

PATCHOUGE FISHING CLUB PO BOX 688, PATCHOUGE, NY 11785

CONSERVATION REPORT NOVEMBER/DECEMBER 2004

**ASMFC HOLDS MEETING TO DETERMINE
NEXT YEARS FISHING REGULATIONS
AND POSSIBLE PENALTIES FOR
STATES NON-COMPLIANCE**

**NOAA FISHERIES SAYS WE ARE
CATCHING MORE FISH BUT ALSO SAYS
WE ARE RELEASING A LOT MORE THAN
WE ARE KEEPING**

**ASMFC PROPOSAL PUTS SPRING
FLOUNDER SEASON IN JEOPARDY**

Compiled by James F. Smith

ASMFC HOLDS COURT IN NEW HAMPSHIRE TO DECIDE THE FATE OF NEXT YEAR'S FISHING SEASON

In the town of Wentworth by the Sea, New Hampshire the Atlantic States Marine Fisheries Council, (ASMFC) held a meeting to vote on the proposals for next years recreational marine fishing regulations. First off, after all of the hype concerning the high mortality rates of breeding size striped bass and the rumors of possible closures for next year's season, the council has voted to leave the regulations status quo for the recreational sector. What was shocking was that the council has voted to increase the commercial catch quota to a near record level. This would seem to be a counter productive decision. We were all worried that there was going to be a possible reduction in the Striped Bass quotas for next year, and now it is staying at the same levels as this year and added to that the commercial numbers have been increased to an all time record high. What could the board possibly thinking of? What ever happened to all of the concern for the steadily declining numbers of breeding age striped bass? What has happened is that the different committees with in the management council could not decide what they should do to correct this situation, so they voted to do nothing. Aint government grand? We the recreational anglers and the future of the striped bass population could be in for some reel hard times. Are they going to wait until the stocks have dropped to a level where despite measures must be invoked, and then blame the recreational angler for the mess. Probably so.

One of the fish on which they did make a decision on, is the Winter Flounder, and they decided to really tighten up the regulations for next year. As everyone is aware of the Winter Flounder populations in our waters over the last few years have been declining at an alarming rate. Currently it is at a point where there are few who even choose to target the species anymore. I included myself in this current trend. In years past, it did not take much of an effort to pick up a dozen fish in a Saturday morning's worth of fishing. Now most anglers are hard pressed to scratch up two or three fish for a whole day's effort. Next season's outlook does not look anymore promising. The ASMFC has voted to amend the 2005 regulations for Flounder; they are talking about again restricting the recreational catch. A new minimum size limit of 12" and a severely down sized bag

limit is most likely going to be passed. It is hoped that this would be instituted for the complete range of the winter flounder. This could mean that there would be an all-encompassing five state regulation, which would include the states of Massachusetts, Rhode Island, Connecticut, New York, and New Jersey. There has also been a call by the New Jersey Commissioner, Tom Fote. He has asked that the winter flounder season be closed next year during the months of March and April. All the while, the commercial numbers have been left exactly where they were for this last year's season. I have heard that the ASMFC can only regulate the harvest of marine fishes within the inshore grounds or state regulated waters. This is where the fishery for the winter Flounder is mainly of a recreational nature, and since most of all of the commercial fishing for this species is being done off shore, these new regulations would not affect the commercial harvest in the least. This harvest has caused a severely down sized flounder population. The NEFMC has continually ignored the cries of inshore recreational anglers and has allowed the commercial boats to ravage the Winter Flounder stocks off shore to a point to where they might not be able to recover. In my way of thinking, we could probably (hypothetically) close the winter flounder season to all recreational anglers for next couple of years.

I still do not think that this could help the flounders to make a strong come back. The flounder stocks cannot possibly make a come back unless the pressure from the commercial fleet is abated.

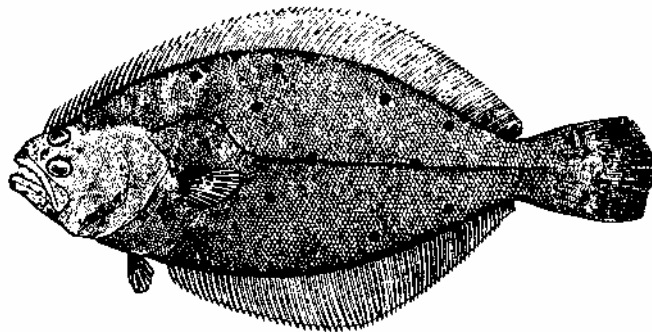
As far as the new Fluke and Porgy regulations for 2005 are concerned, there has been no definitive news as of yet. Some of the people that I have heard from, say that the Regulations are going held over at the same levels for this next year. Where as some of there other people saying that when the voting is over, we are going to see a new 19" minimum size limit for fluke. I just cannot say as of yet which way the council is going to vote or how this is all going to come out.

ASMFC DETERMINS WHERE OR NOT TO IMPOSE SANCTIONS FOR LAST YEARS NO COMPLIANCE TO THE FLUKE MANDATE

We could be in for some very tough times ahead, the Atlantic States Marine Fisheries Commission could be considering imposing sanctions against the states (NY is one of those states) which did not immediately adopt its new management plan for Fluke and Porgies last spring.

