolina.<sup>112</sup>

This reliable, up-to-date information comes from better—and in particular, more timely and relevant—data on the geographic distribution of the fish stock and fishing activity, than do the 1980–1989 landings data upon which the 1993 Allocations are based. The Summer Flounder FMP itself acknowledged that the 1980–1989 data were flawed and inconsistent, including because different minimum size limits applied between states. The FMP implemented a standardized reporting system specifically to collect more accurate information that could inform future adjustments to the 1993 Allocations.<sup>113</sup> By not relying on timely and current data regarding the fishery, the status quo alternative fails to ensure that the temporal gap between information collection and management implementation is as short as possible—even when more recently collected information is, in fact, available. Moreover, because the summer flounder fishery has changed over the decades, the historical 1980–1989 data are simply not representative of the current fishery. For these reasons, the 1993 Allocations—and therefore the status quo alternative—violate Magnuson Standard 2 and Charter Standard 2 by failing to base annual state allocations of the commercial summer flounder quota on the best scientific information available.<sup>114</sup>

## **2. The Status Quo Alternative Is Inconsistent with Magnuson Standard 4 and Charter Standard 7 Because It Is Not Fair to the Commercial Fishing Industry in New York**

Magnuson Standard 4 requires that:

Conservation and management measures shall not discriminate between residents of different States. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges.<sup>115</sup>

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<sup>112</sup> See pp. 13–16, *supra*.

<sup>113</sup> See p. 13, *supra*.

<sup>114</sup> See *Guindon v. Pritzker*, 31 F. Supp. 3d 169, 195–97 (D.D.C. 2014) (holding that fishery rules may not ignore “superior or contrary data” where it is available).

<sup>115</sup> 16 U.S.C. § 1851(a)(4).

Relatedly, Charter Standard 7 requires that “[f]ishery resources shall be fairly and equitably allocated or assigned among the states” that are party to the Atlantic Fisheries Compact.<sup>116</sup>

In the commercial summer flounder fishery, the 1993 Allocations allocate fishing privileges between the states in a manner that is neither fair and equitable, reasonably calculated to promote conservation, nor carried out in a manner to prevent any entity from acquiring an excessive share. Rather, the 1993 Allocations are unfair to fishermen and other market participants in New York, to the benefit of fishermen and other market participants in North Carolina and Virginia, without any rational conservation basis. The status quo alternative would continue this unfairness, making it inconsistent with Magnuson Standard 4 and Charter Standard 7.

First, the 1993 Allocations are not fair and equitable to New York fishermen. As discussed in Section A.1 above, information collected through 2016 shows that the summer flounder fishery is now concentrated in the waters south and east of Long Island, representing a significant shift from the distribution of the fishery according to information available in 1993. Yet under the status quo, as in 1993, New York would receive only approximately 7.6% of the commercial allocation of summer flounder, compared with approximately 21.3% for Virginia and 27.4% for North Carolina. These allocations affect not just commercial fishermen in New York, but the rest of the summer flounder supply chain, including port-side businesses such as pack houses. As Amendment 2 recognized in 1993, the landings data upon which the 1993 Allocations were based were inconsistent and flawed.<sup>117</sup> With the subsequent institution of standardized vessel trip reporting, the best information available now shows that the summer flounder fishery has become centered much closer to New York than to North Carolina and Virginia.<sup>118</sup> Fishermen and other market participants in New York are fairly entitled to a share of the annual quota that is more proportional to the geographic distribution of the fish stock, and the continued reliance on the inequitable and outdated 1993 Allocations is inconsistent with Magnuson Standard 4 and Charter Standard 7.<sup>119</sup>

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<sup>116</sup> Interstate Fisheries Charter § 6(a)(7).

<sup>117</sup> See p. 13, *supra*.

<sup>118</sup> See pp. 13–16, *supra*.

<sup>119</sup> See *Mass. by Div. of Marine Fisheries v. Daley*, 10 F. Supp. 2d 74, 78 (D. Mass. 1998) (holding that fishery rules cannot rely upon data that is known to be flawed, and that “[t]his is particularly true when doing so will have a discriminatory effect”).



Keeping the state allocations static also does not promote fairness and equity. The Magnuson Standards Guidelines explain that “[a]n allocation need not preserve the status quo in the fishery to qualify as ‘fair and equitable,’ if a restructuring of fishing privileges would maximize overall benefits.”<sup>120</sup> The unfairness of the 1993 Allocations to New York militate against preserving the allocations simply in order to preserve the status quo for North Carolina and Virginia interests.

Second, the 1993 Allocations are not reasonably calculated to promote conservation. The Guidelines explain that “[a]n allocation scheme may promote conservation by encouraging a rational, more easily managed use of the resource,” or by “optimizing the yield in terms of size, value, market mix, price, or economic or social benefit of the product.”<sup>121</sup> To distribute more fishing privileges to states further away from the fish, as the 1993 Allocations do, is not a rational or easily managed use of the summer flounder resource, nor does it optimize the economic or social benefit of the resource. A reasonably calculated distribution of privileges would more closely track the geographic distribution of the fishery in order to optimize benefits while conserving the summer flounder resource. For this reason as well, the 1993 Allocations are inconsistent with Magnuson Standard 4 and Charter Standard 7.

Third, the 1993 Allocations provide fishermen and the fishing industry in North Carolina and Virginia an excessive share of fishing privileges. The Magnuson Standards Guidelines elaborate that “[a]n allocation scheme must be designed to . . . avoid creating conditions fostering inordinate control, by buyers or sellers, that would not otherwise exist.”<sup>122</sup> The Guidelines also explain that such considerations are not limited to just fishermen: allocation schemes “should consider other factors relevant to the FMP’s objectives,” including “economic and social consequences of the scheme, food production, [and] consumer interest.”<sup>123</sup> Yet the 1993 Allocations unfairly and artificially skew fishing privileges—and thus market control—to fishermen and downstream market participants based in North Carolina and Virginia, to the detriment of fishermen and the seafood industry in New York. Given the northern geographic distribution of the fishery, this gives North Carolina and Virginia interests an excessive share of privileges in the summer flounder fishery, and inordinate control over the fishery.

Furthermore—and fundamentally—the perennial reliance on fixed allocations for approximately two and half decades has had the effect of entrenching control of and access to the fishery with those interests who benefit under the status

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<sup>120</sup> 50 C.F.R. § 600.325(c)(3)(i)(B).

<sup>121</sup> *Id.* § 600.325(c)(3)(ii).

<sup>122</sup> *Id.* § 600.325(c)(3)(iii).

<sup>123</sup> *Id.* § 600.325(c)(3)(iv).

quo, while relegating those who do not benefit to a perpetually disadvantaged status. Because the allocations have been fixed, commercial fishermen in states like New York have been afforded no opportunity to demonstrate their unrealized interest to participate in the fishery. This places some fishermen at a permanent disadvantage by affording no mechanism through which the allocations may be adjusted as underlying fishery conditions change. The status quo alternative would continue to set fixed state-by-state allocations, without any mechanism or practice to update those allocations based upon conditions in the fishery, making it inherently unfair in violation of Magnuson Standard 4 and Charter Standard 7.<sup>124</sup>

### **3. The Status Quo Alternative Is Inconsistent with Magnuson Standards 5 and 7 and Charter Standard 4 Because It Is Inefficient, Costly, and Wasteful**

Magnuson Standard 5 requires that “[c]onservation and management measures shall, where practicable, consider efficiency in the utilization of fishery resources,” and Magnuson Standard 7 requires that “[c]onservation and management measures shall, where practicable, minimize costs and avoid unnecessary duplication.”<sup>125</sup> Charter Standard 4 requires that “[m]anagement measures shall be designed to minimize waste of fishery resources.”<sup>126</sup> The 1993 Allocations are inconsistent with Magnuson Standards 5 and 7 and Charter Standard 4 because they do not foster efficiency in utilization of the summer flounder fishery; because there are practicable means to minimize costs; and because they are not designed to minimize waste.

“Fishery” under both the Magnuson-Stevens Act and the Interstate Fisheries Charter refers to both fish stocks and the fishing for such stocks.<sup>127</sup> Accordingly, the Magnuson Standards Guidelines explain that the “efficiency” of a fishery under Magnuson Standard 5 encompasses the minimization of “economic inputs such as labor, capital, interest, and fuel” for a given yield, and that the “utilization” of a fishery includes “harvesting, processing, marketing, and non-consumptive uses of the resource.”<sup>128</sup> The Guidelines further explain that, to comply with Magnuson Standard 7, “[m]anagement measures should not impose unnecessary burdens on the economy[ or] on individuals.”<sup>129</sup> Charter Standard 4 warrants a corresponding interpretation: that to comply with that standard, management measures must,

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<sup>124</sup> See *Guindon v. Pritzker*, 240 F. Supp. 3d 181, 194–95 (D.D.C. 2017).

<sup>125</sup> 16 U.S.C. § 1851(a)(5), (7).

<sup>126</sup> Interstate Fisheries Charter § 6(a)(4).

<sup>127</sup> 16 U.S.C. § 1802(13); Interstate Fisheries Charter § 8(r).

<sup>128</sup> 50 C.F.R. § 600.330(b).

<sup>129</sup> *Id.* § 600.340(b).

among other things, be designed to minimize to minimize inputs such as labor, capital, interest, and fuel—which are all “fishery resources” within the meaning of the Charter—for a given yield.

As discussed in Sections A.1 and A.2 above, the 1993 Allocations artificially skew the state-by-state quotas inconsistent with the geographic distribution of both the summer flounder stock and actual commercial fishing activity. In particular, North Carolina and Virginia together receive nearly half of the commercial summer flounder quota each year, even though the fishery is concentrated in the waters nearer to Long Island. As a result, boats landing summer flounder in North Carolina and Virginia must, on average, travel further from where they have caught summer flounder to their port of landing, than if those same flounder were landed in New York ports.<sup>130</sup> Besides greater inputs of travel time, this longer round trip also requires greater use of fuel and results in greater wear-and-tear on vessels. Moreover, in many cases, fishermen with boats licensed to land summer flounder in North Carolina and Virginia do not even reside in those states, but sail out of northern states such as New York.<sup>131</sup> Indeed, there are fisherman who sail out of ports like Montauk, New York to catch summer flounder in the waters off Long Island, only to travel to and from southern ports in order to land their catch—under a license that may have cost tens of thousands of dollars—when they would prefer to save time and expense by landing that catch at home in Montauk, if only New York’s quota allocation allowed for less stringent landings limits.<sup>132</sup> In some cases these inefficiencies are even further compounded: to the extent that market demand for summer flounder in the New York region is not satisfied by locally landed fish, there are additional shipping costs associated with the transport of summer flounder from southern ports to northern markets.<sup>133</sup> These inefficiencies would persist under the status quo alternative. Indeed, the Draft Amendment and Draft EIS effectively concede that the 1993 Allocations are inefficient, noting that updating the quota allocation based on the “apparent shift in the average distribution of biomass for summer flounder” would seek to “improve efficiency in the fisheries by providing more access to the resource for states with higher concentrations of summer flounder off their coast.”<sup>134</sup>

The status quo alternative is therefore inconsistent with Magnuson Standard 5 by failing to consider more efficient alternatives that minimize labor, capital, and fuel inputs for a given yield of fish than is currently wasted by sending fishermen

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<sup>130</sup> See pp. 15–16, *supra*.

<sup>131</sup> See pp. 17–18, *supra*.

<sup>132</sup> See Affidavit of Capt. David Aripotch (Exhibit A).

<sup>133</sup> See p. 18, *supra*.

<sup>134</sup> *Draft Amendment* at 68; *Draft EIS* at 33.

between southern ports and northern waters, when those same fish could be caught and landed with trips between northern ports and those same waters. For similar reasons, the status quo alternative is inconsistent with Magnuson Standard 7 by failing to minimize costs. The excessive costs created by the 1993 Allocations burden the fishing industry and are passed onto consumers in the form of higher prices. And the status quo alternative is inconsistent with Charter Standard 4 because it is not designed to minimize waste of fishery resources, because waste of labor, capital, and fuel inputs will only be minimized where quota allocations correspond to the geographic distribution of fishing effort.

As the Council and Commission admit, vessels that participate in the winter fishery—which accounts for most summer flounder landings—historically “target prime summer flounder fishing locations offshore even when long travel distances are required to do so,” and “[f]or this fleet, footprints of fishing effort do not necessarily closely correlate with distance from state of landing.”<sup>135</sup> Yet it is eminently practicable for the annual commercial quota for summer flounder to be allocated in a way that considers efficiency and minimizes costs and waste by no longer skewing the distribution of fishing privileges toward North Carolina and Virginia, which are far from prime summer flounder waters, and away from New York, which has close access to these waters. The state-by-state allocations could simply be readjusted to more accurately track the geographic distribution of the fishery, based upon the best scientific information currently available. Yet in spite of the availability of such practicable alternatives, the status quo alternative would continue to use the 1993 Allocations, at the expense of efficiency and cost considerations.

Because the status quo alternative is inconsistent with Magnuson Standards 5 and 7 and Charter Standard 4, it would further violate both the Magnuson-Stevens Act and the Interstate Fisheries Charter.

