

Michael Bauhs

Edwin Chiofalo

Robert Danielson

John Davi

Melissa Dearborn

Mark DeJong

Vincent Finalborgo

Thomas Jordan

Hank Lackner

Joseph Paradiso

Christopher Squeri

Charles Witek

Tuesday, September 16, 2025

Chairman Frisk began with introductions by the Councilors present and also welcomed Mark DeJong our newest Councilor representing the recreational sector, he comes to us as a Party Boat captain. Mr. DeJong was appointed by Assemblywoman Rebecca Kassay who came to welcome him personally along with her Chief of Staff, Emily Murphy. She believes strongly in the Council's work and welcomes people to reach out to her with their concerns from all fishing sectors. She appreciates the Councilor's dedication and willingness to work together to find solutions not just for their particular area but for the entire fishing community as a whole. Assemblywoman Kassay hails from the 4<sup>th</sup> district in Suffolk County. Her contact email is: (kassay@nyassembly.gov).

Mr. Gary wanted to thank Assemblywoman Kassay for helping to get Mr. DeJong appointed which can be tricky at times. He welcomed Mr. DeJong as well and made several comments; he especially wanted to thank the Council for their continual hard work and also the audience for coming to contribute their own insights and experience into the Council's valuable discussions. He noted that we are still short two members on the commercial side.

Chairman Frisk then went over the Council's mission statement as well as the day's agenda. Due to the length of the agenda and one particular item that will have a lengthily discussion, Dr. Frisk will keep comments by the audience to 2 minutes.

### **Meeting Minutes – April 8, 2025 and June 3, 2025**

The Minutes were approved as written.

Michael Frisk  
Chairman

Kim Knoll  
Staff Assistant

## Legislative Update

### Horseshoe Crab Bill (A4997/S4289) - presentation by Chris Scott

#### **2025 Horseshoe Crab Bill (A4997/S4289)**

- Extends DEC's authority to regulate management of crabs to 12/31/2027; prohibits all take of horseshoe crabs, including for commercial and biomedical purposes.
- A4997 Passed the Assembly on June 5, 2025, S4289 Passed the Senate on June 11, 2025.
- Timing on delivery of the bill to the Governor is unknown.
  - Last year: the bill was delivered on 12/2/24 and Vetoed on 12/13/24.
- Once the 2025 bill has been delivered, the Governor can:
  - **Sign** – the bill becomes law.
  - **Veto** – the bill does not become a law.
  - **“Pocket Veto”** – the bill does not become a law if the Governor receives the bill:
    - does not act within 30 days of receiving of the bill, or
    - does not act before 1/1/26

Councilor Squeri noted that the environmentalists are pushing hard for this Bill to go through and he wonders if the DEC has any idea which way things are moving toward. The DEC does not have an indication of what will happen.

Councilor Danielson was not present at the Council's legislative review meeting and asked how the Council had voted regarding this Bill. The Council had voted to oppose this Bill vehemently by a vote of 7 in favor of opposing with 1 abstention (Chairman). Motion passed.

Councilor Davi wanted to know if the Governor has been made aware of all the extra restrictions that have been put in place this year (additional lunar closures). Mr. Gary said she is aware, there have been numerous communications with the Governor's office regarding this. Mr. Davi also questioned where we stand with our quota, it was answered we are only at 44% which means the added precautions are making a major difference. We are doing our part.

Councilor Danielson made a motion for the Council to write a letter to Governor Hochul expressing the Council's views on this Bill, meaning that we are opposed. Councilor Davi seconded.

Councilor Jordan wants added to the letter that it is not the condition of the fisheries that is the issue, it's a matter of fisheries management that needs to be based on science and not based on emotional environmentalism. Management needs to be in the hands of the DEC.

Councilor Squeri said if we're using a letter to the Governor as our voice, a state appointed Council that has already made their position known – and quite clearly at that - it means that someone isn't doing their job. Mr. Davi said a letter won't hurt. People change jobs all the time and he doesn't want the Council's position to get lost in a quagmire of views and voices.

Vote: 9 in favor, 0 opposed, 2 abstentions - Motion passes.

### **Boating with Whales – presentation by Katherine Lawson**

Ms. Lawson of the DEC gave a video presentation for safely boating with whales. The Nature Conservancy is offering a course entitled Eyes on the Water: Boating with Whales; how to navigate responsibly. This is a free, voluntary on-line course that is meant as a supplement for the safe boating course. This was created by: Atlantic Marine Conservation Society, Coastal Research and Education Society of Long Island, Gotham Whale, NYSDEC, The Nature Conservancy and the Wildlife Conservation Society. For more information, please go to BoatingWithWhales.com

Councilor Witek thinks this is extremely important and made a motion that the Council or the DEC (whoever is most appropriate) should encourage the Parks Department to incorporate this course into their current program. Councilor Danielson seconded.

Councilor Squeri believes education is important but feels that commercial fishers are more likely to hit a whale vs. a smaller recreational boat. Mr. Witek said he knows personally how this can affect smaller vessels which can be devastating to the vessel and fatal for the whale.

Ms. Lawson said she would like to get the word out to ALL fishers – knowledge is important.

Vote: 8 in favor, 0 opposed, 3 abstentions - Motion passes.

### **Permit Office Update – presentation by Jessica Steve**

#### **Permit Office Update**

- This summer, the Permit Office sent designation letter notices via email or mail
  - 138 where no designation on file
  - 105 where designation is incorrect or incomplete
  - 539 where designation is more than 10 years old (check in)
  - Provided copies of designation information currently on file
  - Reminder to make designee aware that they are on your designation, you can update your designation as needed anytime
- Planning to send out 2026 permit renewals in late October
- Applications for 2026 Random Selection will be sent out in October, due back January 2nd, 2026
  - Express interest in being included here: <https://on.ny.gov/limitedentry>
  - Contact MPO at 631-444-0470 or [MPO@dec.ny.gov](mailto:MPO@dec.ny.gov) with questions

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Ms. Steve wanted to report on efforts to update permit designation letters over the summer, which are crucial for transferring licenses upon a permit holder's passing. Councilor Jordan asked if there are specific instructions regarding the pre-designation letter – can the family see what their choices are and how it affects them? Unfortunately, he knows this can be very confusing and sometimes the family recipient doesn't know how to handle the immediate decisions, this has come up time and time again. What typically happens is the family member doesn't intend to fish but the license is put in their name only to find out it cannot be transferred. Often times, people are confused and put down the wrong information. This usually comes at a time in people's lives when they are going through difficult and overwhelming

circumstances. A crystal-clear understanding of the process would be welcome. This can be avoided if the instructions are clearly written. Ms. Steve said people can always reach out to the DEC for guidance and help in the correct way to complete the form so there aren't problems down the line. She also added that the Department is understanding in realizing the difficult position people are in and they give the designees at least six months to take care of this. Once they reach out to the Department, there is a conversation about their plan and give them an additional window of time to figure it out.