Their claim is that we must pay them back for all of the fish, which we might have caught during the months the states were appealing the regulations and tried to come up with a compromise to the ASMFC's new mandated quotas. These sanctions may not effect the 2005 season but with the total catch of porgies and fluke expected to be very high, if not exceeding the present quotas set for 2004 and these possible sanctions being implemented we could face a closure for the 2006 season.

In essence, the Commission is saying that the states do not have the right to challenge any of the findings the ASMFC hands down even if its data is questionable. This was one of the issues that the state wanted to have cleared up during the appeals process last spring. New York State wanted to implement a regulation using the average of the fluke harvest for the last three years rather than just using the 2003 survey alone. Which was and still is being questioned by the NY State's DEC as to its validity? ASMFC is saying we had no right to question them or their surveys. All this seems to be aimed at making the commission an all-powerful body that answers to no one.



NOAA Fisheries has released a Report That Claims We Are Now Releasing More Fish Than We Are Keeping.

In a report released last month, NOAA Fisheries Council had made the claim that there are more people fishing this last year than ever before. In fact the report claims that recreational fisheries catches are up by 11% since the year 1994. It also states that the ratio of fish being released to those being kept is proportionally higher. In fact, the report claims that of the 10 most popular species, an average of 60% of these fish being caught are now being released alive. Broken down the numbers are even more surprising. Take Summer Flounder (Fluke) out of some 20.6 million fish harvested recreationally we returned some 78% of them, in the case of the Striped Bass harvest we caught a total of 17.4 million fish are returned a whopping 86%, the Blue Fish harvest was 15.7 million and again we released 60% of the fish. The 2003 Black Sea Bass catch was estimated at 15.7 million fish caught and it is claimed that 74% of this catch was returned. The only fish release numbers, which were on the low side, were the Scup or Porgy, with a total recreational harvest of 14.7 million fish and a release rate of only 35%. Now with these numbers I cannot see how the ASMFC can make all of those claims that we (the recreational anglers) are over harvesting Fluke. The numbers just do not support the claim. In a letter to the editor of "The New York Outdoor News", Capt. Bill Russo of Orient Point gives us some clarity on to how they come up with these twisted numbers. "Example, a young man or woman shows up at dockside, and asks the first passenger he greets as to what he caught. Perhaps the anglers had a good day and bagged seven Fluke. The surveyor rights down "7". Next, he counts the number of passengers. Forty passengers. Ok, that is 40 times 7, 280 fish for the boat. Next, he counts the boats in port. Ten boats. OK, that is 2,800 fish taken today. Lets see now, 2,800 fish per day, times 180 days in a season. That is a lot of fish. We had better shut down the fishery." Wow! If this is, truly, how they have taken their surveys it is it is no wonder why we always seem to be going over our quota for fluke on paper, but never seem to catching very many fish in the real world.

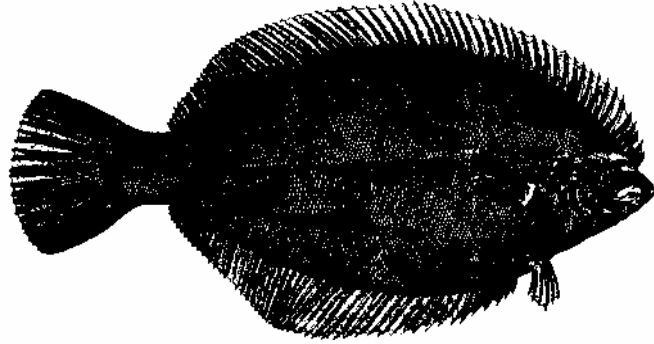
ASMFC Proposes Very Tight Restrictions for Flounder

I have found out this past week that The Atlantic States Marine Fisheries Commission has released its new winter flounder proposed regulations for next fishing year's season. There are currently two scenarios on the table.

1. A 12" minimum size limit, a six fish per day bag limit, and a closure of the current season for the months of March & April.
2. A 12" minimum size limit, a two fish per day bag limit, and a status quo for the season's closures for next year.

What was puzzling was that these regulations would only affect the states of New Jersey and New York. Their reasoning for this was that these two states carry the largest quotient of recreational anglers. In the northern states where commercial interests have been dominant and are in the process of decimating the flounder stocks causing it's current state of oblivion. There is little change proposed for the commercial regulation concerning Winter Flounder for next year. Why does that not surprise me?

It has been decided that there will be only two public meetings held on this matter, the one that is being held in New Jersey will at the Belmar Court Room, 601 Main Street in Belmar NJ at 7:00 pm on January 5th, 2005. The second meeting is being held in New York, at The New York State DEC building, 205 North Belle Meade Rd. East Setauket, on December 13 at 7:00 pm. For more information about the New York meeting, call Byron Young at 1-631-444-0436, and for information about the New Jersey forum call Bruce Freeman at 1-609-633-2408. A finale decision is expected during February's yearly management board meeting.



There is No Confirmed News about the NYS Saltwater License Issue

I have heard several whisperings that the NYS saltwater license proposal was shot down. At current, I cannot confirm nor deny any of these rumors. I hope to get confirmation that the bill has been voted down in the next couple of weeks.

All of the above information was obtained through the following publications.

- *In the Fisherman's weekly column "Conservation Watch" written by Al Ristori*
- *Articles that appeared in the premier issue of the New York Outdoor News magazine*
- *The columns "Publisher's Angle" and "For your Information" appearing in the NOR'EAST SALTWATER magazine.*