#### **4. The Status Quo Alternative Is Inconsistent with Magnuson Standard 10 Because It Does Not Promote Safety**

Magnuson Standard 10 requires that “[c]onservation and management measures shall, to the extent practicable, promote the safety of human life at sea.”<sup>136</sup> The 1993 Allocations fail to do so because they cause fishermen to spend longer at sea than necessary for a given yield of summer flounder.

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<sup>135</sup> *Draft Amendment* at 221; *Draft EIS* at 13.

<sup>136</sup> 16 U.S.C. § 1851(a)(10). There is no corresponding Charter Standard.

As the Magnuson Standards Guidelines note, “[f]ishing is an inherently dangerous occupation.”<sup>137</sup> The longer a fishing vessel spends at sea, the greater the risk to its crew. Recognizing this, the Guidelines advise that “[a]n FMP should try to avoid creating situations that result in vessels going out farther[ or] fishing longer . . . than they generally would have in the absence of management measures.”<sup>138</sup>

As discussed in Sections A.1 through A.3 above, the 1993 Allocations distribute disproportionate fishing privileges to Virginia and North Carolina, despite the summer flounder concentration in the waters close to New York. The result is that fishermen travel great distances between southern ports and northern waters to catch and land summer flounder that could otherwise be landed by fishermen traveling shorter distances from New York ports, if New York were afforded a greater allocation of fishing privileges. This would continue under the status quo alternative, making it inconsistent with Magnuson Standard 10 by failing to promote the safety of human life at sea where practicable.

Indeed, because the 1993 Allocations were established prior to the addition of Magnuson Standard 10 to the Magnuson Standards, the Agencies necessarily did not originally evaluate the 1993 Allocations for compliance with that standard.<sup>139</sup> Because the 1993 Allocations are inconsistent with Magnuson Standard 10, the status quo alternative would further violate the Magnuson-Stevens Act.

## **B. The Hybrid Alternative (2B) Violates the Magnuson-Stevens Act and the Interstate Fisheries Charter**

The hybrid alternative would make marginal adjustments to the 1993 Allocations based upon changes in the summer flounder stock distribution over time. Because this alternative would remain tightly yoked to the 1993 Allocations, and because the biomass shift metric used by the hybrid alternative is flawed and unfair, the hybrid alternative would also violate the Magnuson-Stevens Act and the Interstate Fisheries Charter.

### **1. The Hybrid Alternative Would Remain Tightly Yoked to the 1993 Allocations**

Fundamentally, the hybrid alternative would violate the Magnuson-Stevens Act and the Interstate Fisheries Charter because it would remain tightly yoked to the 1993 Allocations, which are seriously inconsistent with multiple Magnuson Standards and Charter Standards.

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<sup>137</sup> 50 C.F.R. § 600.355(b).

<sup>138</sup> *Id.* § 600.355(c)(1).

<sup>139</sup> See *Fairweather Fish, Inc. v. Pritzker*, 155 F. Supp. 3d 1136, 1141–42 (W.D. Wash. 2016).

Under the hybrid alternative, each state would start with its share under the 1993 Allocations and then receive a partial adjustment to that share using a factor based on the shift in the geographic distribution of “exploitable” biomass from the “southern” region (New Jersey and south) to the “northern” region (New York and north) between the 1980–1989 period and the 2007–2016 period. The Draft Amendment puts forward two sub-alternatives: Alternative 2B-1 would calculate the biomass shift as a percent change relative to the northern region starting biomass, resulting in a 6% shift from the southern region to the northern region; and Alternative 2B-2 would calculate the biomass shift as an absolute shift relative to the coast, resulting in a 13% shift from the southern region to the northern region. Under these sub-alternatives, New York’s quota allocation would increase marginally from 7.65% to 9.10% or 10.71%, respectively.<sup>140</sup>

Critically, the hybrid alternative would use the 1993 Allocations as its starting point and it would not significantly depart from that point, in particular for New York. As discussed in Section A above, the 1993 Allocations are inconsistent with Magnuson Standards 2, 4, 5, 7, and 10, and with Charter Standards 2, 4, and 7. These inconsistencies would persist under the hybrid alternative.

First, because the hybrid alternative uses the 1993 Allocations as a starting point, it would continue to be rooted in the outdated, flawed information from the 1980s upon which the 1993 Allocations were based. However, more recent and reliable information about the fishery that is available to the Agencies shows that the geographic distribution of the fishery is concentrated in northern mid-Atlantic and southern New England waters proximate to Long Island.<sup>141</sup> Although the hybrid alternative would adjust the 1993 Allocations based upon more recently available information, the allocations under this alternative would still remain firmly rooted in decades-old data. It is insufficient under the Magnuson-Stevens Act for state-by-state allocations of fishery resources to have merely “*some basis in recent biomass distribution*”<sup>142</sup> while remaining rooted in outdated, flawed landings data. This is inconsistent with Magnuson Standard 2 and Charter Standard 2. Because recent data are more reliable and consistent than the 1980s data used for the 1993 Allocations, the 1993 Allocations should be dispensed with entirely.

Second, the hybrid alternative would continue to allocate approximately 29% or 34% of the fishery to North Carolina and Virginia (depending on the sub-

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<sup>140</sup> *Draft EIS* at 51–58.

<sup>141</sup> For a full discussion of the comparison between the outdated, flawed information about the fishery available for the 1993 Allocations, and the more recent and reliable information available currently, see pages 24–26 above.

<sup>142</sup> *Draft EIS* at 5.

alternative selected),<sup>143</sup> even though only approximately 12% of the 2015–2016 commercial summer flounder catch was taken from southern mid-Atlantic waters proximate to those states. Meanwhile, New York would receive only 9.10% or 10.71% of the quota (depending on the sub-alternative selected), even though more than 80% of the 2015–2016 summer flounder catch was taken from northern mid-Atlantic and southern New England waters proximate to Long Island. For this reason, the hybrid alternative would substantially continue the unfair distribution of the 1993 Allocations, harming New York fishermen and New York’s downstream seafood economy. This is inconsistent with Magnuson Standard 4 and Charter Standard 7.<sup>144</sup>

Third, the hybrid alternative would substantially continue the inefficiencies and waste of the 1993 Allocations. As discussed above, this alternative would continue to artificially skew the state-by-state quotas inconsistent with the geographic distribution of both the summer flounder stock and actual commercial fishing activity. Specifically, North Carolina and Virginia would continue to receive an outsized share of the fishery, while New York would continue to receive an undersized share, even though the fishery is concentrated in the waters nearer to Long Island. As a result, boats landing summer flounder in North Carolina and Virginia would continue to travel further, on average, from where they have caught summer flounder to their port of landing, than if those same flounder were landed in New York ports—consuming unnecessary travel time, fuel, and capital costs. The hybrid alternative is therefore inconsistent with Magnuson Standards 5 and 7 and Charter Standard 4 by failing to design or consider a more efficient (and less wasteful and costly) allocation scheme that would minimize labor, capital, and fuel inputs for a given yield of fish than is currently wasted by sending fishermen between southern ports and northern waters, when those same fish could be caught and landed with trips between northern ports and those same waters.<sup>145</sup> Furthermore, because the hybrid alternative would continue to cause fishermen to travel great distances between southern ports and northern waters to catch and land summer flounder that could otherwise be landed by fishermen traveling shorter distances from New York ports, fishermen would continue to be unnecessarily exposed to unsafe conditions at sea, in violation of Magnuson Standard 10.<sup>146</sup>

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<sup>143</sup> See *id.* at 7.

<sup>144</sup> For a full discussion of the unfairness of the 1993 Allocations, see pages 26–29 above.

<sup>145</sup> For a full discussion of the inefficiency, costliness, and waste of the 1993 Allocations, see pages 29–31 above.

<sup>146</sup> For a full discussion of the 1993 Allocations’ failure to promote human safety, see pages 31–32 above.



The hybrid alternative would rely heavily on the 1993 Allocations, and its marginal departure from those allocations would fail to cure the failures of the 1993 Allocations to be scientifically sound, fair, efficient, or safe. For these reasons, the hybrid alternative would likewise be inconsistent with Magnuson Standards 2, 4, 5, 7, and 10 and Charter Standards 2, 4, and 7.

## **2. The Biomass Shift Metric Is Inaccurate and Biased**

The hybrid alternative calculates “exploitable” biomass shift over time between the southern (New Jersey and south) and northern (New York and north) regions to adjust quota allocations for the states based on their respective regions. While it is necessary and appropriate for the Council and Commission to consider changes in the fishery as they amend the Summer Flounder FMP, their reliance on this particular metric is flawed and unfair. For this reason, too, the hybrid alternative violates the Magnuson-Stevens Act and the Interstate Fisheries Charter.

First, the Council and Commission’s use of a north-south dichotomy does not accurately reflect the summer flounder biomass shift. As discussed above and shown in Figures 1 and 2, the change in the summer flounder stock distribution between the 1980s and present has not been as simple as a geographically homogeneous shift from the southern region to the northern region—e.g., it is not the case that the waters proximate to each northern state have seen the same percentage increase in biomass. Rather, the biomass increase in northern waters has been concentrated in the waters south and east of Long Island.<sup>147</sup> Yet the hybrid alternative’s biomass shift metric treats all northern states the same and all southern states the same, ignoring significant interregional differences. As such, the hybrid alternative provides the same relative allocation increase to New York as it does to all other northern states, even though New York is among the most proximate of all the northern states to both the southern New England and northern mid-Atlantic waters in which the summer flounder stock has seen the greatest growth. The biomass shift metric used for the hybrid alternative thus fails to accurately reflect stock distribution changes. For this reason, the hybrid alternative is not based upon the best available science, making it inconsistent with Magnuson Standard 2 and Charter Standard 2.

Further, because the biomass shift metric underestimates New York’s access and proximity to the increase in stock, it is unfair to New York, making the hybrid alternative further inconsistent with Magnuson Standard 4 and Charter Standard 7. And because this geographic distortion would result in longer trips for vessels landing summer flounder in ports further from New York, the biomass shift metric would result in greater inefficiency, waste, and exposure to danger at sea than if

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<sup>147</sup> See pp. 13–14, *supra*.

New York was allocated a more geographically representative share of the northern region's allocation increase. For this reason as well, the hybrid alternative is not consistent with Magnuson Standards 5, 7, or 10 or with Charter Standard 4.

Second, the definition of “exploitable” biomass that the Council and the Commission used to determine the shift in biomass underestimates the exploitable biomass in the southern states in the 1980s, which leads to an inaccurate and unfair calculation of the shift in biomass. As of 1988, minimum size limits for summer flounder were 14 inches in New York, Connecticut, Rhode Island, and Massachusetts; 13 inches in New Jersey; 12 inches in Maryland and Virginia; and 11 inches in North Carolina.<sup>148</sup> However, the Council and Commission define “exploitable” biomass to simply include fish that were 14 inches or larger. Consequently, the Council and Commission underestimate the starting “exploitable” biomass for the southern region and as a result, the biomass shift metric overestimates the southern region's increase in exploitable biomass relative to the northern region's increase, providing a baked-in bias favoring the southern states. For this additional reason, the hybrid alternative is methodologically flawed—and thus not based on the best available science—in violation of Magnuson Standard 2 and Charter Standard 2. This unfair bias is also inconsistent with Magnuson Standard 4 and Charter Standard 7. If the hybrid alternative relied upon truly exploitable biomass, the northern states would see a greater increase in allocation under this alternative.

### **C. The Trigger Point Alternative (2C) Violates the Magnuson-Stevens Act and the Interstate Fisheries Charter**

The trigger point alternative would continue to use the 1993 Allocations except in years of great abundance, when there would be marginal departure from the 1993 Allocations as excess stock is distributed evenly between states. This alternative would also violate the Magnuson-Stevens Act and the Interstate Fisheries Charter.

Foremost, the trigger point alternative would substantially continue the 1993 Allocations. Again, under the trigger point alternative, all quota up to the trigger point would be distributed according to the 1993 Allocations. The trigger point would be either 8.40 million pounds or 10.71 million pounds, depending on the sub-alternative selected. Except in years of great abundance when the quota would substantially exceed the trigger point, all or nearly all of the quota would simply be distributed according to the 1993 Allocations. For all the reasons discussed in Section A above, the 1993 Allocations are inconsistent with Magnuson Standards 2, 4, 5, 7, and 10 and Charter Standards 2, 4, and 7. For these same reasons, the

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<sup>148</sup> See p. 12, *supra*.

trigger point alternative violates the Magnuson-Stevens Act and the Interstate Fisheries Charter.

In addition, any quota distribution above the trigger point would have no basis in the Magnuson-Stevens Act or in the Interstate Fisheries Charter. Quota above the trigger point would be distributed evenly between the states, with each receiving 12.375% of the surplus (with the exception of states with de minimis shares of the fishery, who would split 1% of the additional quota). This even per-state distribution has no factual or legal justification. First, the 12.375% distribution of the trigger amount is not based on any scientific data, making it inconsistent with Magnuson Standard 2 and Charter Standard 2. Second, the 12.375% distribution lacks any equitable basis, such as the geographic distribution of fishing effort or stock biomass. The distribution of additional quota is therefore not fair and equitable, making it inconsistent with Magnuson Standard 4 and Charter Standard 7. Third, the even distribution of the trigger amount makes no attempt to consider efficiency, waste, or costs, making it inconsistent with Magnuson Standards 5 and 7 and Charter Standard 4. For these reasons, the trigger point mechanism does nothing to cure the inconsistency of the 1993 Allocations with the Magnuson-Stevens Act and the Interstate Fisheries Charter. If anything, the trigger alternative would increase the legal inconsistencies.

