Dr. Chris Moore  
Chairman  
Mid Atlantic Fishery Management Council  

April 27, 2017  

Dear Dr. Moore and members of the Council,  

The Connecticut Charter and Party Boat Association is comprised of 40 professional charter boats sailing from ten different Connecticut ports, covering the Western, Central and Eastern Long Island Sound. Our Professional Captains have verified credentials, are held to the highest ethics standards and are out on the water everyday often acting as the Sheppard’s of their areas.  

Our comments below have been organized in order of importance to us:  
Poor recreational harvesting data causes unstable regulations to be published usually late in the end of the first quarter of most years. Sales can’t begin till the second quarter as businesses are afraid of selling customers fishing trips for species that new regulations might closed. This inability to sell trips combined with open/closed dates varying greatly from year to year for our targeted species doesn’t allow our businesses to plan to grow for the future. Data collection accuracy must be addressed.  
- One example: MRIP data showed CT. anglers harvested 990,000 pounds of Black Sea Bass in 2016 which was said to be up dramatically from 2015. The CCPBA divided 990,000lbs by 2.04 (avg. keeper weight) then divides again by the season length in days (245) which calculates to 1990 keeper Sea Bass caught by rod and reel every single day of the open season. Now take into consideration poor weather cancels 5 to 10% of trips during the summer months and greater than 33% in the fall and this reduces the season length to less than 160 days. - Please be aware that the Black Sea Bass biomass migrates through Long Island Sound during the fishing season. The Central and Western Sound hosts the Spring migration May-June then in July the Sea Bass move East in which the Niantic, New London and Mystic ports are able to target them. At this point Western and Central Long Island Sound are absent of Sea Bass dividing down the boats that can pursue them. - Finally, our Charter Captains report seeing 3 to 4 recreational anglers per vessel on the weekends, and rarely encounter any recreational boats out during the week. With a recreational limit is 5 Sea Bass per person (if they are successful), it is very difficult to believe the harvest data when you divide by real time professional observations.  
The CCPBA recognizes the benefits of a “For Hire Category” stretching from Mid-New Jersey to include Cape Cod and data shows stable landings from charter boats over a long period of time. By the start of the 2017 fishing season over 50% of our membership will be voluntarily using Electronic data submission (Safis) (in both State and Federal waters) which could be used as a Census (an actual count) vs. a Survey (a guess on how the fleet caught). We could guarantee 100% compliance including discards, by the time of a for hire category announcement. We would ask for three years’ terms on published regulations, which would allow our businesses to further plan and grow. We are sure the positive growth would be extended to the businesses in the communities surrounding our ports and Connecticut tourism can refocus on the shoreline and away from just our casinos.  

After reviewing (and endorsing) the State of New Jersey Summer Flounder appeal, the CCPBA recognizes a slightly different body of Summer Flounder (SF) inhabit Connecticut waters. When applying maximum sustainable yield to a for hire category fishing in Connecticut, the CCPBA feels a slot limit (16to19”) preserves the breeders and reduces mortality rates in discarded SF. As Option 5 has reduced our bag limit to three SF, we believe with the extra conservation imposed by the slot limit, we can add one trophy fish (19” and over) per person per day, keeping the same season length.
The Striped Bass population in Long Island Sound has been virtually non-existent since 2013. Since that time Black Sea Bass have become vital to our businesses. We file concern for the experimental Wave 1 Black Sea Bass season, in which no minimum size and a 15 fish bag limit per angler has been applied. The ramifications of the 2016 NJ/NY Wave 6 Black Sea Bass data could be crippling to CT Charter Boats, then apply additional landings during Wave 1 cause grave concern for our Connecticut Captains. The areas that would benefit from this Wave 1 experimental season have other species to target, such as (Tautog, Scup, Striped Bass) during Wave 1. If Sea Bass are over harvested out of our shared recreational quota, and the CT Sea Bass Season is shortened, our boats will have nothing to fish for in May and June. This would be devastating.

