



# PRESS RELEASE

## Recreational Fishing Alliance

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### **MRFSS STRIKES BLACK SEA BASS AGAIN RFA Disappointed With Bass, But Praises News On Tog**

The Atlantic States Marine Fisheries Commission's (ASMFC) Tautog and Black Sea Bass, Scup and Summer Flounder boards met on Wednesday to discuss 2012 measures. While in most seasons recreational limits are determined by early March, new information resulted in the need to reconsider recent management decisions.

For tautog anglers, the news is good. For black sea bass anglers, not so much.

"New Jersey learned today that, for tautog, only a 39% reduction from 2011 harvest will be needed," said New Jersey's ASMFC Legislative Proxy Commissioner Capt. Adam Nowalsky. "This is better news than the 53% reduction current 2012 regulations are based upon."

Capt. Nowalsky, whom is also the chairman of the Recreational Fishing Alliance's New Jersey Chapter (RFA-NJ), noted that the New Jersey Marine Fisheries Council will now need to meet to come up with revised 2012 measures which should, hopefully, be fully resolved in early May.

"Most unfortunate is the lost revenue and income which could have been generated by the open tog season this March," Capt. Nowalsky said. While New Jersey's tautog fishery is not typically significant in March, the record warmth of this past late winter would have allowed a sustained fishery.

The reason for the lesser reduction stemmed from the discovery in an error in calculation of the current fishing mortality rate on tautog based on the ASMFC's most recent stock assessment update. The most recently calculated fishing mortality rate (as of 2009) had been thought to be 0.45, but the updated calculations resulted in a much lower value of 0.23.

Questions had been raised previously regarding the validity of a coastwide mortality that greatly exceeded what individual states were seeing.

"Tautog are badly in need of a benchmark stock assessment," said Capt. Nowalsky, adding "the repercussions of foregoing that process in favor of the recent turn of the crank update are now in plain view."

"We can all be thankful this error was identified and prompt action was taken on behalf of the coast's anglers," he said.

While the tautog decision may have provided some good news, New Jersey anglers also learned that the New Jersey Marine Fisheries Council's previously approved season (5/19-10/14 and 11/1-12/31 with a 25 fish bag limit and 12.5-inch minimum size) will not be approved by the ASMFC.

Citing data from the "fatally flawed" Marine Recreational Fishing Statistical Survey (MRFSS) from the 2011 November and December Wave 6 data collection, the ASMFC noted that their preliminary findings had been significantly underestimated, resulting in a need to reduce the coastwide liberalizations for 2012 which had previously been considered.

"While New Jersey will have the opportunity to liberalize from the 2011 fishing season of 168 days of fishing, we will not be given the 200-day or better season this year as we had all hoped," Nowalsky said. "I thank the Bureau of Marine Fisheries for the work staff did in preparation for this meeting. It will now be up to the New Jersey Marine Fisheries Council working with the Bureau to come up with the best option for anglers for 2012."

“I am confident that consideration will be given to the need to maintain the October open days in order to give anglers something for which to fish after the closure of the summer flounder season,” Capt. Nowalsky said, noting that the summer flounder is scheduled to close in New Jersey on September 28<sup>th</sup> of this year.

In reviewing the 2011 MRFSS numbers which is still classified as “preliminary” data, RFA found that a significant reason for the underestimation of the 2011 November and December harvest came in an alleged increase in harvest by New York anglers by an estimated 4,000 percent during those months.

“It’s staggering that MRFSS has once again shattered the threshold for reasonable thought, particularly in New York which has been grossly hammered by this inept science so many times,” said RFA executive director Jim Donofrio. “To think that estimates of 1,300 fish can suddenly swing wildly to exceed the 52,000 fish mark in the blink of an eye highlights the problem with this data, a problem which we’ve discussed so many times over the past 15 years.”

Donofrio said that the 2006 reauthorization of the Magnuson-Stevens Act required that NOAA Fisheries replace the MRFSS data, deemed “fatally flawed” by the National Research Council, by a time-specific deadline of January 1, 2009. While NOAA is now tinkering with new estimating procedures using the same data compiled through the present survey waves, the congressionally mandated replacement of MRFSS has still not been met.

“MRFSS is the system which was used by the government to implement a coastwide moratorium on sea bass back in 2009, yet a federal judge tossed out our legal challenge against that closure by citing written testimony from NOAA attorneys that MRFSS was no longer being used,” Donofrio said. “MRFSS is most definitely still being used, and our anglers are getting abused by it.”

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*The Recreational Fishing Alliance is a national, grassroots political action organization representing recreational fishermen and the recreational fishing industry on marine fisheries issues. RFA’s Mission is to safeguard the rights of saltwater anglers, protect marine, boat and tackle industry jobs, and ensure the long-term sustainability of our Nation’s saltwater fisheries. For more information, call 888-JOIN-RFA or visit [www.joinrfa.org](http://www.joinrfa.org).*