Councilor Davi feels the guidance should be in a step by step set of instructions making it easier to follow and do correctly. Ms. Steve said this is definitely something the Department can do when folks renew. They can include a letter with some instructions and guidelines that would go to the permit holder and it would be their responsibility to share that information with their designee.

Mr. Davi asked when will people be able to renew their permits on line? Ms. Steve said the Department has put requests to vendors for quotes to build them a new system and they hope that things are moving in the right direction.

### **Law Enforcement**

Lt. Sean Reilly said the new academy class is planned for March 1st. Their K-9 recruit, Finn, has just finished training and is now certified for venison and striped bass detection. He made his first case last week by tracking people taking striped bass to their vehicles.

### **Asian Shore Crab Discussion** – presentation by Kaity Lawson

#### **Background**

- Prior to each Spring & Fall tog season, Division of Marine Resources (DMR) receives many calls from anglers asking about the rules related to harvest of Green Crabs and Asian Shore Crabs for use as bait.
- Green Crabs and Asian Shore Crabs are invasive species, which are regulated under Section 575.
- Section 575 was implemented by the Division of Lands and Forests and contains lists of all terrestrial and aquatic invasive species.
- Anglers have expressed concern to DMR about Asian Shore Crabs being listed on the prohibited invasive species list, as this limits anglers' ability to use this species as bait.

## Existing Regulations (6 CRR-NY 575)

### Asian Shore Crabs

#### Prohibited

- no person shall knowingly possess with the intent to sell, import, purchase, transport, or introduce any prohibited invasive species.
- no person shall sell, import, purchase, transport, introduce or propagate any prohibited invasive species.
- NY Invasiveness Ranking: Very High

### Green Crabs

#### Regulated

- no person shall knowingly introduce into a free -living state or introduce by a means that one knew or should have known would lead to the introduction into a free -living state any regulated invasive species, although such species shall be legal to possess, sell, buy, propagate and transport.
- NY Invasiveness Ranking: Moderate\*

### Green Crabs

iNaturalist

**History of Invasion:** 1817, essentially naturalized

**Distribution of Invasion:** DE to Canada

**Ecological Impact:** High

**Current regulation in NY:**

Regulated

**Other:** West Coast US invasion occurred because of bait industry from East Coast



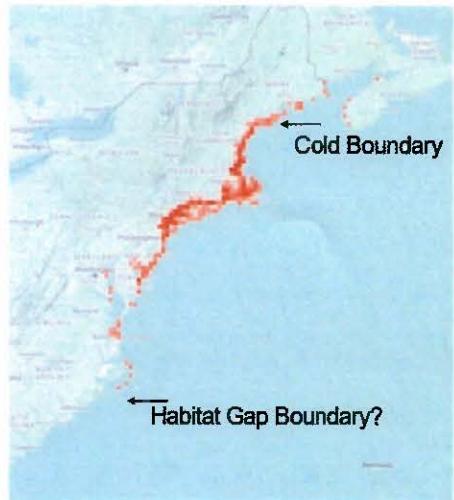
## Asian Shore Crabs (ASC)

iNaturalist

**History of Invasion:** 1988 arrival, quick expansion in 15 years, then slow

### Distribution of Invasion

- NY to MA heavily invaded
- Not in northern ME, Canada due to temperatures, nor below Cape Hatteras (could be due to lack of habitat there to allow it to spread)



**Ecological Impact:** High

**Current regulation in NY:** Prohibited

**Notes:** Not on West Coast US

## Asian Shore Crabs (ASC)



**Frequent Reproduction, Small Size, Habitat preferences means hand-removal will not largely reduce populations**

**Biological Reproductive ability higher than Green Crabs**

ASC Stage 1 crabs are 1.6mm

Males are bigger than females

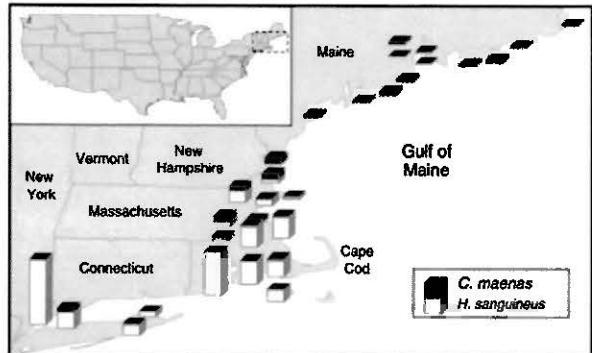
Most large crabs are lower in the intertidal

Population max occurs in September

Can have multiple broods in one summer, unlike green crabs

## Comparative Ecological Impact

- ASC are highly abundant in Long Island Sound & NY Bight
- More Abundant than Green Crabs
- ASC consume prey at higher rates than Green crabs, though Green Crabs are larger
- Older ASC consume newly settled green crabs and likely reduce green crab populations
- Though if green crab populations grew and ASC reduced, cannibalism of young by older green crabs may equal ASC predation.



## NY Management options

### Option 1: No Change

Transport and sale remain banned

Use "in place" allowed as long as crabs are dead

### Option 2: Demote to Regulated

Transport and sale allowed

Commercial permits allow for harvest

Recreational allows for harvest up to 50/day

Crabs must be dead

### Potential negative impacts of Action

- Spread of Asian shore crabs to states with no regulatory ban on interstate purchase/sale of Asian shore crabs (Particularly the south)
- May increase import of ASC into New York from states with a current bait industry (easier than to start locally catching them)
- Creating a market for invasive species rarely results in a reduction in populations, particularly without strong paired eradication or state sponsored bounties



### Potential positive/neutral impacts

- Economic benefits from bait industry
- Public perception of invasive species action can be positive, but dependent on outcome
- Reduce pressure on other bait species? Rock crabs, Fiddler



#### Potential positive/neutral impacts

- May not substantially impact NY levels of ASC populations, or spread of population in NY
- Genetic mixing of coastwide populations suggests interstate trade in New England may not change genetic diversity
- Northern boundary enforced by temperature, low risk of spread from NY to the North

#### Nearby state regulations

**MA:** Green as bait

**CT:** Both are allowed for use as bait, rec permit & sold

**NJ:** Unclear, not on list of prohibited possession

**NC:** Not banned

#### Pathways to Change

##### 575 Petition Process

- Invasiveness Ranking Forms
- Invasive Species Socio-economic Assessment Form
- "Invasive species" means a species that is: (a) non-native to the ecosystem under consideration; and (b) whose introduction causes or is likely to cause economic or environmental harm or harm to human health. For the purposes of this paragraph, **the harm must significantly outweigh any benefits.**" The "socio-economic" tool provides information about a species' value to human health, economy and culture.
- Petitions are due by Jan 1, 2026, to be considered by Division of Lands and Forests, Agriculture and Markets, and the Invasive Species Council for implementation mid-2026.

## Regulated Species Rules

Because such a species would present a moderate risk if released to a free-living state, a regulation could require that prospective buyers ensure the animal's secure confinement throughout its lifetime. Or, it may be that only sterile individuals of a species could be offered for sale. Alternatively, a warning label or other informational approach could be employed. **These decisions should be worked out through a formal regulatory process on a species-specific basis.**

The list *per se* should be augmented by rules regulating possession, sale, and transport that are developed for individual species or groups of similar species. Any new statutory language should reflect this need for regulations tailored to the biological and human use characteristics of particular species.

