

New York State Department of Environmental Conservation

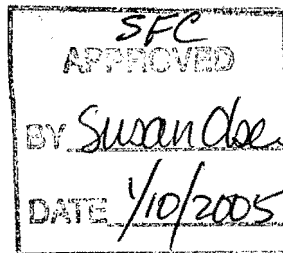
Division of Fish, Wildlife & Marine Resources

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Erin M. Crotty
Commissioner

UNITED STATES
DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northeast Region
State, Federal & Constituent Programs Office

COMPLETION REPORT - RE-SUBMISSION OF JOB #3 ACCOMPLISHMENTS

Grantee: New York State Department of Environmental Conservation

Project Number: 3-ACA-108

Grant Number: NA16FG1328

Project Title: Interstate Management of Marine Fisheries

Period Covered: September 1, 2001 through August 31, 2002

Prepared by: Mr. Byron Young and Mr. Victor Vecchio

Approved by: Mr. Gordon C. Colvin

Date: April 7, 2004

Statutory Funding Authority: Atlantic Coastal Fisheries Cooperative Management Act
CFA No.# 11-474

Introduction:

New York is an active partner in the implementation of Fisheries Management Plans (FMP) developed under the Atlantic States Marine Fisheries Commission (ASMFC). Each FMP contains various compliance requirements specific to data collection, reporting of catch and harvest, permitting, and law enforcement. Fisheries management plan implementation requires frequent communication with regulated parties, and the public, concerning changes to management measures in the form of trip limits, season closures, and opportunities to comment on proposed regulatory changes. All FMP's identify research needs of the species and contain required monitoring programs to be carried out by the corresponding cooperative management partner (State). In order to ensure that the conservation and restoration goals of the management plan are met, effective enforcement of agreed-upon management measures is necessary. To meet these growing needs, New York has chosen to supplement existing work teams, research, and enforcement efforts through our Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA) grant.

The Atlantic Coastal Fisheries Cooperative Management Act program specifies five funding priorities, which include:

1. Fishery management planning to support interstate fishery management efforts of the Atlantic States Marine Fisheries Commission;
2. Activities to support and enhance state cooperation in collection, management and analysis of fisheries data (statistics);
3. Fishery research, including biological and economic data priorities;
4. Law enforcement; and
5. Habitat conservation.

The department has used these funds to support a number of ACFCMA program priorities. Specifically, the department uses these funds to facilitate the issuance of licenses and permits required by the various FMP's, to support permanent and temporary staff to conduct continuing biological investigations, to distribute information relative to fisheries management, and to support the efforts of Department of Environmental Conservation Law Enforcement.

This report will describe the project accomplishments funded under this grant during the period September 1, 2001 through August 31, 2002, as discussed under Job 3 of the project proposal.

JOB 3 - Provide For Fishery Management Planning And Implementation to Support Interstate Fishery Management Efforts, and; Provide Funding for Enforcement Activities in Support of Interstate Fishery Management Efforts.

OBJECTIVES:

1. Provide support to disseminate information regarding regulatory changes required under ASMFC fishery management plans; and
2. Provide support to disseminate information regarding fish management plan activities and meetings; and
3. Provide support for public meetings as necessary regarding ASMFC fishery management plans under development or amendment; and
4. Provide funds to New York Law Enforcement to purchase necessary equipment for enforcement of New York's Marine Laws, Rules and Regulations as well as assist with the enforcement of certain Federal Laws that pertain to New York fisherman.

ACCOMPLISHMENTS:

The objectives of Job 3 address ACFCMA program priorities #2, #3, and #4. In regard to ACFCMA program priorities #2, and #3, the dissemination of information to commercial license/permit holders, recreational anglers, and the public is a major component of the department's fishery management activities. With each new FMP or regulatory amendment there is the need to hold public meetings or provide the public with summaries of the proposed management program. Further, each time the department amends a trip limit, or enacts a new rule, there is a need to inform the public of these changes. Department staff prepare documentation, obtain photocopying services for each product and prepare the document for mailing. Funding provided was utilized to pay for numerous mailings during the grant cycle. These included the costs of document reproduction, postage, and materials costs. In 2001, mailings were sent to food fish license holders; dealers and shippers license holders; and individuals with general interests in fishing. For example, notices concerning regulatory changes or regulations proposed for comments; reminders to license holders on mandatory reporting requirements; notices on annual quota distributions for quota managed species; and notifications of changes to trip limits or season closures were sent to the food fish license holders (1,282), and the dealers and shippers license holders (275). Certain mailings are tailored to specific groups, such as recreational fishers, bait and tackle shops, fishing associations and the newspaper media. The department maintains separate lists of such contacts. In 2001, there were separate mailings announcing changes to regulations, and summaries of current regulations sent to 708 contacts on the departments lists.