Thank you for your consideration,

The Officers and Captains of
The Connecticut Charter and Party Boat Association
From: Kevin Slattery [mailto:kevineslattery@gmail.com]
Sent: Tuesday, May 02, 2017 3:45 PM
To: Dancy, Kiley <kdancy@mafmc.org>; Kirby Rootes-Murdy <krootes-murdy@asmfc.org>
Subject: Level the playing field for Massachusetts Charter Captains ... 

Black Sea Bass Board Members,

My name is Kevin Slattery and I am a Charter captain from Onset Massachusetts. Most of my business for the past 10 years has been taking people out fishing for Porgies and Black Sea Bass. I am writing the board in regards to the 2017 Black Sea Bass Allocation.

Last year (April 2016) when the states in the Northern Sector put forward their regulations to create a 23% cut , I and virtually everyone I spoke to, recognized that the regulations put forward by Connecticut and NY were not going to result in a cut. It was obvious they were not intended to. They were designed to create the biggest possible overage, which would then be kept when the new fish from the 2016 stock assessment were added. This is exactly what happened. Connecticut, for example, put forward regulations that the ‘technical committee’ approved that resulted in a 100% increase when they were supposed to cut 23%. Anyone with any sense of what was going on saw this coming a mile away. You, the members of the Black Sea Bass board, saw this happen just as you saw New York come up with regulations that put them 300+% over the year before. The idea that a one inch increase in fish size could somehow drastically cut the number of fish caught was so obviously wrong that anyone could see it. How could no one have asked the question "will effort increase?" Did you, members of the Black Sea Bass Board, think of this question. I think you must have, but chose not to ask it. How did the 'technical committee' not think to ask this question?

The system of 'ad hoc regional management' was a complete failure at fairly distributing the resource between the states. This is possibly the only fishery management plan ever designed that has incentives to exceed your quota. (The commercial side of the Black Sea Bass fishery for this area has sensible rules that take last years overages off of this years state quota.) I can only only guess that the idea was to have the ‘technical committee’ act as a check on total quota grabbing. They have failed miserably. Think about being 123% off. Are you members of the Black Sea Bass Board going to endorse this horrible 'science' by continuing with 'status quo'. Are you going to legitimize the quota grab that has happened over the 'ad hoc' years?

Please look at the 2017 regulations of the states in the Northern Sector. I will put them of the bottom of this letter. Note that I, as a 'for hire' captain in Massachusetts have a 3 month and 9 day season of 5 fish. A Captain in my neighboring state of Connecticut has 8 MONTHS of 8 fish me and gets to start 3 weeks before me. He will continue fishing for 4 MONTHS after we are closed. (He gets to do this because the ‘technical committee’ approved a plan that resulted on a 100% increase in Connecticut’s quota last year) When NJ opens Black Sea Bass season in May they will be able to catch 10 fish (at 12") . When the NY captains are making money during (the mysterious) wave 5 and 6 I will have been out of business for months. This is not fair.

On the question of fairness, I draw your attention to the ASMFC Charter for Interstate Fishery Management Plans. This document can be found on the ASMFC website. Even casual reading of this document raises questions about how the entire Black Sea Bass management plan is handled. Has anyone considered the socio-economic impacts? Why is there no public notice? The section that does not raise any question, though, is the one I would like you to look at.

Section Six. Standards and Procedures for Interstate Fishery Management Plans

(7) Fairness & equity. (i) Fishery resources shall be fairly and equitably allocated or assigned among the states.

Members from the MAFMC are similarly guided by the mission statement in 2014 - 2018 Strategic Plan Strategy 14.5. Develop management strategies that ensure fair access to recreational fisheries throughout their range.

Also one of the "Core Values" listed is "Fairness"

In the oath that members take is the following "I recognize my responsibility to serve as a knowledgeable and experienced trustee of the Nation’s marine fisheries resources, being careful to balance
competing private or regional interests"...."I commit myself to uphold the provisions, standards, and requirements of (the) Magnuson-Stevens...Act"

This seems pretty straightforward. Your organizations are chartered to 'fairly and equitably' allocate resources. Can you, members of the Black Sea Bass board stand behind 'status quo' regulations and say they are 'fair and equitable'? I, personally, wouldn't want to try.