– from **Final Report: A Regulatory System for Non-Native Species. 2010**

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Councilor Davi believes option 2 is the way to go because you're not going to stop them from spreading. (Option 2 – Demote to regulated – transport and sale allowed – commercial permits allow for harvest – recreational allows for harvest to 50/day – crabs must be dead).

Councilor Danielson tends to think opening up a bait sale would not be a big issue since they are already here but he does worry about them being transported out of state. We should include language in the regulation to ensure that doesn't happen.

Councilor Davi made a motion to go with option 2 albeit with certain restrictions. Councilor Paradiso seconded.

Discussion:

Councilor DeJong wanted to know what damage is the crab actually doing? Ms. Lawson answered they are eating snails, and other things along the shore which are important food resources for other fish, etc.

Councilor Dearborn said that many people ask for Asian shore crabs in her shop and green crabs are in limited supply. She believes this would be welcome and give opportunity to fishers. Councilor Witek would support this motion; we can't accomplish anything by pretending they aren't here. He added that it's amazing how many fishers do not realize they are illegal to catch. It's difficult to support a rule that is generally not known or enforced.

Audience- James Schneider. He doesn't believe you will be able to stop the transfer of the crabs. There are so many instances where they can be transferred –on barges, other animals (turtles, birds, the eggs are on the feet of the birds) etc. He knows they are being sold in Brooklyn right now. He would support the motion.

Vote: 10 in favor, 0 Opposed, 1 abstention - Motion passes

## Commercial Landings

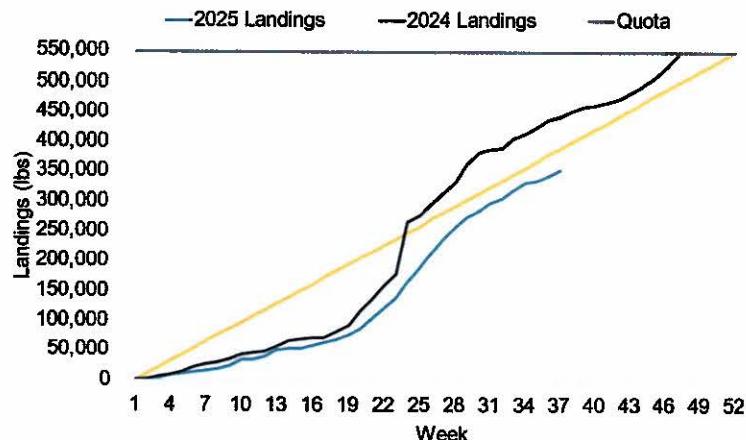
### Black Sea Bass:

Quota: 548,945 lbs.

Transfers : 50,000 lb. transfer received from NC on 5/16.

Landings: 351,789 lbs.

64% of the quota



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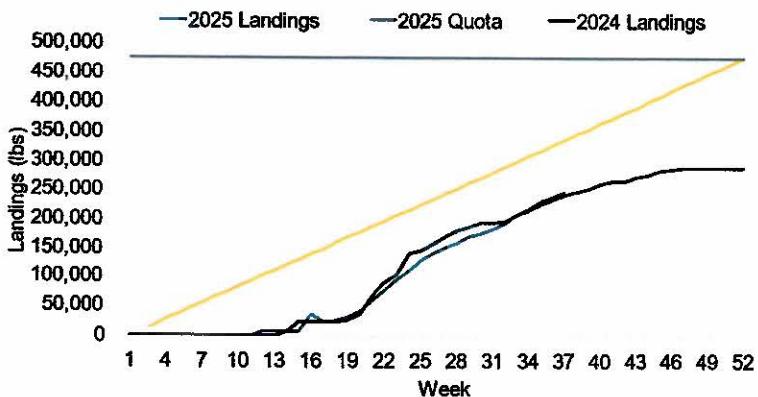
## Commercial Landings

### Bluefish:

Quota: 477,518 lbs.

Landings: 247,624 lbs.

52% of the quota



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## Commercial Landings

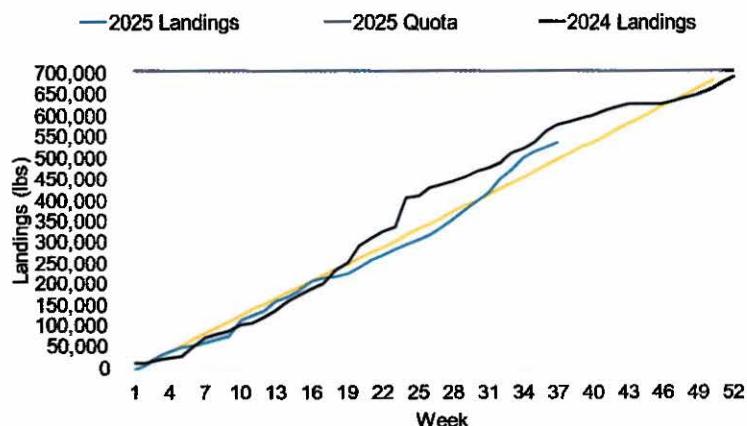
### Fluke:

Quota: 707,406 lbs.

Transfers : 50,000 lb. transfer received from NC on 8/19.

Landings: 539,559 lbs.

76% of the quota



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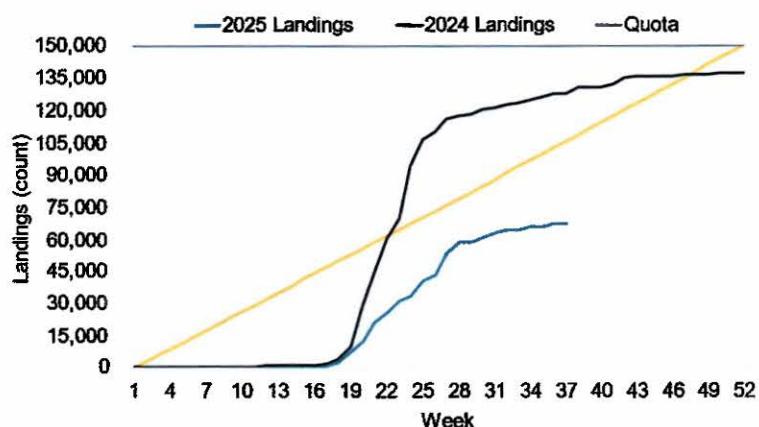
## Commercial Landings

### Horseshoe Crab:

Quota: 150,000 crab

Landings: 67,422 crabs

45% of the quota



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## Commercial Landings

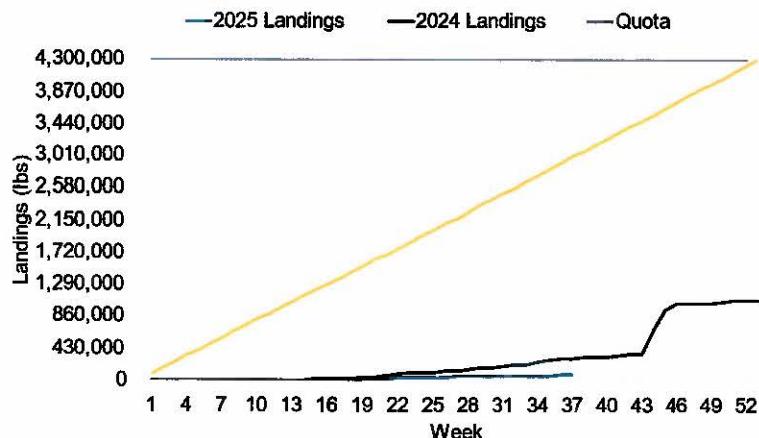
### Menhaden:

Quota: 3,298,217 lbs.