Under Job 3 objective #4, which addresses ACFCMA program priority #4, \$10,000 was provided for various equipment items associated with the enforcement of marine fisheries

regulations, adopted pursuant to ASMFC and Council management plans. Funding provided was utilized to outfit law enforcement vessels with new electronic systems for depth, radar, and global positioning (\$5,060); and canvas boat enclosures for protection during rough weather (\$1,940). In addition, law enforcement officers in each of the three regional offices were provided with a series of new lobster gauges, used to check compliance with gradual increases in lobster minimum carapace lengths as required by the Lobster management plan (\$3,000).

Deliverables under objective #4 include an annual summary of enforcement actions. Attached is Department of Environmental Conservation Division of Law Enforcement report concerning striped bass enforcement for the period March 1, 2001 to February 28, 2002. In summary, 4,735 hours of enforcement yielded 278 actions and the seizure of 4,570 pounds of illegally harvested striped bass. For the period March 1, 2002 to February 28, 2003 law enforcement officers expended 7,131 hours of effort and took 274 enforcement actions. A total of 7,287 pounds of striped bass was seized and donated to local area soup kitchens.

Conclusion:

Funding for the New York State Department of Environmental Conservation, through it's Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA) grant, provides New York with the means to implement fisheries management programs required through ASMFC and Atlantic Council fisheries management plans. Specifically, the ACFCMA grant provides the personnel, supplies, materials, contractual services, and equipment needed to issue licenses, maintain harvest data, support research efforts, disseminate information, and effectively enforce fisheries regulations. These efforts are intended to meet the various and increasing demands of

ASMFC and Atlantic Council fisheries management plans so that the objectives of these resource conservation plans are achieved. Without the funding provided by the ACFCMA grant, it is unlikely that New York State would be able to continue as an active partner in the implementation of the various fisheries management plans, and in those conservation efforts which benefit many of New York's citizens, as well as those of our fellow States and jurisdictions, with whom which we share this nation's valuable marine resources.

Table 1. Type and Number of Licenses and Permits Issued by the New York State Department of Environmental Conservation Marine permit office for 2001.

License Description	Number Issued
Lobster Resident	600
Lobster Bait Gill Net	60
Resident Non-Commercial Lobster	996
Lobster Non-Resident	45
Lobster Landing	10
Crab Resident	683
Crab Non-Resident	30
Horseshoe Crab Non-Resident	11
Horseshoe Crab Resident	322
Striped Bass Resident	
Striped Bass Non-Resident	
Shellfish Bed	10
Menhaden Vessel	20
Non-Resident Fishing Vessel	
Marine Hatchery	20
Marine Hatchery - Municipal	7
Marine Hatchery - Private	13
On/Off Bottom Culture	49
On/Off Municipal	9
On/Off Private	40
Scientific Collector	
Food Fish Landing	46
Non-Resident Food Fish	57
Resident Food Fish	1225

Marine Bait	34
Marine Party/Charter Boat License	443
Striped Bass Party/Charter Boat Permit	303
Food Fish Dealers and Shippers License	275
Shipper A	21
Shipper B	118
Shipper C	94
Shipper D	49
Shipper E	19
Shipper F	312
Shipper G	25
Fluke (general)	360
Fluke Fixed Gear	28
Fluke Hook & Line	98
Fluke All Gear	234
Surf Clam Atlantic Ocean	34
Surf Clam Sound	73
Whelk Non-Resident	16
Whelk Resident	237
Shellfish Diggers (total)	1,955
Total	8,981