You, the Black Sea Bass board, are also being asked to consider an "experimental" fishery for waves one and two. This is obviously yet another quota grab by large party boat interests in NY. It would be absolutely wrong on a lot of levels for this board to even consider this nonsense. New York at this time has a completely outsized share of the Black Sea Bass resource.

Look at the numbers. NY wants to add 60 new days at 15 fish. Massachusetts only has a total season of 3 months at 5 fish. Particularly unbelievable is the part about 'no discards'. Does anyone think this is going to happen? Who is going to be watching? Will there be monitors on board? This board cannot in good conscience transfer more quota to NY when the regulations are this lopsided already. Do they really need to catch 15 fish for this experiment? We are catching 5 fish here in Massachusetts, and that is considered enough for us. Please also note that unlike most of the regulations on Black Sea Bass, there is time for public comment on this. Hearings need to be held in each state that will be losing quota. We are talking about next year.

For at least the second year in a row wave 5 and 6 data was provided 'too late' to do anything except 'emergency' action based on 'estimates'. These estimates were never available for public comment. Immediately after achieving the goal of 'status quo' on the ad hoc quota grab, the real numbers came out. This is an obvious manipulation of the system. We are talking 4 months here since the season closed. These numbers could not be added up in 4 months and no one has a problem with that? Black Sea Bass Regulations are still on the table now in May. Do what your charter instructs you to do and create a fair allocation between the states. Close down wave 6 if the data cannot be available in time to make the next years decisions. (Spread that quota around.)

Massachusetts fishermen have a long history of switching from one fishery to another to stay in business. Whaling to whale watching. Cod to haddock. Flounder to fluke, etc. Unfortunately we are out of choices in the recreational sector. Fluke is down one fish and up one inch for absolutely no reason. Porgies are cut from 100 to 45 even while they are under harvested. We have a bag limit of 0 on Cod,(North of the Cape) Striped bass are down to one and we don't have the opportunity to play games with 'tags' or 'trophy fish'. What are we supposed to fish for, slime eels, dogfish, perriwinkles? As a side note, unlike other states where it is up to the customers whether or not they want to comply with the law, Massachusetts holds the Captain of a for hire vessel responsible for what is caught on his boat, and they do issue fines. Black Sea Bass are an overabundant fish. There is no reason except politics and bad science for Massachusetts to not have the same regulations as other states, (such as Connecticut)

Board members, You still have time to do the right thing here. You can either comply with the clear mandates of your respective charters, or not. If you do not, please do not expect me, or the other for hire Captains in Massachusetts to quietly go out of business so out of state fishermen can continue to make money. They certainly wouldn't and neither would you. Do the right thing.

Kevin Slattery
F/V Maureen Ann
Onset MA.

CONNECTICUT

**Black Sea Bass:** 15-inch minimum (Excluding Tail Fin Filament/Tendril), 5 fish bag limit, Open May 1 to December 31 *FOR HIRE * 8 FISH May 1 to December 31 ( Pretty fair )

Massachusetts

**Black Sea Bass:** May 21 – August 31, 5 fish, 15-inch minimum (Pathetic)

New Jersey
**Black Sea Bass**: 12-1/2” minimum open 5/26-6/18 (10 fish); 12-1/2” minimum open 7/1-8/31 (2 fish); 12-1/2” minimum open 10/22-12/31 (15 fish) (Made to order for the big boats. Private anglers should be screaming)

New York
**Black Sea Bass**: 15” minimum size; 3/angler, June 27 - Aug 31; 8/angler, Sept 1 - October 31; 10/angler Nov 1 - Dec 31. (Same as above plus little to no enforcement)

Rhode Island
**Black Sea Bass**: 15-inch minimum. May 25 – August 31, 3 fish. September 1 – September 21, 7 fish. September 22 – October 21, CLOSED. October 22 – December 31, 7 fish. (Rough)