Landings: 107,416 lbs.

3% of the quota

Transferred 1 million pounds to Maine on 9/10.



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Clarification: The 4.3 million was the original number but after the transfer to Maine, it should read 3.3 million on the chart. The chart is depicting the original number.

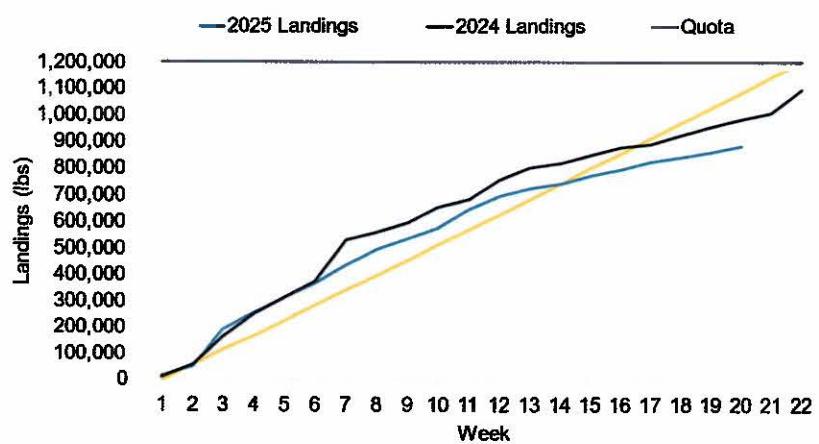
## Commercial Landings

### Scup:

Quota: 1,204,362 lbs.

Landings: 886,052 lbs.

74% of the quota



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## Horseshoe crab discussion-

Councilor Davi worries that slide 29 can give the wrong impression. We have reduced our quota, however, if you look at the chart, it erroneously appears there is a decline. This can definitely impact New York's future fishery. The average person believes horseshoe crabs are in danger and they are not. Anyone viewing this could be under the wrong assumption too.

Councilor Danielson agrees. New York did a voluntary reduction in our fluke fishery back in the eighties, we were penalized for it and **we're still** fighting for our fair share. We need to be careful.

Councilor Chiofalo, asked if perhaps a line could be added to the chart that specifies that we took a reduction – voluntarily.

Councilor Jordan believes a letter should be written to the Governor with the Council's views minus any visual graphs or charts.

Mr. Maniscalco added that the Department is speaking out quite strongly against a ridiculous publication that came out saying Horseshoe Crabs are facing extinction. The paper was written with absolutely no scientific data and the DEC is making their formidable rebuttal heard to the Governor.

Mr. Gary added that a benchmark stock assessment coming up (2029) and he believes it will tell a much more positive story than what the advocates for a moratorium are saying.

#### **Bluefish discussion**

Mr. Maniscalco asked the commercial fishers in the room whether they thought a 1,500-limit worked for them. They were happy with the number.

#### **Menhaden discussion –**

Mr. Schneider believes that there are many less boats fishing for bunkers. By his calculations we're missing 48 million lbs. being harvested.

Mr. Gary stated that he has received dozens of calls this summer regarding Menhaden with folks expressing concern over the fact that Massachusetts and Maine quota combined was eight times the quota of New York and they virtually extinguished their commercial quota in a matter of weeks. There was a tremendously high number of Menhaden north of Cape Cod and as far as he knows, they are still there. They then asked for a quota transfer and he assumes they asked other states as well. He wanted it noted the good relationship Mr. Hornstein has established with the other states, it's mainly because of this that reciprocity is working so well.

#### **Commercial Updates**

##### **Revised Stock Assessment Schedules**

- NRCC stock assessment schedule for 2024 -2028 had previously been released on 9/17/2024.
- Under the current federal administration, staffing and funding losses have cause the NRCC to revise the schedule.
- NRCC has released a new schedule for 2026 only
- Number of assessments will decrease, and some assessments will be lesser data updates.
- Assessments originally planned for 2026 and now off the schedule include Atlantic cod and Winter flounder – not currently major NY fisheries.
- 2027 planned assessments had included summer flounder, scup, bluefish and black sea bass management track assessments.
- NOAA has lost not only its assessment scientists but many other positions that contribute to assessments (survey staff, data managers, ageing capacity)
- Greater uncertainty from less frequent assessments benefits no one.

## Joint Enforcement Agreement

- Proposed federal budgets include discontinuation of Joint Enforcement Agreements that provide support for state environmental officers, like NYSDEC Law Enforcement, in return for enforcement of federal regulations.
- JEA funding is approximately 25% of current operating budgets.
- No officer is entirely supported by JEA funds, but time for appropriate work is reimbursed.
- Over time, these funds have also been used to purchase, upgrade, and fuel almost the entire patrol vessel fleet in the Marine and Coastal District.
- Loss of these funds will impact:
  - Commercial fishing dock inspections
  - Marine mammal and sea turtle response
  - Illegal imports and invasive species intercepts
  - Large whale protection efforts
  - Long term outlook for the Marine Enforcement Unit

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No discussion took place

## Striped Bass Contaminant Testing Update

### Striped Bass Contaminant Testing Update

- Striped bass were collected from marine waters surrounding Long Island and from New York Harbor in 2022-2023.
- Samples were to be tested for PCBs, PFAS, Mercury, and Dioxin.
- Goal of this project was to collect data sufficient to allow reconsideration of commercial striped bass seasonal and spatial closures and update fish consumption advisories.
- Samples were analyzed by DEC's Hale Creek Lab and by private contract labs.
- Almost all sample results have been received by DEC.
- DEC is summarizing data and performing final quality control procedures before turning data over to NYS Department of Health ( DoH).
- DoH will analyze results to inform consumption advisories and market -related commercial harvest restrictions.
- Data will be made publicly available.

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Councilor Davi questioned if the contaminants are higher or lower now. Mr. Maniscalco answered the numbers are lower but it is The Department of Health that will make the final determination.

Councilor Danielson asked if there was a timeline for when the information will be released to the public? Mr. Maniscalco believes in two months' time but he can't promise. Councilor Davi worries about the levels of Mercury in

Striped Bass but Mr. Maniscalco said he really couldn't answer that question truthfully because different fish might have different levels.