Lawrence E Johnson
Director

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STRIPED BASS ANNUAL ENFORCEMENT REPORT

State: **New York** Period: March 1, 2001 - February 28, 2002

1. TOTAL HOURS STRIPED BASS ENFORCEMENT 4,735
2. TOTAL NUMBER OF INSPECTIONS MADE (boat, dockside, wholesale/retail markets, etc.) 6,949
3. TOTAL NUMBER OF COMPLAINTS RECEIVED 170
4. TOTAL NUMBER OF ENFORCEMENT ACTIONS TAKEN* 278
(*Should be a compilation of A & B below)
 - A. Total Cases 195
 - B. Total Warnings 83
5. TOTAL POUNDS OF STRIPED BASS SEIZED 4,570

NARRATIVE: Compliance among the recreational fishermen is reasonably good; however, recreational fishing violations included undersize fish, over the recreational limit, and taking during the closed season in both the marine district and the Hudson River estuary. Although there is a reasonable degree of compliance among our commercial fishermen, commercial fishing violations involved a variety of offenses, such as taking outside the commercial slot size, taking and selling without the striped bass permit nor food fish license, possessing tags of another, possessing untagged bass, and taking bass from closed waters (NY City waters) for commercial sale. Significant apprehensions were made in NY City of fishermen taking striped bass for illegal sale, where this is a high demand for this fish in both wholesale and retail commerce; most other commercial apprehensions were made on Long Island where the bass may be otherwise harvested legally. Bass are taken commercially in large numbers by gill net, however there is a serious pin hook commercial fishery too.

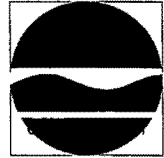
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Southern District Striped Bass Monthly

ENFORCEMENT DATA - November 2002 (Reporting year =3/1/2002 to 2/28/2003)

	Category	Marine Team	Region 1	Region 2	Region 3	Monthly Total	Year-To-Date Total
1.	TOTAL STAFF HOURS STRIPED BASS ENFORCEMENT	183.5	402	248	13	846.5	7,131.25

	Category	Marine Team	Region 1	Region 2	Region 3	Monthly Total	Year-To-Date Total
2.	TOTAL NUMBER OF INSPECTIONS MADE	130	550	309	5	994	7,133

	Category	Marine Team	Region 1	Region 2	Region 3	Monthly Total	Year-To-Date Total
3.	TOTAL NUMBER OF COMPLAINTS RECEIVED	6	4	4	0	14	111

	Category	Marine Team	Region 1	Region 2	Region 3	Monthly Total	Year-To-Date Total
4.	TOTAL NUMBER OF ENFORCEMENT ACTIONS	8	18	17	0	43	274

	Category	Marine Team	Region 1	Region 2	Region 3	Monthly Total	Year-To-Date Total
A.	TOTAL CASES	8	17	16	0	41	236

	Category	Marine Team	Region 1	Region 2	Region 3	Monthly Total	Year-To-Date Total
B.	TOTAL WARNINGS	0	1	1	0	2	38

	Category	Marine Team	Region 1	Region 2	Region 3	Monthly Total	Year-To-Date Total
5.	TOTAL POUNDS OF STRIPED BASS SEIZED	102	177	146	0	425	7,287.5

NARRATIVE: (for each of 3 regions)

Region 1: \$3,760 collected in fine monies this month.

Region 2: No comments.

Region 3: No comments.

Marine: ECO Smith reported: On 11/14, while conducting JEA work at Shinnecock with T/Sgt. Vinski, ECO Smith issued one ECAT to a commercial fisherman for possession of two striped bass fillets onboard his dragger.

ECO Vinski reported: Enforcement actions of "Operation Striped Cash" detail an enforcement initiative directed at the illegal taking and commercialization of striped bass in the N.Y. Harbor, Breezy Pt., Sheepshead Bay, and Jamaica Bay vicinities to be reported on by Officers actually issuing ECATs as part of this detail.

ECO Ruckert reported: Seized 13 undersized striped bass from three fisherman while on patrol in NYC. A total of six ECATs were written. Have received two separate complaints from one individual reference people taking undersized/over limit striped bass in NYC waters.