#### **D. The Scup Model Alternative (2D) Violates the Magnuson-Stevens Act and the Interstate Fisheries Charter**

The scup model alternative would continue to be rooted in the 1993 Allocations for half the year (May–October), while using coastwide quotas for the other half (November–April). Because this alternative would remain materially based on the 1993 Allocations, and because it is doubtful that it would result in stock distribution that is fair to New York, the scup model alternative would also violate the Magnuson-Stevens Act and the Interstate Fisheries Charter.

First, for the summer period, the scup model alternative would be inconsistent with the Magnuson Standards and the Charter Standards because, as a practical matter, it would simply continue to use the 1993 Allocations. As described above, the scup model would allocate approximately 28% of each annual quota to the summer period and this 28% would be allocated between the states based on their historic share of summer landings from 1997–2016. Because landings during this period were governed by the 1993 Allocations, the state-by-state allocations under the scup model would effectively continue the 1993 Allocations for the summer period. As described in Section A above, the 1993 Allocations are inconsistent with Magnuson Standards 2, 4, 5, 7, and 10 and Charter Standards 2, 4, and 7. The scup model alternative would be likewise inconsistent by relying on the 1993 Allocations during the summer period.

Because New York's summer flounder industry has historically been comprised of smaller vessels equipped for in-shore summer fishing, New York's share of landings during the summer period has historically been greater than its overall, year-round share. Therefore, under the scup model, New York would be allocated approximately 18% of the 28% distributed to the Summer period. As a result, New York would receive approximately 5% (which is 18% of 28%) of the total annual commercial quota during the summer period, as it has historically received.<sup>149</sup>

During the two winter periods, the distribution of landings between states is difficult to predict, but New York is unlikely to benefit significantly. Under the scup model alternative, only a coastwide quota would operate during each winter period, with approximately 55% of the annual quota allotted to the first winter period, and approximately 17% to the second winter period. A vessel would be able to land summer flounder in the port of any state in which it is licensed, until the coastwide quota for each respective period is met. For states whose summer flounder landings come from large offshore vessels that operate during the winter months, the scup model's winter periods offer an opportunity to open up participation in the fishery. However, not all states would enjoy this opportunity. Because a relatively small share of New York's fluke landings come from vessels that are equipped for offshore winter fishing, it is not expected that many New York fishermen would be able to participate significantly in the winter periods. In this way, the scup model alternative is unfair to states that are more reliant on the summer fishery: these states are constrained to historic allocations during the summer period, while states that use the winter fishery can take advantage of open landings during the winter periods. For this reason, the scup model is inconsistent with Magnuson Standard 4 and Charter Standard 7.<sup>150</sup>

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<sup>149</sup> The Council and Commission are incorrect in stating that "smaller vessels that participate primarily in the summer in states with moderate to high summer allocations are likely to benefit" from the scup model. *See Draft EIS* at 17. These vessels will merely continue to experience their status quo.

<sup>150</sup> The Draft EIS did acknowledge but decline to evaluate a commercial allocation alternative that would have used coastwide quotas year-round. The Draft EIS decided to evaluate the scup model instead. *See Draft EIS* at 77.

## POINT II

### THE DRAFT AMENDMENT AND DRAFT EIS SHOULD EVALUATE AN ALLOCATION ALTERNATIVE BASED ON CURRENT DATA AND THE COUNCIL AND COMMISSION SHOULD ADOPT THAT ALTERNATIVE

Consistent with the Magnuson-Stevens Act, the Interstate Fisheries Charter Act, and NEPA, the Draft Amendment and Draft EIS should evaluate one or more reasonable alternatives that are based on current information about summer flounder distribution, biomass, and fishing effort, and the Council and the Commission should propose such an alternative to NMFS for approval.

#### A. The Draft EIS Fails to Evaluate All Reasonable Alternatives

The Draft EIS fails to satisfy NEPA's requirement to carefully examine all reasonable alternatives to a proposed agency action. The section of an EIS analyzing alternatives to the proposed action "is the heart of the environmental impact statement," and an EIS must "[r]igorously explore and objectively evaluate *all reasonable alternatives*, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated."<sup>151</sup> Indeed, the purpose of NEPA is "to insure a fully informed and well-considered decision"<sup>152</sup> by making sure that environmental information is disseminated "early enough so that it can serve practically as an important contribution to the decisionmaking and will not be used to rationalize or justify decisions already made."<sup>153</sup>

The Draft EIS states that the goal of the Draft Amendment with respect to the commercial quota allocation is to "[c]onsider modifications to [the] commercial quota allocation," because the "[c]urrent commercial allocation was last modified in 1993 and is perceived by many as outdated given its basis in 1980–1989 landings data" and as "developed based on flawed data"; and since "[s]ummer flounder distribution, biomass, and fishing effort have changed since then."<sup>154</sup> Under this stated scope, the Draft EIS should have "[r]igorously explore[d] and objectively evaluate[d]" alternatives that do not have a "basis in 1980–1989 landings data" and that take reasonable account for the change in "distribution, biomass, and fishing

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<sup>151</sup> 40 C.F.R. § 1502.14(a) (emphasis added).

<sup>152</sup> *Vt. Yankee Nuclear Power Corp. v. Nat. Res. Def. Council, Inc.*, 435 U.S. 519, 558 (1978).

<sup>153</sup> 40 C.F.R. § 1502.5; see also *Marsh v. Oregon Natural Resources Council*, 490 U.S. 360, 371 (1989).

<sup>154</sup> *Draft EIS* at 3; see also *Draft Amendment* at 68.

effort.”<sup>155</sup> However, the Draft EIS did not explore reasonable alternatives that were not based on the flawed 1993 Allocations or that provide a fair allocation to New York given its proximity to the center of the fishery—such as the alternatives that New York’s representatives on the Council and Commission proposed, and that New York proposed in its rulemaking petition to the Council and NMFS.<sup>156</sup>

Instead, as discussed extensively in Point I above, all of the proposed alternatives evaluated in the Draft EIS have a significant “basis in 1980–1989 landings data.” Moreover, none of the proposed alternatives would provide New York with a quota allocation that is commensurate with changes in “[s]ummer flounder distribution, biomass, and fishing effort.” Indeed, New York’s best predictable outcome under any of the proposed alternatives is a 10.71% share of the quota,<sup>157</sup> even though the best available data indicate that both the summer flounder stock and fishing effort are concentrated in the northern mid-Atlantic and southern New England waters proximate to Long Island.

For these reasons, the Draft EIS fails to rigorously explore and objectively evaluate all reasonable alternatives, including alternatives that would establish fair and efficient allocations based on the current geographic distribution of the summer flounder fishery.

### **B. The Draft Amendment and Draft EIS Should Examine Alternatives that Are Based on Current Data and Fair to New York**

In order to comply with the Magnuson Standards and the Charter Standards, the commercial quota allocation must, among other things: be based on recent, reliable data; be based on the actual current distribution of the summer flounder fishery, including biomass and fishing effort; and consider and minimize inefficiencies and safety risks, where practicable, including waste and risks

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<sup>155</sup> The Draft EIS did acknowledge but decline to evaluate at least one option that would have fully dispensed with the 1993 Allocations—in particular, an option that would have used coastwide quotas year-round. *See Draft EIS* at 77. The Draft EIS decided not to evaluate this coastwide management option because the scup model was similar but “preferable” in that it allowed states to “manage their own quota when summer flounder are inshore in the summer.” *Id.* This stated reason for declining to evaluate this coastwide management option is flawed because a coastwide management system could be designed such that a coastwide quota operates during the summer months, but in which individual states may establish their own management measures applicable to summer flounder landed in their ports. This approach would allow states to manage their inshore summer fisheries while not constraining them to summer landings limitations rooted in the outdated 1993 Allocations, as summer landings are under the scup model. *See pp. 37–38, supra.*

<sup>156</sup> *See pp. 18–20, supra.*

<sup>157</sup> *Draft EIS* at 7. As discussed at pages 37–38 above, New York’s outcome under the scup model is difficult to predict, although it is unlikely that New York’s distribution of landings would be significantly higher than the 7.65% share under the 1993 Allocations.

resulting from unnecessarily long trips between fishing waters and ports. As a result, the Draft Amendment and Draft EIS are required to examine reasonable alternatives for commercial quota allocation that meet these requirements and the Agencies are required to ultimately adopt one such alternative.

New York proposes a two-phase process to establish a fair and representative set of allocations: (1) in the first phase, the Summer Flounder FMP would dispense with state-by-state allocations of the commercial landings quota and implement coastwide management of the commercial quota for an interim period while the Agencies collect information that allows them to revise the allocations so that they are fair to New York and otherwise comply with the Magnuson and Charter Standards; and (2) in the second phase, the FMP would establish new state-by-state allocations that are consistent with the Magnuson and Charter Standards.

Specifically, New York proposes a period of approximately three to five years (the “Coastwide Period”) during which the annual commercial quota for summer flounder is not allocated between states and implemented by state-specific management, but instead is implemented with coastwide management measures developed by the Agencies. Seasonal quotas, trip limits, and other measures would allow the Agencies to enforce the annual commercial quota during the Coastwide Period while achieving balance within the fishery between different participants—e.g., between offshore winter fishermen and inshore summer fishermen. Critically, management measures during the Coastwide Period would apply to all commercial landings of summer flounder regardless of state of landing and commercial fishermen would be permitted to land summer flounder in any state in which they are licensed to do so. This would allow commercial fishermen to land summer flounder in whatever ports present the best opportunities for them, considering factors such as catch location, home port location, market price differentials, available packing and processing infrastructure, safety risk exposure, and other relevant concerns.

After the Coastwide Period, the amended FMP and regulations would then establish new state-by-state allocations (the “New Allocations”) based on the data collected during the Coastwide Period. Consistent with Magnuson Standard 2 and Charter Standard 2, the data collected during the Coastwide Period would allow the Agencies to base the New Allocations upon actual, current landings data that reflect present conditions in the fishery. Consistent with Magnuson Standard 4 and Charter Standard 7, the New Allocations would fairly and equitably distribute fishing privileges between states because they would be based on new landings data from the Coastwide Period. Consistent with Magnuson Standards 5 and 7 and Charter Standard 4, the New Allocations would consider efficiency and minimize costs by allowing commercial fishermen to land summer flounder in one port or another based upon economic considerations. Because the Coastwide Period would allow commercial fishermen to make market-based economic decisions about where



to land summer flounder, the New Allocations would improve economic efficiency and achieve cost minimization going forward. Finally, consistent with Magnuson Standard 10, the New Allocations would promote greater safety of human life at sea by decreasing the collective time and distance spent at sea by commercial fishermen.

Whether or not the Council and the Commission evaluate and select the above two-phase process, New York proposes that the Council and Commission evaluate a revision to the 1993 Allocations that would be based on current data. At a minimum, that allocation should provide New York a share of the quota at least on par with North Carolina and Virginia, which are significantly further from the fishery than New York; and at least on par with New Jersey and Rhode Island, which are New York's neighbors that are similarly situated in the fishery.

New York also submits that any reallocation of fishing privileges need not—and should not—represent a permanent decision on the matter. Instead, future changes in the fishery should lead to new allocations of the annual commercial quota among states according to the best available information and other requirements of the Magnuson-Stevens Act and Interstate Fisheries Charter.

### CONCLUSION

For the reasons stated above, New York urges the Council and Commission to reject all commercial allocation alternatives included in the Draft Amendment, and instead to evaluate alternatives in the Draft EIS and Draft Amendment that are scientifically sound, fair, efficient, safe, and otherwise compliant with the Magnuson-Stevens Act and the Interstate Fisheries Charter, and select one such alternative to amend the Summer Flounder FMP.

Dated: New York, New York  
October 12, 2018

BARBARA D. UNDERWOOD  
Attorney General of the State of New York

By: 

CHANNING WISTAR JONES  
Assistant Attorney General  
ANDREW GERSHON  
Senior Counsel  
*Attorneys for the State of New York*

New York State Department of Law  
28 Liberty Street, 19th Floor  
New York, New York 10005  
(212) 416-8082

Before the

DEPARTMENT OF COMMERCE,  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION,  
NATIONAL MARINE FISHERIES SERVICE, and  
MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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In re:

Petition for Rulemaking to Repeal and/or Amend  
the 1993 Commercial Quota Allocations Under the  
Fishery Management Plan and Implementing  
Regulations for Summer Flounder

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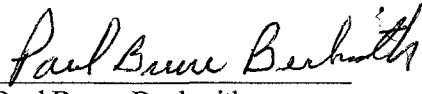
**AFFIDAVIT OF CAPT. BRUCE BECKWITH**

Paul Bruce Beckwith, being duly sworn, deposes and says:

1. I am the owner and captain of the commercial fishing vessel Allison & Lisa based in Montauk, New York.
2. In this affidavit, I provide information about my experience in the fishery for summer flounder, or fluke.
3. I base this affidavit on my personal knowledge as a Long Island commercial fisherman since 1961.
4. I have fished out of Long Island since approximately 1964, and I have owned my own commercial fishing vessel since approximately 1974.
5. I currently own and captain a forty-five foot dragger crewed by myself and my son. We fish for fluke, along with other species.