#### **Striped Bass Tag Transferability Update** – presentation by Caitlyn Craig

#### **Public Meeting Summary**

Meeting Location	Date	Attendance
Freeport Public Library, in -person	6/24/2025	9
Kings Park, DMR Headquarters (in -person & virtual)	6/25/2025	2 in-person, 5 online
Montauk Fire House, in -person	6/26/2025	30

- Overall agreement with DEC and MRAC WG proposals and appreciation for moving forward with program
- Some objection to 48-hr reporting requirement and notary requirements
- Suggestion to allow for mobile notary services
- Main opposition: should be open to all FFL holders not just Commercial Striped Bass Harvester Permits
- Other: permit transferability and trawl bycatch limit (not relevant to current proposal)

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#### **Progress Update, Timeline, and Next Steps**

- Since June 2025 public meetings, DMR staff from Marine Permit Office, Data Management Unit, and Diadromous Unit have had several internal meetings to finalize program logistics, develop documentation, and craft regulatory language
- DMR staff met with Chesapeake Bay State tagging program leads on July 7, 2025 to gather input on how they conduct their tag transfer programs
- Rulemaking is being drafted and will undergo legal review in late September 2025
- Goal of filing proposed rule at end of October 2025
- Target adoption date of February 2026 to be in effect for 2026 fishing season

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Councilor Jordan was at the public hearing and was surprised when Mr. Gary asked the public for comments regarding seeking relief from the current regulations this process will cure and the audience remained mute. He was shocked because at least 60% of the audience was made up of fishers who have been asking for this exact thing for years and yet when their opinion was asked for, they just sat there. It makes Mr. Jordan wonder if we should be placing so much value on public hearings.

Councilor Davi was asked by several commercial fishers why this was even brought up at a public hearing – why should the public have a say in a commercial issue. Councilor Danielson replied because they are using a “public” resource.

**MAFMC and ASMFC Updates** – presentation by Rachel Sysak

### MAFMC and ASMFC Specification Setting

	Commercial Quota millions of pounds			Recreational Harvest Limit millions of pounds		
	2025	2026	2027	2025	2026	2027
Summer Flounder	8.79	12.78	12.78	6.35	8.79	8.79
Scup	19.54	17.70	15.57	12.31	13.17	11.58
Black Sea Bass	5.00	7.83	7.83	6.27	8.14	8.14
Bluefish	3.03	4.66	4.75	15.70	22.02	22.50

**Summer Flounder:**

ABC increase of 55%

**Scup:**

ABC increase of 2% in 2026 and decrease of 10% in 2027

**Black Sea Bass:**

ABC increase of 28%

**Bluefish:**

Approximately 50% increase for the commercial quota and 40% increase for the RHL. Federally, private recreational bag limit increasing from 3 to 5 fish and the for-hire bag limit increasing from 5 to 7 fish

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### Potential Recreational Impacts based on Specifications

Future RHL vs Estimated Harvest	Spawning stock biomass compared to target level (SSB/SSB <sub>target</sub> )	Change in Expected Harvest
Future 2-year average RHL is greater than the upper bound of the harvest estimate CI (harvest expected to be lower than the RHL)	Very high (greater than or equal to 150% of target)	Liberization % difference between harvest estimate and 2-year avg. RHL, not to exceed 40%
	High (greater than or equal to 130% but less than 150%)	Liberization % difference between harvest estimate and 2-year avg. RHL, not to exceed 20%
	Around the target (greater than or equal to 90% but less than 110%)	Liberization: 10%
	Low (greater than or equal to 50% but less than 90%)	No liberalization or reduction: 0%
Future 2-year average RHL is within harvest estimate CI (harvest expected to be close to the RHL)	Very high to low (greater than 50%)	No liberalization or reduction: 0%
	Very high (greater than or equal to 150% of target)	No liberalization or reduction: 0% Unless an AM is triggered <sup>1</sup>
	High (greater than or equal to 130% but less than 150%)	Reduction: 10%
	Around the target (greater than or equal to 90% but less than 110%)	Reduction % difference between harvest estimate and 2-year avg. RHL, not to exceed 20%
Future 2-year average RHL is less than the lower bound of the harvest estimate CI (harvest is expected to exceed the RHL)	Low (greater than or equal to 50% but less than 90%)	Reduction % difference between harvest estimate and 2-year avg. RHL, not to exceed 40%
	Biomass compared to target (SSB/SSB <sub>target</sub> )	Change in Harvest
	Overfished (less than 50% of target)	No liberalizations allowed. Reduction % difference between harvest estimate and 2-year avg. RHL. To be replaced with rebuilding plan measures as soon as possible

Broad recreational options should be developed this fall, for vote at the December MAFMC meeting. Options will be dependent on average harvest, including preliminary 2025 harvest.

**Summer Flounder:**

Biomass is Low compared to Target

Harvest likely to be within or below Target

**Scup:**

Biomass is Very High compared to Target

Harvest likely to be within or below Target

**Black Sea Bass:**

Biomass is Very High compared to Target

Harvest likely to be within or below Target

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Ms. Sysak said to keep in mind when data from November's numbers come in, that is when they make their determinations in time for the December meeting.

Councilor Danielson said the determination is based on MRIP data but the real numbers for waves 5 & 6 won't be received until February, March and April.

Ms. Sysak said since the cuts we have experienced – increases in biomass and increases associated with recruitment that is paving the way so we can ease into liberalizations. She thinks the numbers are painting a good picture for where we are heading. The goal is for NO reductions.

Councilor Paradiso said a big part of the problem we have is delaying, postponing or canceling stock assessments. We use averages while delaying stock assessments – this affects harvest controls greatly. We need more accurate figures. Ms. Sysak said some of it is based on terminology. For instance, a research assessment means that they can take in new data streams, they can look at new surveys and look at things that potentially they haven't looked at before but they provide updated data and they give what they call "a turn of the crank" assessment which they do more frequently because they involve less logistics with NOAA and the staff there that run the assessments. She knows they are off a two-year cycle for Black Sea Bass but their hope is still to push forward to bring them into alignment, that is their long-term goal.

Audience:

Mr. Schneider wanted it on the record – New York State has female food fishery only for recreational anglers as a form of conservation.

### **Striped Bass Addendum III Overview**

Regarding the briefing materials, Mr. Maniscalco said the only thing he wanted to bring attention to is the alternative gear framework. This is something the Mid-Atlantic and the New England Council's framework that they will be voting on. This will determine if, when and where lobster gear can be fished without using a surface marker. This would be using electronic means to communicate with your gear. If you're a mobile user, you need to be able to find your marker (if it's in a cloud, etc.). Since there is NO surface marker, the fisher needs to be able to receive a signal that lets you know on your plotter that you are coming up on someone's gear. This is being done to minimize the number of lines in the water. The flip side of this though is the gear will cost money and it's not clear how this will all get paid for.

#### **Addendum III background**

- The Board initiated the Draft Addendum in response to stock projections indicating a low probability of meeting the 2029 stock rebuilding deadline.
- The most recent stock projections estimate an increase in fishing mortality in 2025 due to the above average 2018 year-class entering the current recreational ocean slot limit.
- There is also concern about the lack of strong year-classes behind the 2018 year-class.