6. Fluke is highly valued by consumers, and for most of my career, fluke has been part of the bread and butter of commercial fishing on Long Island.
7. I have always landed all my fluke catch in New York ports, and I currently hold a license to land fluke in New York.
8. I try to fish as much fluke as I can, but with tiny trip limits to landing fluke in New York today, it is impossible for me to continue to rely upon fluke to make a living.
9. Most of the year, when New York has daily trip limits for fluke, I am only able to catch fluke as bycatch on day trips for squid, butterfish, and other species.
10. During the winter, when New York has weekly fluke limits, I am able to make a once a week fluke trip further offshore. Even then, I am fishing in the same waters as boats coming up from North Carolina or Virginia, sometimes within eyesight. These boats can catch up to 10,000 or 15,000 pounds of fluke in a trip, while I am limited to 500 to 1,000 pounds.
11. I do not hold licenses to land fluke in any other states. Licenses to land fluke in states with larger quota allocations, like Virginia or North Carolina, can cost tens of thousands of dollars. I do not have that kind of money to invest in an out-of-state fluke license.
12. I also believe that New York fishermen should not need to rely on out-of-state licenses to be able to land more fluke.

13. New York fluke fishermen need a more fair and equitable share of the coastwide commercial quota for fluke. If New York's fluke limits were more generous, then I would catch and land a greater amount of fluke.

  
Paul Bruce Beckwith

Sworn to before me  
this 27<sup>th</sup> day of March, 2018



NOTARY PUBLIC

JOHN J. McDONALD  
NOTARY PUBLIC, State of New York  
No. 01MC5037839, Suffolk County  
Commission Expires 20 19

Before the  
DEPARTMENT OF COMMERCE,  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION,  
NATIONAL MARINE FISHERIES SERVICE, and  
MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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In re:

Petition for Rulemaking to Repeal and/or Amend the  
1993 Commercial Quota Allocations Under the  
Fishery Management Plan and Implementing  
Regulations for Summer Flounder

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Submitted by the  
STATE OF NEW YORK and the  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

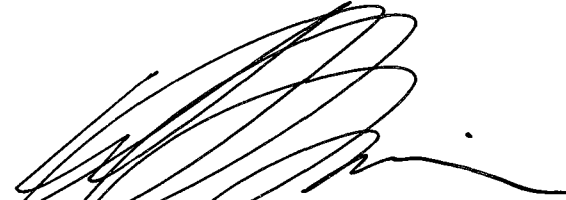
**AFFIDAVIT OF WARREN D. KREMIN**

Warren D. Kremin, being duly sworn, deposes and says:

1. I am employed on the sales staff of Blue Ribbon Fish Co. Inc. (“Blue Ribbon”) at the New Fulton Fish Market (“Fulton Market”) at 800 Food Center Drive at Hunts Point in the Bronx, New York.
2. Blue Ribbon has been involved in wholesale seafood sales since it was established in 1931. Our company buys seafood directly from fishermen and sells it to buyers including distributors, retailers, and restaurateurs. We buy and sell millions of pounds of seafood per year.

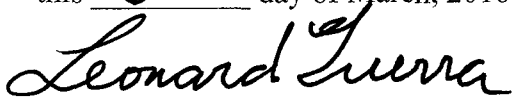
3. In this affidavit, I provide information about transactions involving summer flounder, or fluke, at Fulton Market.
4. I base this affidavit on my personal knowledge as a Blue Ribbon employee since October 2008, and from having worked full-time at Fulton Market since 1992, including at the market's former location in lower Manhattan.
5. Fulton Market is the largest consortium of seafood wholesalers in the United States. Each market day, millions of pounds of seafood products enter Fulton Market to be auctioned on commission by wholesalers like Blue Ribbon to buyers including distributors, retailers, and restaurateurs. These buyers are primarily based in New York, New Jersey, and Connecticut (the "Tri-State Area").
6. Fluke is among the products sold at Fulton Market.
7. Fluke entering Fulton Market is labeled to indicate the state in which it was landed. Fluke enters Fulton Market from states all along the Atlantic coast.
8. Blue Ribbon sells fluke at Fulton Market. As with buyers of the other products we sell, the vast majority of our fluke buyers are located in the Tri-State Area.
9. Of the fluke sold by Blue Ribbon, a majority is landed in Virginia, North Carolina, and New Jersey. It can be estimated that no more than five percent is landed in New York.
10. As a wholesaler selling to distributors, retailers, and restaurateurs primarily in the Tri-State Area, I would prefer to sell fluke landed in New York over fluke landed outside the Tri-State Area.

11. If more fluke landed in New York were available, Blue Ribbon would have no difficulty selling it to buyers at Fulton Market.



Warren D. Kremin

Sworn to before me  
this 6<sup>th</sup> day of March, 2018



NOTARY PUBLIC

LEONARD GUERRA  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01GU6168693  
Qualified in Queens County  
My Commission Expires June 11, 2019



Before the  
DEPARTMENT OF COMMERCE,  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION,  
NATIONAL MARINE FISHERIES SERVICE, and  
MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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In re:

Petition for Rulemaking to Repeal and/or Amend  
the 1993 Commercial Quota Allocations Under the  
Fishery Management Plan and Implementing  
Regulations for Summer Flounder

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**AFFIDAVIT OF CAPT. DAVID ARIPOTCH**

David E. Aripotch, being duly sworn, deposes and says:

1. I am the owner and captain of the commercial fishing vessel Caitlin & Mairead, based in Montauk, New York. I am also the partial owner of Montauk Inlet Seafood, Inc. ("Inlet Seafood"), which operates a seafood pack house in Montauk.
2. In this affidavit, I provide information about my experience in the fishery for summer flounder, or fluke.
3. I base this affidavit on my personal knowledge as a Long Island commercial fisherman since 1974 and the partial owner of a fish packing operation since approximately 1985.

**Commercial Fishing for Fluke**

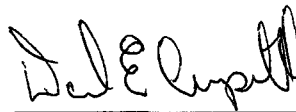
4. During my career, I have fished out of Long Island for fluke, scup, whiting, squid, butterfish, mackerel, ling, weakfish, bluefish, striped bass, and black sea bass, among others.

5. I employ six crewmen on the F/V Caitlin & Mairead, with three crewmen plus myself on a given fishing trip.
6. I bought my first vessel in 1982 and equipped it to begin trawling for fluke in 1983. Since that time I have upgraded to larger vessels, and I have continued to participate in the fluke fishery through to the present.
7. Prior to the adoption of a state-by-state quota system in 1993, I landed all of my fluke catch in New York ports.
8. I now hold licenses to land fluke in New York, New Jersey, and Virginia.
9. I continue to catch most of my fluke within approximately seventy miles of Montauk.
10. I made the decision to purchase licenses to land fluke in New Jersey and Virginia because New York's daily trip limits for fluke are too small for it to be economical for me to land my fluke trips in New York ports.
11. New York must limit fluke landings to fifty to one hundred pounds per day, depending on the season and year, or to approximately five to eight hundred pounds per week at certain times of year. As the operator of a seventy-foot boat, I cannot land enough fluke in New York on a given trip under these limits to offset the time and fuel costs for that trip.
12. Instead, I land my fluke trips in Virginia and New Jersey. Fluke landings limits in New Jersey and Virginia are more generous. Virginia trip limits are 7,500 pounds per trip. New Jersey trip limits vary depending on time of year, but most recently were 1,500 pounds per trip. Last year, I landed approximately 15,000 or more pounds of fluke in each Virginia and New Jersey.

13. The approximately 13,500 pounds of fluke that I landed in New York last year was entirely bycatch from trips for squid, scup, and other species. Because fluke was not my primary object on those trips, the amount of fluke I landed in New York was small enough not to be in excess of applicable limits.
14. In favorable weather conditions, it takes approximately eight hours and approximately one thousand gallons of fuel to travel to Montauk from the offshore waters where I catch fluke.
15. In favorable weather conditions, it takes approximately fifteen hours and approximately two thousand gallons of fuel to travel to port in New Jersey from the waters offshore of New York where I catch fluke.
16. In favorable weather conditions, it takes thirty or more hours and approximately four thousand gallons of fuel to travel to port in Virginia from the waters offshore of New York where I catch fluke.
17. The greater distance I must travel at sea to land my catch, the greater the cost to me in fuel use, the greater the wear and tear on my vessel, and the less time I have available to earn additional revenue by catching other fish. Greater time spent and distance traveled to land fish also present a greater danger to myself and my crew due to the risks inherent in travel at sea, especially risks created by inclement weather.
18. If fluke landings limits in New York were not as restrictive as they currently are, I would prefer to land more fluke in New York to avoid the costs, effort, and risk associated with traveling to more distant ports to land my catch.

Packing Fluke

19. I began operating a fish pack house business in approximately 1985 with five other commercial fishermen, using a dock we leased in Montauk.
20. In the late 1990s, we purchased the dock and incorporated as Inlet Seafood. Inlet Seafood now employs five individuals and packs approximately seven million pounds of seafood every year, including fluke. We receive fish landed by commercial fishermen in Montauk and pack it to be shipped to markets.
21. When Montauk-based boats catch fish such as fluke near Montauk but must land their catch in out-of-state ports, it is a missed business opportunity for Montauk-based pack houses like Inlet Seafood that would earn revenue if those boats landed their catch in Montauk and engaged our services.
22. If more fluke were allowed to be landed in New York, I expect that more fluke would be landed in Montauk and other Long Island ports. This would increase the volume of seafood passing through pack houses like Inlet Seafood, allowing us to grow our business and hire more employees.

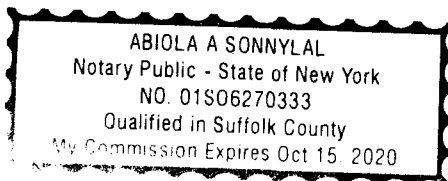


David E. Aripotch

Sworn to before me  
this 8<sup>th</sup> day of March, 2018



NOTARY PUBLIC



DEPARTMENT OF COMMERCE,  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION,  
NATIONAL MARINE FISHERIES SERVICE,  
and MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

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In re:

Petition for Rulemaking to Repeal and/or Amend  
the 1993 Commercial Quota Allocations Under the  
Fishery Management Plan and Implementing  
Regulations for Summer Flounder

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**AFFIDAVIT OF CAPT. JOHN BERGLIN**

John E. Berglin, being duly sworn, deposes and says:

1. I am the owner and captain of the commercial fishing vessel Mary Elizabeth based in Shinnecock, Hampton Bays, New York.
2. In this affidavit, I provide information about my experience in the fishery for summer flounder, or fluke.
3. I base this affidavit on my personal knowledge as a Long Island commercial fisherman since 1985.
4. During my career, I have fished out of Long Island for squid, fluke, scup, seabass, scallops, whiting.
5. I employ 2 crewmen on the Mary Elizabeth, with two crewmen plus myself on a given fishing trip.

6. I bought my first vessel in 1985 and equipped it to begin trawling for fluke in 1985. Since that time I have upgraded to larger vessels, and I have continued to participate in the fluke fishery through the present.
7. Fluke, because of its high value and widespread popularity, is the most reliable source of revenue for area fishing; it is the "bread and butter" of those who make their living as commercial fishermen.
8. Prior to the adoption of a state-by-state quota system in 1993, I landed all of my fluke catch in New York ports.
9. I now hold licenses to land fluke in New York, New Jersey, North Carolina, and Virginia.
10. I continue to catch most of my fluke within 100 miles of Hampton, NY. <sup>DAYS</sup>
11. Since I first started fishing, I have noticed that the mass of fluke have moved northwards. Boats licensed in southern states such as Virginia and North Carolina have always fished off Long Island. The fisherman all know each other and boats coming up from southern states fishing for fluke with licenses issued from those states or neighboring states such as New Jersey generally fish within sight of those fishing in New York waters with New York licenses. Yet fisherman with New Jersey, North Carolina, or Virginia licenses are able to catch upwards of 12,000 pounds of fish per trip, while New York boats are limited to fifty to seventy pounds per trip.
12. I made the decision to purchase licenses to land fluke in New Jersey, North Carolina, and Virginia because the allocation of fluke for New York and New York's daily trip limits for fluke are too small for it to be economical for me to land my fluke trips

solely in New York ports. Specifically, because New York must limit fluke landings to fifty to seventy pounds per day, depending on the season, as the operator of a 70 foot boat I cannot land enough fluke on a given trip to offset the time and fuel costs for that trip.

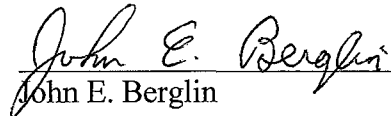
13. Because fluke is so important to overall revenue, if you catch enough fluke, then it is economically sufficient to fish for other species at the same time, but there is not enough to be made on other species alone for commercial fishing in New York to be viable.
14. Additionally, because the quota is so low and the daily trip limit is so small, if you catch a lot of fluke you have to discard it by throwing it overboard, which is demoralizing and is clearly a waste of a valuable economic resource. There would be lower rates of discards with a bigger allocation and larger trip limits.
15. Instead, I land the vast majority of my fluke trips in Virginia, North Carolina, and New Jersey. Fluke landings limits in New Jersey, North Carolina, and Virginia are more generous: Virginia, two landings of 7,500 pounds each; North Carolina, three landings of 6,000 to 11,500 pounds each; and New Jersey, weekly or bi-weekly landings of 500 to 2,500 pounds each. Last year, I filled all of my quotas in each state as described above.
16. In favorable weather conditions, it takes approximately thirty hours and approximately 1,600 gallons of fuel to travel to Hampton, Virginia, from the offshore waters where I catch fluke.



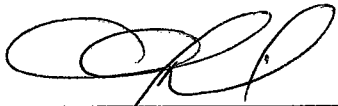
17. In favorable weather conditions, it takes approximately twelve hours and approximately 250 gallons of fuel to travel to port in New Jersey from the waters offshore of New York where I catch fluke.
18. In favorable weather conditions, it takes forty-eight or more hours and approximately 1,500 gallons of fuel to travel to port in North Carolina from the waters offshore of New York where I catch fluke.
19. The greater distance I must travel at sea to land my catch, the greater to cost to me in fuel use, and the less time I have available to earn additional revenue by catching other fish. Greater time spent and distance traveled to land fish also presents a greater danger to myself and my crew due to the risks inherent in travel at sea.
20. If fluke landings limits in New York were not as restrictive as they currently are, I would prefer to land more fluke in New York to avoid the costs, effort, and risk associated with traveling to more distant ports to land my catch.
21. Since the allocation for New York went into effect, the New York fluke fishing industry has suffered considerably. In the winter months, when fluke are further out at sea, it is simply not economical for New York fisherman to commercially fish for fluke due to New York's small allocation and resulting catch limits. As a result, many fisherman have switched from commercial fishing year round to day fishing and summer fishing.
22. In the summer months, I am able to land fluke live in New York, which gets a higher price because it is sushi grade and more valuable. One cannot realistically land live fluke caught in New York in southern ports. However, due to the small allocation, even the summer fluke fishing in New York is under threat because the low volumes

of fish discourage maintaining investments at port such as ice and delivery services that are necessary to ensure my catch stays fresh and gets delivered to market.

23. If the fluke allocation were increased, I am certain that the industry would survive and likely grow. However, if the allocation and trip limits remain as low as they are, I am not sure that my son, who fishes with me, will be able to continue in our family business because it is just too hard and the New York commercial fluke fishing industry may disappear.

  
John E. Berglin

Sworn to before me  
this 8<sup>th</sup> day of March, 2018

  
\_\_\_\_\_  
NOTARY PUBLIC

**CHRISTIE G. PFEIL**  
NOTARY PUBLIC - STATE OF NEW YORK  
No. 01PF6106368  
Qualified in Suffolk County  
My Commission Expires March 01, 2020



## NEW YORK SPORTFISHING FEDERATION

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

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

Dr. Christopher Moore,

I am submitting comments today on behalf of the New York Sportfishing Federation in regards to the Summer Flounder Commercial Issues Amendment. For 20+ years, this antiquated state-by-state allocation issue, using outdated data, has been debated for the commercial industry, as well as the recreational industry. As a member and voice of the New York Fishing Community, I do not believe that any of the commercial quota allocation alternatives listed in this Amendment properly address the issue.

The current state-by-state commercial allocation that was adopted in 1993 is inequitable, disproportionate and inappropriate. It is in fact a violation to the Magnuson-Stevens Act National Standard 2, requiring that the best scientific data available is utilized, for which these allocations are not. None of the alternatives proposed address the real issue, which is the need for a complete overhaul of the state-by-state allocation of the commercial quota for Summer Flounder.

This Amendment falls short of an alternative to reset the baseline landings to more accurately and fairly distribute the quota among the states, reflecting the recovery and northerly shift of the fishery. A coastwide allocation period needs to be implemented to give equal access to the fishery, to create a new baseline, and ultimately update state allocations that reflect the current fishery. Secondly, there needs to be an option added to this Amendment for an interstate quota transfer agreement. This will allow the temporary relief to the northern states by allowing southern states to transfer quota.

Sincerely,

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

Montauk Inlet Seafood Inc. Inlet Seafood Property LLC  
The Other Side at Inlet Seafood Inc. - Inlet Seafood Restaurant

East Lake Drive PO Box 2148 Montauk, NY 11954  
Ph 631.668.3419 fax 631.668.1225



Atlantic States Marine Fisheries Commission  
1050 N. Highland Street, Suite 200 A-N  
Arlington, VA 22201

And

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

October 12, 2018

To the Commissioners of the Atlantic States Marine Fisheries Commission and the Mid-Atlantic Fishery Management Council Members:

Montauk Inlet Seafood, Inc. and The Other Side at Inlet Seafood hereby requests that the Mid Atlantic Fishery Management Council move to develop two additional options to the summer flounder draft amendment.

The first option is to negotiate new state quota shares of summer flounder, and the second is to include coastwide quota and management of summer flounder.

As New York's State's largest shipper of fresh fish, including summer flounder (fluke,) to Hunts Point Market, Montauk Inlet Seafood has suffered greatly since the initial summer flounder amendment created a state-by-state quota system, which was passed by the council in 1992.

New York deserves to have both motions re-added to the amendment. The inequity of the state-by-state system created a have-and-have-not scenario in which New York's commercial stakeholders lost millions of pounds of landings to their regional neighbors over more than two decades, through an unfair process that was hamstrung by erroneous and inadequate data. A process that NMFS knew was erroneous at the time.

Additionally, we would appreciate if the ASMFC and the MAFMC would take a serious look at considering flexible landings between the states. New York has lost so much economic value in the last 26 years, as a result of the state-by-state quota ruling, that many New York participants in the fluke fishery, including some of the partners of Inlet, have had to spend thousands of dollars to acquire out-of-state permits as a way to maintain solvency in the fishery.

Please accept these comments on behalf of Inlet Seafood's companies. We employ approximately 50 employees in our community of Montauk, and the economic effects of an increased fluke quota to our businesses and communities would be exponential.

Sincerely,

Montauk Inlet Seafood, Inc. and The Other Side at Inlet Seafood

David Aripotch  
F/V Caitlin & Mairead

Stuart Foley  
Air & Speed

William Grimm  
F/V Jason & Danielle  
F/V Perception

Richard Jones  
Kevin Maguire  
F/V Evening Prayer  
F/V Pontos

Charles Weimar  
F/V Rianda S

OFFICE OF THE COUNTY LEGISLATURE  
COUNTY OF SUFFOLK

**Bridget Fleming**  
Second Legislative District

**Chair**  
Ways & Means Committee

**Vice-Chair**  
Health Committee



**Committee Member**  
Public Safety  
Environment, Planning  
and Agriculture  
Public Works, Transportation  
and Energy

SENT VIA FAX 1-302-674-5399

October 12, 2018

Chris Moore, Ph.D., Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, Delaware 19901  
[nmfs.flukeamendment@noaa.gov](mailto:nmfs.flukeamendment@noaa.gov)

Re: Summer Flounder Commercial Issues Amendment

Dear Dr. Moore,

As Legislator of Suffolk County's Second Legislative District, which includes the entire South Fork of Long Island, and on behalf of its fishing community constituents, I support and request that the Mid Atlantic Council move to develop two additional options to the Summer Flounder Draft Amendment. Option One: to negotiate new state quota shares of summer flounder, and Option Two: to include coastwide quota and management of summer flounder.

Very truly yours,

Bridget Fleming  
Suffolk County Legislator  
Second Legislative District

BF/car

cc: Kirby Rootes-Murdy [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org)  
Kiley Dancy [kdancy@mafmc.org](mailto:kdancy@mafmc.org)  
Bonnie Brady [greenfluke@optonline.net](mailto:greenfluke@optonline.net)



# TOWN OF EAST HAMPTON

159 Pantigo Road  
East Hampton, New York 11937

**PETER VAN SCOYOC**  
Supervisor

(631) 324-4140  
pvanscoyoc@ehamptonny.gov

October 12, 2018

Kiley Dancy, MAFMC  
Kirby Rootes-Murdy, ASMFC  
Nfms.flukeamendment.noaa.gov

Re: Summer Flounder Commercial Issues Amendment

To Whom it May Concern:

As Supervisor of East Hampton Town, home to the largest commercial fishing port in New York State, in the hamlet of Montauk, I am writing to underscore the concerns of our town Fisheries Advisory Committee, and to support the group's recommendations regarding summer flounder, which include the following.

The data collection system used by the National Marine Fisheries Service during the summer flounder baseline period (1980-1989) resulted in significant inadequacies in New York's quota allocation of that species. The system used in New York for collecting and reporting landings data was different from that used in other Mid-Atlantic and New England states at the time; New York was the only state with no weigh-out system, or what today is called "dealer reporting." Consequently, New York's reported landings were far less than what the state's fishermen were actually landing, and the state therefore received a lower quota than it was actually entitled to.

At the joint MAFMC/ASMFC meeting in April, 2018, an effort to correct this was made by New York's representatives, by including two options in the Summer Flounder Commercial Issues Amendment: to negotiation new state quota shares, and/or to include coastwide quota and management.

The Atlantic Marine Fisheries Commission approved the inclusion of these options in the draft amendment, but their addition was blocked by the Mid-Atlantic Fishery Management Council. Therefore, there are no options that might serve to correct the inequitable allocation of the resource that New York was dealt originally. The options listed above should be included in the Summer Flounder Commercial Issues Amendment.

The fishing industry has historically been an important part of East Hampton Town's culture and economy, and remains so today despite ongoing challenges to the economic survival of our commercial fishermen and women. I urge you to carefully consider the concerns outlined by our Fisheries Advisory Committee and to assess the summer flounder quota accordingly.

Thank you for your time and attention.

Sincerely,

Supervisor, East Hampton Town

10/8/2018 18:45:48 (EDT)

greenfluke@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Bonnie Brady, I am the executive director of the Long Island Commercial Fishing Association, P.O. Box 191, Montauk, NY 11954

The present amendment allows no method by which the state by state quota inequity of New York can be truly and fairly addressed. Please include the two added options for development within the amendment. Thank you.

10/8/2018 21:05:09 (EDT)

docktodish@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Sean Barrett, Marine Resources Advisory Council (Member); Community Supported Fishery of New York State (Operator), 14 Trail Road, Hampton Bays NY 11946

- The Community Supported Fishery program of New York State is headquartered in Montauk and depends directly on the commercial fluke fishery and fluke fishermen in order to operate

10/8/2018 22:39:53 (EDT)

12thgenbonacker@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Gary Cobb, 30 Glade Rd, East Hampton, NY 11937

Owner, AMAGANSETT F.I.S.H., LLC

As an owner of a small-scale direct marketing business that is primarily focused on the inshore pound trap fishery of Gardiners Bay, summer flounder represents a substantial portion of our annual income. Myself and my associates are 12th generation natives of Amagansett and our families have been engaged in pound trap fishing here since colonial times. Our ancestors were taught how to build fykes, weirs and pound traps to catch Fluke Algonqian natives who had been catching Fluke here here for 10,000 years before the arrival of our ancestors. Fluke is our money fish. Our bread and butter. If we are to continue to survive here on the east end as commercial fishermen and be allowed to pass on our trade to subsequent generations we must be given access to our fair share of the resource.

10/9/2018 2:01:17 (EDT)

arthur.fkretschmer@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer



flounder, and Two: to include coastwide quota and management of summer flounder  
I am a commercial fisherman from NYS that has waited far to long for an equitable share of summer flounder . I've been a commercial fisherman for 47 years ,we were promised more fish and more money 30 years ago and here we are ,it only gets worse for us while I watch boats from other states fish off our shores and land them in there respective states Arthur Kretschmner PoBox 81 Mattituck 11952

10/9/2018 5:28:52 (EDT)

dannylester@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Danny Lester 5 Spruce st East Hampton NY. As a commercial fisherman the quota is to low to make a living.

10/9/2018 6:44:16 (EDT)

bluemoonfish@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
I demand state quotas be changed to be fair to all. Alex Villani, 17:5 Breakwater Road, Mattituck, N.Y 11952.

10/9/2018 6:52:56 (EDT)

radefishhead@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
I am a commercial fisherman in New York State who basically needs to be able to retain summer flounder on a daily basis to be able to make ends meet. we are forced to discard summer flounder because of low limits or a closure that is really unnecessary. there are millions of pounds of fluke in state waters every year that are underutilized for no reason. please let us catch them and keep our businesses afloat.

10/9/2018 8:15:45 (EDT)

mike@vincenzoseafood.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Michael Bauhs  
3 Birchwood Lane  
East Quogue NY 11942

I am a full time commercial fisherman that has always depended on fluke. Since I bought my

first boat 9 years ago I have watched the quota go only one direction. DOWN. I always counted on fluke as a significant source of income, but in the last few years I'm lucky if it covers the cost of my lunch.

NY needs to fight for a change so that the quota system needs can be allocated fairly.