## Addendum III background

### *Four components of Addendum III*

1. Method to Measure Total Length
2. Commercial Tagging: Point of Tagging
3. Maryland Recreational Season Baseline
4. Reduction in Fishery Removals

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### **Method to Measure Total Length**

There is concern that inconsistent methods of measuring the total length of striped bass for compliance with size limits undermines the intended conservation, consistency, and enforceability of the coastwide size limits. To address this, the Draft Addendum considers coastwide requirements for defining total length for both sectors.

### **Option A. Status Quo: No Definition of Total Length**

### **Option B. Mandatory Elements for Total Length Definition (Both Sectors)**

- Adopt mandatory elements for each state's definition of striped bass TL
- All states would require: 1) squeezing the tail; 2) a straight -line measurement; 3) the fish is laid flat; and 4) the mouth is closed.

**New York already meets these requirements**

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Note: For

option B, NY wouldn't have to do anything since we already do that.

## Commercial Tagging: Point of Tagging

To address concerns that waiting to tag harvested fish until the point of sale could increase the risk of illegal harvest, the Draft Addendum considers requiring commercial tagging at the point of harvest or first point of landing intended to improve enforcement and compliance.

### Option A. Status Quo. Commercial tagging at the point of harvest or point of sale

#### Option B. Commercial tagging at the point of harvest

- Immediately upon possession or within specific state parameters

#### Option C. Commercial tagging by the first point of landing

- Before offloading and/or before removing the vessel from the water.
- If fishing from shore, tagging would occur immediately upon possession.

*•For Options B and C, Board may consider 2027 or 2028 implementation to account for administrative and regulatory changes switching from point of sale.*

**New York already tags at point of harvest, only will impact MA, RI, and NC**

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Note: Again,

NY already does this.

## Maryland Recreational Season Baseline

For Maryland's Chesapeake Bay recreational fishery, the Draft Addendum also proposes changing the recreational baseline season to simplify Maryland's Chesapeake Bay regulations, which could improve compliance and enforcement, and to re-align fishing access based on stakeholder input and release mortality rates.

### Option A. Status Quo (No New Baseline)

### Option B. New Chesapeake Bay Recreational Season Baseline

- Maryland Chesapeake Bay would implement the new baseline season (calculated to be net neutral)

### Option C. New Chesapeake Bay Recreational Season Baseline + 10% Uncertainty Buffer

- Maryland Chesapeake Bay would implement the new baseline season plus a 10% uncertainty buffer

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## Maryland Recreational Season Baseline

### Option A (status quo)

- If there is a new coastwide rebuilding reduction, Maryland would add new reduction closures on top of the 2024 season

### Option B (new baseline)

- If there is a new coastwide rebuilding reduction, Maryland would add new reduction closures on top of the new baseline

### Option C (new baseline + 10% buffer)

- If there is a new coastwide rebuilding reduction, Maryland would add new reduction closures on top of the new baseline PLUS extra 10% of the reduction (13% reduction instead of 12% reduction)

- If there is no rebuilding reduction, Maryland would implement the new baseline season but adjust the baseline to be slightly more conservative than the 2024 season (2% more conservative)

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## Reduction in Fishery Removals

This proposed action is intended to increase the probability of rebuilding the stock by reducing fishery removals by 12% with management measures implemented in 2026.

- Commercial reductions are based upon quota reductions, from 0 -12%.
- Recreational reductions are primarily to be achieved by various seasonal closures:
  - Can span multiple waves.
  - Are regional in nature.
  - Consider No Harvest and No Targeting closures
  - Also considers a wider for-hire slot limit at the expense of greater seasonal reductions for all anglers

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## Reduction in Fishery Removals

### In Summary:

- Should there be a reduction in fishery removals?
  - yes/no
- What measures should change to meet the reduction?
  - Commercial quota reduction; sector split (FH/private & shore diff size limits)
- What should recreational season closures look like?
  - Timing (tradeoffs with peak season/shorter closure; slow season/longer closure; multiple waves); No-targeting or No-harvest; Regions

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## Existing NY Wave 2 and Wave 6 Closures

- ASMFC is aware that New York is not open for harvest in marine waters the entire year and particularly during Wave 2 and Wave 6:
  - Wave 2 covers March and April, NY is open from April 15 -April 30. 16 of 61 days.
  - Wave 6 covers November and December, NY is open from Nov. 1 – Dec. 15. 45 of 61 days.
  - These closed periods are in NYS law.
- Most other states are open year-round in the ocean for recreational striped bass fishing.
- NY is developing a proposal that would request any closures during Waves 2 & 6 be proportional to its days open.

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## **Hudson River Alternative Options**

Hudson River has the option to adopt a seasonal closure identical to the rest of the region or pursue a proposal that reduces the HR recreational fishery by the same percent as the rest of the Coast.

- Hudson River Fisheries staff are currently developing options that meet a 12% reduction using changes to season and size limit.
- These options have not yet been vetted by the TC

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## **Public Hearings: New York**

### **•Public Hearing #1**

- Wednesday, September 17, 2025
- 6-8 PM
- Hybrid (in-person and virtual)
- Held in-person at:  
DEC Division of Marine Resources  
123 Kings Park Blvd  
Kings Park, NY 11754

### **•Public Hearing #2**

- Monday, September 22, 2025
- 6-8 PM
- In-person only
- Held in-person at:  
DEC Region 3 Headquarters  
21 South Putt Corners Road  
New Paltz, NY 12561

**\*Additional General Public Hearing Webinar  
Monday, September 29, 2025**

**6-8 pm**

**Webinar information on ASMFC website**

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## Public Comment Process

The public is encouraged to submit comments at any time during the public comment period but no later than **11:59 PM (EST) on October 3, 2025**. There are four ways to submit comments:

- 1) Written comments via the Atlantic Striped Bass Action Tracker or [comments@asmfc.org](mailto:comments@asmfc.org)
- 2) The public comment form, which was developed to facilitate the gathering of input on the Draft Addendum's specific options
- 3) Mailed written comments addressed to Emilie Franke, FMP Coordinator, at 1050 N. Highland St., Suite 200 A-N, Arlington, Virginia 22201
- 4) Verbal comments provided at any of the scheduled public hearings

asmfc.org → Action tracker → Pending Actions → Atlantic Striped Bass Draft Addendum III

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## Timeline

- State Public Hearings continue until September 30, 2025
- Public Comment closes on October 3, 2025 at 11:59 PM
- Board considers final approval of Addendum III @ 2025 Annual Meeting, Oct 27 -30
- Implementation of Addendum III: TBD

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Councilor Davi understands it's a biomass issue, not commercial vs. recreational, however, two years ago it was put in place that commercial had to give up some of their quota to make up for an overage created by recreational fishers. He would like to see the commercial get back what they gave up before they have to take an additional reduction. He would vote for status quo until that is achieved.