10/9/2018 14:04:25 (EDT)

pjmarita@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Paul beckwith 71 Buell Lane ext. East Hampton NY NYS Commercial Fisherman

10/9/2018 17:20:18 (EDT)

belair20@yahoo.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
My name is June Berkun. I live at 2842 Lindale Street, Wantagh, NY 11793 with my partner Timothy Swanson. He has been a Commercial Fisherman all of his life. (Over 45 years). New York State is not giving fluke quotas that are fair to NY fisherman. NY has a much lower quota on fluke than any other state on the eastern seaboard. It is extremely hard to make a living as a commercial fisherman anymore, as the quotas are not fairly distributed. The fishing industry on Long Island has practically disappeared as no one can make a decent living anymore. I urge you to fight for all fisherman's rights and make the quota system fair to our New York fisherman!

10/9/2018 18:28:48 (EDT)

rockbottom937788@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Dan Regan, Owner of DB Fish Inc. Permit number 3222 and holder of a summer flounder endorsement. My address is 674 Horse Race Lane, St. JAMES, NEW YORK 11780.  
DOCKAGE, FUEL, INSURANCE PRICES ARE SOARING AND ADDITIONAL QUOTA and longer seasons are REQUIRED TO MAKE ENDS MEET. Thank you. Capt. Dan

10/9/2018 18:34:57 (EDT)

octopus139@hotmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Anthony zucco permit no.361 PO Box 36, 124 edgemere st montauk ny 11954

10/9/2018 19:15:04 (EDT)  
tedzotka@aim.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
I don't have a commercial fluke permit at this time because New York State Put a "TEMPORARY" 20+ year moratorium on fluke permits and have not issued any but hopefully I will be able to get one soon enough Ted Szczotka, P.O. box 1100, Mattituck ,NY 11952

10/10/2018 8:25:53 (EDT)  
commfishmtk@yahoo.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
My name is Wesley Peterson #3 12th Street, East Hampton , NY and I am a full time commercial Fisherman mainly a day boat dragger that depends on fluke for our income. We have been unfairly treated in NYS and we need more quota or at least our fair share.

10/10/2018 11:58:47 (EDT)  
dfroelich2@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Denise Froelich 84 Pleasure Dr. Riverhead NY 11901 My husband and son are commercial fisherman

10/10/2018 13:13:41 (EDT)  
caskater1@hotmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Christopher Albronda  
6 FERNALD RD  
Montauk, NY  
11954

10/10/2018 13:45:09 (EDT)  
sspratford1@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
My name is Scott Spratford P.O. Box 978 montauk ny 11954. It's very simple we need a fair share of the coast wide quota. There's plenty of evidence that the numbers used in the original quota assessment were terribly flawed. It's time to make things right. I've been a commercial

fluke fishermen since the late 1970s. Give us a fair shot at still being able to make a living. We need Fluke as an very important part of that. it's not to late to do the right thing.

10/10/2018 14:07:27 (EDT)

flyerjim@hotmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

James Jasuta

P.O. Box 1404

Montauk NY. 11954

Fishermen

10/10/2018 14:38:54 (EDT)

captainsloan@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

I am captain Sloan Gurney, a commercial fisherman permitted with a fluke endorsement. I also am the owner and captain of a sport fishing business in Orient NY where we depend greatly on the fluke fishery.

Captain Sloan Gurney

Black Rock Fishing Fleet

P.O. Box 158

Orient, NY 11957

10/10/2018 14:19:15 (EDT)

lisavalcich@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Charles Morici, Jr., F/V Act I, PO Box 1731, Montauk, New York 11954, I hold both a federal commercial fishing permit (permit #310153) & a NYS commercial fishing permit (permit #1183)...

To sum it up...this is not enough to live on! We (the commercial fishermen) need help! So please help us! Thank you!

10/10/2018 14:48:05 (EDT)

mark@bayparkfishing.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Mark Keller

2942 Eastern Blvd

Baldwin NY 11510

10/10/2018 14:53:32 (EDT)

rmpe61@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
my name Brendan Casey .i am a licensed ny fluke fisherman since 1980 . new york needs to be fairly treated .my fluke landing and other long island sound fishermens fluke landing were never recorded by noaa .during the years used to give new york a fluke quota long island sound had 0 landings of all fish. 15 trawlers fished daily then. i vote to change fluke quota system now.

10/10/2018 15:46:43 (EDT)

pfin44@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Lisa Finley

45 Ira Court Brooklyn NY 11229

Co Owner of a NY Corporate Food Fish License.

Please give NY commercial license holders their fair share of summer flounder.

10/10/2018 15:47:32 (EDT)

fishbones21@verizon.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Victor r Makis jr - 2nd generation commercial fisherman

21 Carter rd

Hampton bays ny 11946

Owner /operator F/V Terri Sue

10/10/2018 16:33:30 (EDT)

fishbones21@verizon.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Tara Makis - commercial fishing

21 Carter rd

Hampton bays ny 11946

F/V Terri Sue

10/10/2018 16:35:00 (EDT)

sammiam1@verizon.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder Samantha Makis - commercial fishing  
21 Carter rd  
Hampton bays NY 11946  
Crew on F/V Terri sue

10/10/2018 16:36:05 (EDT)

fishbones21@verizon.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder Victor Makis  
30 summit blvd  
Westhampton ny 11977  
Commercial fishing

10/10/2018 17:13:03 (EDT)

kahunafish2@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder Vincent Carillo, PO Box 1432, Montauk, NY commercial fluke fisherman

10/10/2018 18:08:34 (EDT)

Matthew.spratford@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder Matt Spratford  
2 Lincoln Rd Apt A  
Montauk, NY 11954

I've been a deckhand on commercial boats that have relied on fluke as one of our main/ most crucial target species off and on for almost 15 years. I now work for my father who has been a commercial fisherman for over 40 years, during which time his income has been almost entirely dependent on catching fluke. He put 2 kids through college and supported our family almost entirely by catching fluke. He is so fed up with the current state of the fishing industry that he wants to retire and pass the boat and his licenses down to me, and honestly, I'm not even sure I want them anymore- how can you plan for, or have any faith in your future when you can barely catch enough fish to pay your expenses?? I went to college, worked on Wall St, and chose to

come back home and fish not because I had to, but because I thought it was a lifestyle and career that I could be proud of and fulfilled by. But lately I have been seriously regretting that decision, as these quotas have made it almost impossible to make a living on the water. Fishing is one of the hardest, most rewarding jobs there are, but at the end of the day, it comes down to survival. Would you go to work and risk your life to make less than you could make working at a gas station, or pushing a lawn mower? Something tells me probably not... And to make matters worse, we have to watch boats from RI, NJ, etc. fish right next to us, (in NY waters no less!), and make tow after tow for fluke then steam home with 500 or 1000 lbs or whatever their daily quota may be, that they've caught right on our doorstep, while we make our one tow and head home with our measly 50lbs. It is pure lunacy. If you don't want this to be the last generation of commercial fisherman in NY, it's time to step up and make some amendments to these antiquated and borderline criminally unfair fluke quota distributions before it's too late- there won't be any children left to save this fishery for, because nobody can afford to be a fisherman anymore. The mid Atlantic Council has essentially turned the NY fluke industry into the most dangerous, expensive, hobby in the world- and it's about time things change before it's gone forever.

Thank you,  
Matt Spratford

10/10/2018 18:16:26 (EDT)  
suebeckwith82@msn.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
My name is Paul Bruce Beckwith, Captain of the commercial fishing vessel Allison & Lisa. I have been fishing in Montauk since I was 14 years old. Fluke, summer flounder has always been the bread and butter species for New York fishermen since trawling began. I would like to see NY commercial fluke fishermen get the fair share of the coast wide quota on fluke that they deserve so we can compete on a level playing field in the marketplace. We should be able to keep the same amount of fluke as any other fisherman from any other state while fishing in Federal waters. I would like to see a coast wide quota on fluke, the same as the scup model only with smaller sensible and sustainable trip limits for all moratorium summer flounder permit holders. NY commercial fishermen have been at a disadvantage on fluke quota for too many years. It is way past due that NY fishermen get their fair share of the coast wide fluke quota. P.O. Box 1351, Montauk, NY 11954

10/10/2018 18:27:34 (EDT)  
suebeckwith82@msn.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
My name is Susan Beckwith and I am the wife of commercial fisherman Bruce Beckwith. I am a stakeholder within the fluke fishery. I have been with my husband for over 20 years and have



seen first hand how the regulations have affected the livelihood of my husband and the local Montauk fishermen. The very low fluke quota given to the NY commercial fishermen as compared to the quota given to the fishermen in the surrounding states has had a devastating affect on our income and psychological well being of the fishermen. Imagine what it is like for a man that has many bills to pay having to dump overboard thousands of pounds of regulatory fluke. While boats from surrounding states fishing in the same waters are allowed to keep thousands of pounds more fluke. NY fishermen need to get their fair share of their coast wide fluke quota. P.O. Box 1351 Montauk, NY 11954

10/10/2018 18:42:54 (EDT)

denise@suffolknet.org

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

I am a commercial fisherman on Long Island NY

10/10/2018 18:43:30 (EDT)

trevorf612@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

My father and brother are commercial fisherman in NY

10/10/2018 18:44:27 (EDT)

matthewf1169@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

My father is a commercial fisherman in NY

10/10/2018 18:58:20 (EDT)

Julierae6@yahoo.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Julie Lofstad, 177 B Springville Rd., Hampton Bays NY 11946 fisherfamily

10/10/2018 18:59:32 (EDT)

RazorLofstad11@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Ray Lofstad, 177B Springville Rd., Hampton Bays, NY 11946, comm. fisherman

10/10/2018 19:14:28 (EDT)

happ2@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
I am Donald Ball owner and sole operator of the F/V KAMMY B a commercial fishing dragger in Montauk NY. I have been fishing all my life and has been certainly screwed on the quota. I am angry and have been angry for so long now. I have written, been to meetings stating how unfair Ny state is treated in the quota share. I will try again stating my views in addition to adding the motions.

REQUALIFYING- I FEEL THE ALTERNATIVE 1B-1 WILL BEST SAVE THE RESOURCE AND THE TRADITIONAL FISHERMAN. IT WOULD BE FOR THE PROTECTION OF BOTH WHICH IS EXTREMELY IMPORTANT.

QUOTA ALLOCATION- WE ALL KNOW THAT ALL THE OTHER STATES GOT HIGHER PERCENTAGE OF THE ALLOCATION THAN NY. THIS WAS WRONG FROM THE BEGINNING. THE SIMPLEST SOLUTION WOULD BE TO TAKE 1% OFF THEIR ALLOCATION AND GIVE IT TO NY.....BUT THAT IS NOT IN THE AMENDMENT.....SO THAT BEING SAID, THE BEST CHOICE FOR ME IS 2B-2.

I'D LIKE TO THANK NYS DEC FOR TRYING TO DO THE BEST THEY CAN FOR NY FISHERMEN.

Sincerely,

Donald Ball  
PO Box 210  
Amagansett, NY 11930

10/10/2018 19:39:17 (EDT)

cweimar21780@hotmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
I am Charles Weimar jr I have a New York State fluke fishing license and have been captain of the Rlanda S since 2003 . Been discarding fluke in the eez because New York has one the lowest fluke quotas in the mid Atlantic. There shouldn't be a state quota in federal waters should be just like all other species . Equal access for New York fishermen. Something has to change !  
Charles weimar jr  
PO Box 2166  
Montauk New York 11954

10/10/2018 19:48:15 (EDT)

michaelpottsv@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Michael Potts, PO Box 2084, Montauk, NY 11954

10/10/2018 20:22:44 (EDT)

captjamiehummel@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Due to the current quota system fluke fishing in NY is basically a non fishery. As an inshore fisherman and a Bayman it's almost useless to go fishing for 50 pounds Jamie hummel. 9 stonewood lane Hampton Bays NY 11946

10/11/2018 4:39:58 (EDT)

boomertoo@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

I am a commercial fisherman and I am home-ported in Hampton Bays new york

I have been involved in the industry for 45 years. The summer flounder quota for N.Y. fishermen is not fair ,and is based on antiquated data that is severely faulted. Its just plain not fair.

I am currently forced to fish a 65' trawler with no other crew members, due to the low quota there is no money left after fuel and ice to pay crew members. This is not safe please move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwise quota and management of summer flounder.

Capt. Steven R Bolton

9 Tuttle ave.

Eastport N.Y. 11941

boomertoo@gmail.com

10/11/2018 5:04:42 (EDT)

mentzel.grant@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Jesse Mentzel FF# 1732

10 Columbus st.

E. Patchogue NY 11772

I was a full time fisherman but ridiculously low quotas for New York forced me to get another job and fish part time with a rod and reel to keep expenses down. We need our fair share of the fluke fishery.

10/11/2018 6:12:21 (EDT)

rjones7242@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Richard Jones P.O.Box 2415 Montauk N.y. 11954 fisherman

10/11/2018 10:23:19 (EDT)

fvsaintanthony59@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Patrick Malik POBOX 1194 Montauk NY 11954 Owner/Operator of an inshore dragger

10/11/2018 11:06:25 (EDT)

natgoodamazon@yahoo.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Andrea Mavro 779 Montauk Hwy, Montauk, NY 11954. I'm a chef restaurant owner and local fluke is a large part of my menu and big part of my business. If my restaurant is successful I am able to (barely) stay open through the winter season and employ many members of the local community and offer healthy food options year round.

10/11/2018 11:18:39 (EDT)

paulfarnham1@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Paul Farnham

PO Box 2048

Montauk NY 11954

I am the owner operator of

Montauk Fish Dock inc.

10/11/2018 12:05:27 (EDT)

rjkatz@rjklp.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Richard Katz 90 S DELREY RD, Montauk, NY 11954

10/11/2018 13:13:52 (EDT)

mike.mason6@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

I'm a nys summer flounder permit holder Mike Mason 7 Norwood rd Hampton Bays N.Y. 11946

10/11/2018 13:32:37 (EDT)

hoops21287@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Daniel Warner, 1 Carter Rd., Hampton Bays, NY 11946. I am commercial fisherman out of Shinnecock.

10/11/2018 13:40:20 (EDT)

thielef@nyassembly.gov

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Assemblyman Fred W. Thiele, Jr.

Room 622 Legislative Office Building

Albany, NY 12248

I am writing as the elected New York State Representative of the 1st Assembly District that is greatly dependent upon the commercial fluke fishery. The state by state quotas created by the Mid-Atlantic Fisheries Management Council and the U.S. Department of Commerce's National Marine Fisheries Service, pursuant to the Magnuson-Stevens Act, are based upon faulty and incomplete collection data, which discriminate against commercial fishermen in the State of New York. As a result of these discriminatory practices, New York's quota for a number of species of black sea bass, bluefish, scup, and fluke are much lower than would be allocated under a fair non-discriminatory system. New York's summer flounder quota was less than half of that allocated to Rhode Island, New Jersey, Virginia, and North Carolina. This inequitable and discriminatory quota system is crippling the economic viability of New York's commercial industry and has resulted in unwarranted economic and job losses. An amendment of this kind is vital.

10/11/2018 13:42:42 (EDT)

rstiansen@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Norman Stiansen jr

55 ocean avenue

Hampton Bays NY 11946

Commercial Fluke permit holder!

10/11/2018 15:05:33 (EDT)

nyseafood@msn.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Roger C. Tollefsen - 23 Bay Ave W, Hampton Bays, NY 11946

I had been a seafood market owner for thirty years and was the past President of New York's Seafood Council. During that time I fought for our local fluke fishermen to receive a "fair" share of the Mid Atlantic's fluke allocation. I watched our seafood community shrink due to regulations that were oppressively not fair.

The way that NY received its share and has continually been denied review is shocking. The state fluke quotas were developed using inconsistent data sources from 1980-1989 that varied for each state. Once the flaws of the data were realized, those members of the ASMFC whose state benefited have refused to consider any modifications that could result in a reduction to their state's share.

After thirty years of species management, it is time to accept the fact that those states that have an inflated fluke quota will simply not be fair or open to suggestions to change it. For the fluke quota issue, change needs to be forced by unbiased more fairly minded parties.

10/11/2018 15:32:25 (EDT)

amandajoy.keyser@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Amanda Jones

PO BOX 45 Montauk, NY 11954

F/V PONTOS

10/11/2018 16:32:44 (EDT)

captron1@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Ronald Onorato PO Box 1628. Montauk NY. 11954. NYS Summer Flounder permit holder.

10/11/2018 16:49:17 (EDT)

offshorefishery@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Dan Farnham, PO Box 2242, Montauk NY. 11954

Commercial fisherman with fluke landings in both NY and MA

10/11/2018 17:02:39 (EDT)

tjkehoe@icloud.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

New York has been at a disadvantage for years when it comes to fluke quotas. NY Fishermen have to get permits in coastal states to catch the fish that they can not catch at home. I have been wholesaler for 40 years and now assist the State on exports and Suffolk County on Marine Industry problems. Please give ourboats an equal share of the fluke quota. Thomas Kehoe 21 McKinney Avenue, Northport, NY 11768

10/11/2018 17:32:55 (EDT)

christina.hoerning@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

I am a permit holder and own a fish market

Christina Hoerning

Christina.hoerning@gmail.com

10/11/2018 17:33:50 (EDT)

brewfish@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

thomas brewer 15 brittle lane hicksville n y 11801

10/11/2018 19:44:44 (EDT)

mjmclintock3@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Malcolm J McClintock, 3 Private Rd., Eastport, NY 11941. Owner/Captain of the F/V Rhonda Denise. The current quota is completely unfair and a coastwide quota should be adopted.



Everybody knows that the current system is based on flawed data from decades ago and as a result has led to the demise of various ports in New York. It's time we got our rightful share of the quota!

10/11/2018 19:57:26 (EDT)

fishbones21@verizon.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Brian Jayne - commercial fisherman

9 Carter lane

East quogue ny 11942

Owner / operator F/V Dorothy M

10/11/2018 20:57:40 (EDT)

jkamins2@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

My name is Cynthia Kaminsky. My mailing address is 75 Woodcliff Drive, Mattituck, NY 11952

I hold a NY summer flounder permit and fish commercially for fluke on my fishing vessel, CATCH THIS. This fishery needs some more equitable quotas. Using data from the 1980s is out dated and inappropriate.

Coast wide measures for each state should be equal percentage allocation - minimum three to five year trial or permanent

Interstate quota transfers should be permitted if quota is not used or if otherwise agreed upon

Not in favor of flexible landings as this would result in harm to all inshore fisherman in all coastal states

Cap off top states at a certain level until lower level states catch up

It is time to bring fairness back into this important fishery. .

10/11/2018 21:13:02 (EDT)

eberglin@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

My name is Erin Berglin (31 Oak Lane, Hampton Bays, NY 11946) and my father is a New York commercial fisherman who has been catching fluke for most of his 4-plus decades in the industry. I understand the importance of a sustainable fishery and livable quotas and how it directly impacts the lives of fishing families and communities.

10/12/2018 13:56:28 (EDT)

joxer821@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Edward Rennar 5 south fairmont street Montauk New York 11954

10/12/2018 11:09:43 (EDT)

chucketzal@yahoo.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
To Whom It May Concern,

As a fishermen from New York we have suffered from unjust allocations of quota on any species managed state by state. Summer flounder particularly in discussion. Using data from the 1980s is unfair and inappropriate.

I would support a scup model or any option that gives Ny a better share.

I support option 2b-2 and or 2 d-1 regarding allocation.

I do support option 3b for landing flexibility. No vessel should have to sail hundreds of miles to unload to meet ridiculous state regulations .

I do support no action addressing 1a regarding the fed fluke qualifier.

Interstate quota transfers should be permitted if quota is not used or if otherwise agreed upon

Thank you , Charles Etzel

99 cedar drive

East hampton , NY

11937

FV Damariscotta

10/12/2018 12:02:00 (EDT)

jbatky@hotmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

I am a commercial pound net fisherman in New York. We need to have a more equitable share in the fluke quota in New York. Coast wide measures for each state should be equal percentage allocation. All fishermen should have an equal playing field, not handicapped by outdated and erroneous information!

Jeffrey Batky, PO Box 128, Sag Harbor, New York, 11963

10/12/2018 12:28:19 (EDT)

sberglin@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the

summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
John Berglin 31 Oak Lane Hampton Bays, NY 11946. I am the owner/operator and Captain of the F/V Mary Elizabeth 648424, I hold summer flounder permits for four states. I believe its time for a change in the way fluke quotas are distributed between the states. Landings flexibility should be discussed as well.

10/12/2018 14:17:20 (EDT)

jwindels3@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
John Windels III , Owner/Captain FV Mary Rose  
52 Squiretown Road  
Hampton Bays N.Y. 11946

I have been an active NY State Summer Flounder permit holder/fisherman since New York food fish permits have been required. I also hold a federal summer flounder permit on FV Mary Rose. New York has never had a fair share of fluke quota since day one of the state by state management scheme. Something needs to be done. Basing todays state shares on 40 year old landings data is totally unacceptable. Please help New York fishermen.

10/12/2018 15:56:53 (EDT)

siobhain.heather@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Ryan Fallon, 69 Fleming road, montauk NY  
I am a commercial fisherman out of montauk, NY

10/12/2018 16:08:24 (EDT)

hafmjf@aol.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Michael Fallon, 2 Jefferson ave, Montauk, NY

10/12/2018 16:09:22 (EDT)

siobhain.heather@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder  
Siobhain Harrington  
69 Fleming road montauk ny

10/12/2018 16:10:01 (EDT)

hafallon@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Helene Fallon 2 Jefferson Ave montauk NY

10/12/2018 16:10:11 (EDT)

neenwindels@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Kristina Windels

11 Pondway

Apt. 8 Manorville N.Y.

11949

I have helped with my family's commercial fishing business for my whole life, helping my grandfather my father and my brother. It is a disgrace the way New Yorks fisherman have been practically cut out of the summer flounder fishery compared to other states of the east coast.

Please do the right thing and help !

10/12/2018 16:17:44 (EDT)

ewindels92@gmail.com

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Emily Windels

169 Tremont Street

Apt. 2

Newton ,Ma 02458

I am the grand daughter of a NY fluke fisherman, the daughter of a NY fluke fisherman and the sister of a NY fluke fisherman and i have helped them all with our family's business for years.

These are hard working, honest men that only want a fair chance to work and support thier families. They have been treated very unfairly for many years now in regards to Fluke quotas for NY State. Please make changes. Do the right thing !

10/12/2018 16:20:10 (EDT)

annjack562@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

My name is Annmary L. Windels 562 Pleasure Drive Flanders N.Y. 11901 . My connection to

this fluke issue is that I helped my deceased husband Jack who was a commercial fisherman and now my son John who is a commercial fisherman ! This is a very difficult profession . These captains work so hard for so little money that any positive changes will be a very good thing !

10/12/2018 16:57:43 (EDT)

[jakewindels@yahoo.com](mailto:jakewindels@yahoo.com)

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

John H Windels IV

13 Westbury Road

Hampton Bays

N.Y. 11946

I am a New York State Summer Flounder permit holder. I have been commercial fishing for several years. I currently work on my fathers boat F/V Mary Rose. Please make changes to the fluke quota management regulations. Using landings data from the 1970s and 80s is totally inappropriate for tidays fishery. Please help us

10/12/2018 17:27:21 (EDT)

[Ro.windels@aol.com](mailto:Ro.windels@aol.com)

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Mary Rose Windels

52 Squiretown Road

Hampton Bays N.Y

11946

Hello. I have helped my dad and my brother with our family's commercial fishing business for many years. Summer flounder regs have been very unfair to NY fishermen and changes need to be made. Please do the right thing. Families livelihoods depend on it

10/12/2018 20:05:48 (EDT)

[providencefisheries@gmail.com](mailto:providencefisheries@gmail.com)

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

William Reed

PO Box 375 Hampton Bays NY

Full time 12 months out of every year for the past 30 years commercial stern trawler out of Hampton Bays

10/12/2018 21:33:10

midatlan@optonline.net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder

Alex Duchere

10/12/2018 22:17:36

Captainhappy@Optonline.Net

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwide quota and management of summer flounder.

Dave Aripotch PO. Box 1036, Montauk, NY,. 11954 F/ V Caitlin & Mairead I would also like to see flexible landings during the winter months. It's been extremely frustrating for me being from New York because I started commercial fishing in the mid 70's it's all I've ever done, and I was involved in the management in the beginning with fluke. The older guys from New York said then that they we weren't getting a fair share. Raoul the Swede, Mel Moss from Shinnecock, Brian Trujillo, Chuck Weimar, and Mark Phillips could attest to the fact that we were getting cheated on our quota. I was told we would get it back some time in the future and instead, it just keeps getting worse and worse. I used to make a good percentage, maybe half of my income, on fluke. I would like to see some quota increase and at the very least flexible landings in the winter.

10/12/2018 22:50:59 (EDT)

josephrealmuto@gmail.com

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josephrealmuto@gmail.com Executive Chef at Nick & Toni's, 136 North Main Street, East Hampton, NY 11937

**Name:** Scarlett Fallon

**Email Address:** siobhain.heather@gmail.com

**City, State, Zip Code:** montauk, NY 11954

**Check all that apply:** Commercial Industry

**Comments:** I request that the Mid Atlantic Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwise quota and management of summer flounder.

**Name:** Jennifer Carney

**Email Address:** jencarney@optonline.net

**City, State, Zip Code:** Montauk, NY 11954

**Check all that apply:** Private Recreational Angler, Other

**Comments:** I request that the Mid Atlantic Fishery Management Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastal quota and management of summer flounder (fluke).

**Name:** Christopher Spies

**Email Address:** crispies@optonline.net

**City, State, Zip Code:** Holbrook, NY 11741

**Check all that apply:** Private Recreational Angler

**Comments:** Chris Spies

1794 Lincoln Ave.

Holbrook, NY 11741

516.607.2393

crispies@optonline.net

I request that the Mid Atlantic Council move to develop two additional options to the summer flounder draft amendment. One: to negotiate new state quota shares of summer flounder, and Two: to include coastwise quota and management of summer flounder.