Councilor Jordan understands how important striped bass is to the recreational fishery; the commercial sector has been under their quota and their discard mortality continues to reduce. They do not have a negative effect on the fishery. We need to separate commercial from recreational especially when the commercial sector behaves appropriately. The commercial sector should not be penalized for the conduct of the recreational community. Separation needs to be a bigger issue moving forward.

Councilor Witek said that we are looking at striped bass which has not rebounded successfully in six years, the stock is in trouble. It is the best interest of the entire fishery to work together to protect this species. Just because a group is within their quota allowance doesn't mean they don't have a negative impact on the fishery - anyone who kills a fish in the industry has had an impact on the fish's demise. Instead of throwing stones at one another we need to work together to help this fishery. An equal reduction from everyone who catches fish. When we look at the reductions in the past several years, we need to remember that the recreational reduction was from actual landings. The commercial reductions were from quota, which means that you didn't catch your quota that year. That reduction was really meaningless because we didn't actually reduce fish you actually caught. We reduced fish you *could* catch, not your actual landings. If you go back to Addendum II, the recreational side reduced 14% from actual landings, the commercial side reduced 7% from quota and not from landings. Instead of placing blame at one another, we need to work together to help this vital fishery. We will all benefit in the long run.

Councilor Danielson concurs with Councilor Witek.

Councilor DeJong stated that we're taking a reduction based on landings and released mortality that is yet to happen. We are being punished for something that hasn't transpired. This is a recruitment problem not a biomass problem. We are not seeing less striped bass when fishing. To him, the numbers just don't add up. They are an extremely important fish. Every passing cut we take removes the economic importance.

Councilor Jordan wanted to respond to Councilor Witek's statement saying that the cuts have had NO effect on the commercial fishery – that is nonsense. We've had a 20-year procedure of trying to get near the quota and they did not reach the quota for many, many years because of the way the NY fishery was handled to avoid going over. The cuts have cost the commercial fishers 35% of the overall quota – they have gone from 235 tags down to 160 a year. That's how this has affected them. Just because they don't meet the quota doesn't mean they haven't suffered damage. Even if they only caught 80% of the quota - if the quota was 100,000 lbs. and we caught 80%, you reduce our quota to 80,000 lbs. and we catch 80%, we've been reduced by 20%. So, to say that the reduction has NO effect on the commercial sector because they didn't meet their quota is absolutely ludicrous.

Mr. Witek agrees that Striped Bass is undoubtably the most economically important recreational fishery in New York State. Why would we not want a no target season? Because for all of those days, 35% of the trips currently being made would be lost and the social and economic benefits from those trips would be lost as well. By having a no harvest season, you can continue to get benefits from the fishery which could be completely lost, benefits to the tackle shops, marinas, gas docks as well as the social and recreational benefits to the anglers themselves. Keep in mind the number being used are coming from the ASMFC and the 2024 fishing season, over 90% of the striped bass caught between 1990 and 2024 were released. So, most of the economic value in the striped bass is as a release fishery. If I was talking about freshwater fish, or muskellunge, salmon or trout, nobody would be shocked at those numbers. For some reason in salt water, we have a problem with the notion of managing the release fishery. Release mortality should not be looked down as something less than harvest; it's the one fish in 11 on average that dies after being released. We need to get rid of subcategories of recreational mortality; a dead bass is a dead bass.

Mr. Gary said that they are readjusting because of probability. The latest numbers put us below the 50% of probability. Also, we need to keep in mind that the fishery management plan requires us to rebuild the stock to the spawning stock target by 2029, which was based on overfishing back in 2019. When folks say there's a lot of fish around, I don't dispute that but you need to understand what a lot of fish in the fishery management is based on the SSB target, which is 125% of the SSB in 1995. That's the target and that's the number of fish the plan requires us to go to. So, you may be seeing a lot of fish but your "lot of fish" isn't being seen geographically through the range. Right now, it's just Mr. Gary talking to a whole lot of other people and managers up and down the coast. The plan is driving the decision making. Everyone has a different story, every one of them is important. He'd like to know if this Council wants to take a formal position, knows he is going to be asked what the Council is thinking.

Councilor DeJong wonders if we can even get to the target, it's a high number. He doesn't think the ecosystem will support it. Mr. Gary said we did achieve the target in the early 2000's. We were above it for 4 years and close to it for 11 – it's entirely possible to achieve the target biologically. However, it may not be possible to achieve the target at an F rate that the managers and stakeholders find palatable especially in a low recruitment regime.

Councilor Bauhs stated that they are already down 40-50 fish, they can't be expected to lose any further fish. There hasn't been any extra effort on the commercial end while the recreational side has shown an increased effort. They cannot be squeezed any further. It's not fair to say that they share the burden equally because the economic impact is not being shared equally.

Councilor Dearborn believes the addendum falls short of meeting the goals of balancing the needs of the fishery and social economic needs of the stakeholders. It states right in the document that the reduction in effort could have a negative impact on the regional economy of businesses associated. It could? No, it WILL! Many of the options federalist will be disproportionate to NY which has already been more conservative for years compared to other states. We are already smaller than other states. She doesn't believe other states will be amendable to giving NY some concessions for us. She has no confidence in making a vote when the outcome is so uncertain.

Councilor Paradiso agrees with Councilor Dearborn - there are too many facets to make this usable as a management tool. He doesn't believe commercial should bear the same responsibility as the recreational sector. And the same is true for the for-hire industry. If a reduction has to be taken he would advocate that the for-hire take a lesser reduction and for the commercial not at all.

Councilor Squeri stated that boat registrations have dropped and continue to do so. In 2003, there were 53,000 registered and in 2024, we have 42,700. Sales are down, he can say effort is not there for a recreational angler in New York. Fuel sales are down. A fishery is hard to quantify just by what you see in the water. Mr. Squeri quantifies it by real numbers. Councilor Danielson agrees that effort is down as far as recreationally but this is more than recreational vs. commercial it's economical, a 30% reduction threatens the entire industry.

Councilor Jordan said regarding how the commercial reduction will affect the overall population – the entire coastal commercial catch of striped bass is still less than the estimated recreational discard mortality. So their reduction, even though it's important to you, will actually mean zero in the overall striped bass population.

Mr. Schneider said it's obscene to expect the commercial industry to take a cut. It's a one-day fishery for the commercial fishery, to take a cut is ridiculous. Montauk is taking the biggest hit and you are killing them economically. You are massacring the finest charter boat fleet on the northeast coast. Keep in mind that compliance is way down too.

An audience member said if it's an equal reduction for everyone, then do the NO targeting. So it's a shorter closure and let everyone take a fair cut because if you do the NO harvest, all these catch and release guys, their life goes on, unchanged. They are going to keep doing what they want. He doesn't believe you're going to make everyone happy with any of these choices.

Councilor Bauhs made a motion to remain status quo on component 4 with no changes. Councilor Chiofalo seconded.

Discussion:

Councilor Witek said no surprise, he wouldn't support this motion, he feels it incredibly irresponsible. He recalls when the stock has collapsed and he does not want to see it happen again.