The NYS Quota is based on decades old data that is long out of date and does not recognize the documented north and eastward shift in the summer flounder population. NY's commercial and recreational anglers are being unfairly regulated out of a fishery which is located primarily right on our coast. As documented in the MAFMC Summer Flounder Management Document ([https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5b2aa6801ae6cf54e7958f69/1529521794159/5\\_Fluke+Fishery+Info+Doc+2018.pdf](https://static1.squarespace.com/static/511cdc7fe4b00307a2628ac6/t/5b2aa6801ae6cf54e7958f69/1529521794159/5_Fluke+Fishery+Info+Doc+2018.pdf)), 4 of the 5 highest summer flounder production areas, are located immediately adjacent to the Long Island South Shore, accounting for 51% of the summer flounder catch. An additional 29% of the summer flounder harvest comes from two areas immediately to our East.

Despite having 50% of the summer flounder catch coming from our waters and those immediately adjacent to ours, NY commercial fishermen are only allowed 7% of the total coastwise allocation. In comparison, NC commands the highest percentage, at 27% despite being the furthest state away from the epicenter of the fishery itself. VA is 2nd with 21% NJ gets 16% and RI the smallest state on the coast, gets 15%. How does NY, located the closest to the heart of the summer flounder fishery, with the greatest amount of coastline of our neighboring states, and the largest number of fluke dealers, get the smallest quota? It makes no



sense how that was ever justified. How states to our South and East all managed to get more quota than us, right smack in the middle and with the most coastline and largest population within proximity to the coast itself.

Landings numbers mean nothing, because our state is hamstrung by regulations which prohibit us from fishing anywhere near our potential. Instead, we have to watch other states boats harvest fish, which are closest to our shores and ferry them away to their ports to be counted and for their profit.

NY's commercial and recreational fishermen are being abused by this system, and it needs to stop. We need a new state quota share, and coastwise management of summer flounder.

Sincerely,

Chris Spies

From: Melissa Dearborn <melissa@regalbait.com>

Date: Fri, Oct 12, 2018 at 12:02 PM

Subject: Summer Flounder Commercial Issues Amendment

To: <nmfs.flukeamendment@noaa.gov>

Dr. Christopher Moore,

I am submitting comments today in regards to the Summer Flounder Commercial Issues Amendment. For 20+ years, this antiquated state-by-state allocation issue, using outdated data, has been debated for the commercial industry, as well as the recreational industry. As a member of the New York Fishing Community, I do not believe that any of the commercial quota allocation alternatives listed in this Amendment properly address the issue.

The current state-by-state commercial allocation that was adopted in 1993 is inequitable, disproportionate and inappropriate. It is in fact a violation to the Magnuson-Stevens Act National Standard 2, requiring that the best scientific data available is utilized, for which these allocations are not. None of the alternatives proposed address the real issue, which is the need for a complete overhaul of the state-by-state allocation of the commercial quota for summer flounder.

This Amendment falls short of an alternative to reset the baseline landings to more accurately and fairly distribute the quota among the states, reflecting the recovery and northerly shift of the fishery. A coastwide allocation period needs to be implemented to give equal access to the fishery to ultimately update state allocations. Secondly, there needs to be an option added to this Amendment for an interstate quota transfer agreement. This will allow the temporary relief to the northern states by allowing southern states to transfer quota.

Sincerely,

Melissa

Melissa Dearborn

Vice President

Regal Marine Products, Inc.

melissa@regalbait.com

[www.regalbait.com](http://www.regalbait.com)

ph:631.385.8284

fx:631.271.5294

**Name:** Steven Bellone

**Email Address:** Steven.Bellone@suffolkcountyny.gov

**City, State, Zip Code:** Hauppauge, NY 11788

**Check all that apply:** Other

**Comments:** Dear FMP Coordinator Rootes-Murdy,

On March 23, 2018, the State of New York and the New York State Department of Environmental Conservation submitted a petition to the U.S. Department of Commerce requesting an amendment of the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan and its implementing regulations to comply with the Magnuson-Stevens Fishery Conservation and Management Act. Importantly, New York State and Suffolk County believe that the decades-old state-by-state allocations of the annual commercial quota for summer flounder fishery violates the Magnuson-Stevens Fishery Conservation and Management Act as outdated, discriminatory, inefficient, costly, and environmentally unsound.

Currently, commercial fishing quotas are based on data collected during the 1980s and allow for more landings in southern ports, which discriminate against commercial fishermen in the state of New York. As a result of these discriminatory practices, we find that New York's quota for black sea bass, bluefish, scup, and summer flounder are much lower than would be allocated under a fair, nondiscriminatory system. For example, New York is allowed just 7.65 percent of the total coast wide commercial landings quota for summer flounder, while North Carolina and Virginia receive nearly 50 percent and New Jersey and Rhode Island get 17 percent and 16 percent, respectively. As a result, New York licensed commercial fishermen are fishing side by side, and in the same waters, as vessels licensed to land fish in Virginia or North Carolina in far greater quantities. These extended travel distances intensifies the industry's carbon footprint and increases both economic and environmental costs associated with managing our fisheries.

The negative impact of these outdated and discriminatory quotas has been substantial on the New York commercial fishing industry. The stringent limits on commercial landings means that the limited revenue generated by a single trip often cannot offset the economic costs associated with that trip. For many fishermen, this has foreclosed or severely restricted participation in the fishery and New York's commercial fishing industry has suffered considerably.

Because these outdated and discriminatory quotas are inconsistent with the Magnuson-Stevens Act and impose a substantial adverse economic hardship on New York commercial fishermen, we urge you to grant the New York State petition and replace the current allocation with a two-phase process, by first dispensing with state-by-state allocations and implementing coast-wide management of the commercial quota for an interim period to permit the collection of information that permits the permanent revision of allocations that are fair to New York and otherwise consistent with the Magnuson-Stevens Act.

Sincerely,  
Steven Bellone  
Suffolk County Executive

INCREASE THE SUMMER FLOUNDER (FLUKE QUOTA)  
FOR NEW YORK

To: Mid Atlantic Fishery Management Council

10/12/18

Re: Summer Flounder Amendment (New York State)

I request that the Mid Atlantic Fishery Mgt Council move to develop two additional options to the summer flounder draft amendment.

One: Negotiate new state quota shares of summer flounder, and

Two: Include coastwise quota and management of summer flounder  
Increasing the Fluke Quota for New York translates into MORE JOBS, MORE SALES, INCREASED TRANSPORTATION, STABILIZED PRICING, and INCREASED MARKET SHARE for New York.

Please sign your Name, Address, and your relationship to the fish industry.

NAME	ADDRESS	RELATION TO FISH INDUSTRY
Weike. Co	Gold City	
Alto Jones	JOLE	sell fish
Robert Oberst	Staten Island	
Jerry Park	Tuckersville	Retail

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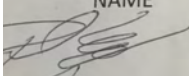

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NAME	ADDRESS	RELATION TO FISH INDUSTRY
	800 FOOD CENTER DR	MONTAUK SEAFOOD
	800 Food Center Dr	Montauk Seafood
Dennis Schwede	147	MONTAUK SEAFOOD

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NAME	ADDRESS	RELATION TO FISH INDUSTRY
Winston Nunez	MANHATTAN	DRIVER
Pedro Castro	MANHATTAN	DRIVER
Carlos Rivera	Bronx	Driver
Carlos Chamizo	QUEENS	DRIVER
Rommel Merino	Bronx	DRIVER
Jose Luis	ST. N.Y. NY	Driver
Kevin C	Queens	Driver
Juan Perez	Bronx	Driver
Belvin Soto	Bronx	Driver
Wili Mejia	Bronx	Driver



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NAME	ADDRESS	RELATION TO FISH INDUSTRY
Nicholas Klein	110 HARVET AVE	Salesman
KleinLine Trucks	PO Box 66	Fish Transport
PAUL SORADY	1898 Hyland Blvd 10305	fish store
Richie KLEIN	800 FOOD CENTER DRIVE unit 30 BRONT NY 10474	Wholesaler
Shinsuke TAMAKA	306 46 st NYC NY 10017	Restaurant
Eddie	Farm Fish unit 21	salesman
John Schnell	559 Lincoln Ave SI NY 10305	Salesman
Joseph KASTANEK	MONT'S SEAFOOD UNIT 27	SALESMAN
Gamain Frerison	UW: 30	Buyer
Jose S Requero	PFV.	Salesman

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NAME	ADDRESS	RELATION TO FISH INDUSTRY
Harry Patt	305 Avenue Lester Monticello	Buyer
David	325 Avenue Mass NY	Buyer
Jimmy	P. 20	Buyer
LOUIE FIDRANO	320 Gen Auburn, NY	Buyer

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NAME	ADDRESS	RELATION TO FISH INDUSTRY
KEITH WILKINSON	800 FOOD CENTER BRONX NY UNIT 98	FRANK W. WILKINSON INC
LUCIO GARCIA	BRONX NY	STAN WONGER.
ALBERTO DROZ	OCEANVIEW NY	SALISMAN
RICKELTIN BATUETA	BRONX NY	DRIVER
DAVID D LIBARD	BRONX NY	PRODUCTION
EDUARDO AZEVEDO	BRONX NY	CUTTER.
DANIEL AZEVEDO	BRONX NY	CUTTER.
ANGEL RUIZ	BROOKLYN-NY	CUTTER.
RAFAEL MIRENDA	DIONICIO BRONX	CUTTER
ANGEL SEBASTIAN GARCIA	BROOKLYN	CUTTER



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NAME	ADDRESS	RELATION TO FISH INDUSTRY
Paul Aksumal	East Meadow NY	SALES production.
Dillon Peter	Brooklyn NY	
Louis. Nozza	Nyc. NY	Wholesale + 20 employees
Shiphreck Seafood Boutique	Brooklyn NY	Retailer + 2
Joey Lig	Brooklyn NY	SALES
GEORGE WALDET	MIDDLEBURY VT	PRODUCTION/MGT
Edward Jan	311 nardoga	(E) / owner.
Lamine Avuilino	New York, NY	Accounting
Han Peier	Bronx	production
DEL RIVAR	QUEENSBORO NY	<del>production</del>
John Debra Flick	Fresh Fish Market 447 COUNTY RT 448 SARATOGA 12066	FIS 4 for m file

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NAME	ADDRESS	RELATION TO FISH INDUSTRY
<i>JLB</i>	8 CLIFFORD PLACE EAST BRUNSWICK, N.Y.	BUYER
<i>AM</i>	35 WYOMING RD. MILK CO.	OWNER
<i>PKL</i>	800 FOOD CENTER DRIVE UNIT #5 B	PRES. CO-OP
<i>H. Hays</i>	16 ASH ST, BRONX, NY	PRESIDENT
<i>J. Hays</i>	800 FOOD CENTER DRIVE UNIT 13-15	Vice President COOP
<i>John Peixoto</i>	BLUE RIBBON CAPTAIN SEA	V.P.
<i>[Signature]</i>	Comm. in Flushing NY	

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NAME	ADDRESS	RELATION TO FISH INDUSTRY
<i>[Signature]</i>	Blue Ribbon Fish New Fulton Fish Mkt. Third Gen.	Wholesaler/Processor 1931 Principal Salesman.
	ALDATROSS FISH	Dimitrios Theodoridis
Anthony D'Amico	Fulton Fish Market, Corp	Buyer
PATRICK DONOGHUE	BLUE RIBBON FISH CO.	SALESMAN.
ANTONIO PADINHA	PAIR Fish Co.	SALESMAN.
WASH STAMERIS	Blue Ribbon	WHOLESALE
Carl P...	P & M Seafood	
Matthew Piscitello	P & M Seafood	
ROBERT LOMBARDI	Blue Ribbon	Salesman
Delano Meldor	Blue Ribbon	
Matthew Cole	Montauk	Dispatcher Kerina Fickler

STAPLES

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NAME	ADDRESS	RELATION TO FISH INDUSTRY
WARREN KRENN	800 6th CENTRAL AVE Brook	WHOLESALE
SCOTT SMITH	452 BURNING KENNEDY NJ	RESTAURANT
John Yu	171-55 48th AVE Flushing NY 11358	RESTAURANT
Joe Catalano	1 West-64th St. N.Y.C. N.Y.	Buyer
ADAM KOLENBERG	2446 Foster CT Bellmore NY 11710	Buyer
Braun Seafood Mike Checkwick	30840 main RD Cutchogue NY 11935	Buyer
LYNBROOK SEAFOOD PATRICK REGA	246 Hempstead Ave LYNBROOK NY 11563	RESTAURANT



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NAME	ADDRESS	RELATION TO FISH INDUSTRY
Thomas Nobilo	Old Seabrook Ct	Sales
Patrick Lohan	Jericho NY	Sales
Rhymus Eudist	Littletown, NJ	Fluor
Sean Lohan	25 Jericho	Sales
Francois Mohammed	Queens NYC	Manager
Nell Cross	537 TINTON AVE	Rear
Miguel Torero	84-24 57 <sup>th</sup> Elmhurst	Cutter
Tomas Laceres	520 East 137 <sup>th</sup> St Bronx NY	Sales
Wilbert A. Cueva	3334 84 <sup>th</sup> St Jackson Height	Cutter
MISON Balaguer	1463 Eastburn Ave	Cutter
FELIPE RAYOS	32-26 48 <sup>th</sup> ST APT 1A QUEENS	