Councilor Bauhs said if he was asked to take a 1% reduction, he could live with that, 12% no he can't.

Councilor Squeri asked if we could make any changes to dates because of the variances of the fishing season for the different fisheries (east end/west end). We need to work for the entire marine district. He understands we need to keep the resource in mind but if you close it in November, you are going to put people out of business. If you close in the

summer, it's also a good chance you're going to put people out of business. We need to balance both ends but he realizes we're dealing with a regional approach and we have zero flexibility; he asked Mr. Maniscalco if that was correct. The reply was that there can be some mixing and matching, these are examples. There would be 500 pages of tables if they had to consider all possibilities.

Councilor Danielson asked if we use the reduction in wave two and the reduction in wave six can we make up the total reduction? Mr. Maniscalco replied that it wouldn't.

Councilor Dearborn said, when lumped regionally, we are the only state that has already been dealing with restrictions, especially since we are a year-round fishery. She is not saying there isn't a concern for the fishery but she has a problem making a vote on something that New York has so much more to lose and this is especially true because we do not know what the final outcome could be. Without this coming back to us for discussion again, she doesn't want to commit to anything.

Councilor Squeri doesn't believe that status quo will be accepted but also believes that the DEC has listened to all the comments by the Council and do what they always do, try to do the best for New York.

After numerous adjustments to the waves which no one could agree upon Chairman Frisk asked if we should vote to which Councilor Danielson make a point of order – he felt that Chairman Frisk was rushing the vote. Most Councilors agreed though that we were not getting anywhere, and then Councilor Paradiso made a motion to table the motion - seconded by Councilor Squeri

Vote: 7 In favor, 1 opposed , 3 abstentions - Motion passes

Since it was 6:00 and the meeting had been going on for 4 hours with Councilors having an extremely long ride home, Chairman Frisk asked if we should adjourn now or continue with the planned agenda. It was thought to move forward.

**Rulemaking Update** – presentation by Caitlyn Craig

**Recently Adopted Rules**

**Cobia**

- **Part 40 (Marine Fish)**
- **Adopted on:** August 27, 2025 State Register Issue #34
- **Requirement of the Cobia FMP**

- The recreational size limit increased to 43" and the bag limit set at 1 if fishing by shore and a 2 fish vessel limit. The 2 fish vessel limit only applies to vessels with more than one person on board.
- Maintains consistency with other Northern Region states



## Recently Adopted Rules

### Coastal Sharks

- **Part 40 (Marine and Coastal fisheries)**
- **Adopted on:** August 27, 2025 State Register Issue #34
- **Requirement of the Coastal Sharks FMP**

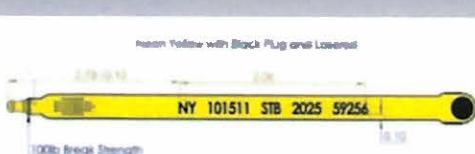


- Makes oceanic whitetip sharks a prohibited species in NYS waters
- Authorizes the Director to establish and modify quotas, trip limits and fisheries thresholds for the commercial shark fishery, by directive, when directed to do so by ASMFC
- Additional amendments clarify, strengthen, and consolidate existing regulations found in 6 NYCRR 40.6 – Coastal Sharks.

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## Upcoming Rules

- **Commercial Striped Bass Tags**
- **Part 40 (Marine Fish)**
- **Notice of Proposed Rule Making**
- **Target filing date:** October 2025
- **Public Comment Period:** minimum 65 day, with public hearing no earlier than day 60
- **Effective Adoption Target Date:** February 2026
- This rule will allow for transfer of striped bass tags between Commercial Striped Bass Harvester permit holders upon directive by the Department.
- Additional amendments may include changing the permit application renewal deadline to February (currently set at April 15) and adjusting the unused tag return and trip report due date to January 15 (currently set at December 20), to be consistent with other trip reporting requirements.



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## Upcoming Rules

- **Atlantic Cod**
- **Part 40 (Marine Fish)**
- **Notice of Proposed Rule Making**

- **Target filing date:** TBD
- **Public Comment Period:** minimum 65 day, with public hearing no earlier than day 60
- **Effective Adoption Target Date:** TBD

- This rule will amend Atlantic cod recreational fishing regulations to prohibit possession in NYS waters.
- This rule will achieve consistency with federal regulations and the waters of neighboring states.



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## Upcoming meeting and rules

### Upcoming Meetings

- ASMFC Striped bass public hearings on draft Addendum III
  - Kings Park (hybrid) 9/17/2025 6-8PM
  - New Paltz (in person) 9/22/2025 6-8PM
- NEFMC in Gloucester, MA 9/23-9/25/2025
- MAFMC in Philadelphia, PA 10/7 -10/9/2025
- ASMFC Annual Meeting in Dewey Beach, DE 10/27 -10/30/2025
- Next MRAC in Kings Park (hybrid) 11/18/2025 2 -5PM

See ASMFC.org, MAFMC.org and NEFMC.org for more information and meeting participation details

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## Notes

### DEC outreach for MA Striped Bass Angling Methods Survey

- On behalf of MADMF, DEC sent out invitations to a random subset (20,000) of NY saltwater anglers to participate in an online survey.
- Responses will be combined with research MADMF has already done on release mortality rates in Striped bass when fishing with different types of terminal tackle.
- Anglers from MA, NJ, MD, and VA are also participating.
- Goal is to update estimates of release mortality for the Coast.
- Results can also be used to inform education and management.

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### Final comments from Mr. Gary regarding Addendum III:

Mr. Gary said we need to take recruitment into account. We are in horrible recruitment mode right now and we won't get to where we need to be without making a reduction. We can get there if we get a super-year class but we are in the worst 6-7 consecutive years of recruitment. Think of this holistically, there is a plan in place and plans can change but the Board used a reference period in the 60's before it crashed and that's what they want things to go back to. The board was setting it at 100%, that was the threshold they were using, the pre-crash level. That sounds reasonable but at the end of the day we would not get reproductions so we had to figure out how can we, at what F rate, what vision could we live with and that is why they have come up with what they have. They are trying to be fair but what is fair?

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Final comment: Councilor Davi wanted to thank Mr. Gary and his subcommittee who worked on commercial tag transferability. He appreciates the time and effort that was put into this very much and wanted their work recognized.

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### 2025 Calendar

Tuesday, November 18, 2025 – 2:00 p.m.

Please note that all meetings, unless otherwise stated, will take place at the DEC offices located at 123 Kings Park Boulevard, Kings Park, 11754.

For further information about the Marine Resources Advisory Council, past and present bulletins, as well as any pertinent graphs, charts or data please check the Council's web page: <https://you.stonybrook.edu/mrac/meetings/>

Should you wish to suggest an agenda topic, contact the Chairman, Dr. Michael Frisk, ([Michael.frisk@stonybrook.edu](mailto:Michael.frisk@stonybrook.edu)); phone (631) 632-8656 or Staff Assistant, Kim Knoll ([kim.knoll@stonybrook.edu](mailto:kim.knoll@stonybrook.edu)).