



# Atlantic States Marine Fisheries Commission

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## MEMORANDUM

**TO:** Tautog Management Board  
**FROM:** Tautog Technical Committee  
**DATE:** July 16, 2021  
**SUBJECT:** Technical Committee Review of the Commercial Harvest Tagging Program

**Attendees:** Coly Ares (RI; Chair), Craig Weedon (MD; Vice-Chair), Lindy Barry (NJ), Sandy Dumais (NY), Rachel Sysak (NY), Dave Ellis (CT), Alexa Galvin (VA), Sam Truesdell (MA) Scott Newlin (DE) and William Hyatt (CT; Tautog Board Chair)

**Staff:** Kirby Rootes-Murdy

The Commission's Tautog Technical Committee (TC) met virtually on Wednesday July 7, 2021 to review information regarding the 2020 commercial harvest tagging program. An email from NY DEC describing numerous issues with the tag in general was distributed prior to the meeting. Kirby presented background and current information followed by a state-by-state update focused on the following questions:

- 1) How has the commercial harvest tagging program gone so far in your state?
- 2) Any change in the number of commercial tautog commercial harvesters following implementation of the tagging program?
- 3) Were there enough tags in your state in 2020?
- 4) Challenges with applying the tags? Were there any issues with tags adhering to the fish?
- 5) Any observed mortality associated with tagged fish?
- 6) What was the level of enforcement or monitoring of commercial harvesters and live fish markets (for those states that have them)?
- 7) Any recommendations or considerations for managers in continuing the tagging program?

### Summary of state-by-state Implementation

#### Virginia

The program went well for VA. Aside from the COVID-19 pandemic, the biggest issue was some tag accounting errors by fishermen and federal fishing reports in SAFIS not allowing the tag number to be inputted with landings information. From mid-March through May (the end of the spring season) 2020, Staff could not issue tags due to office closures so the tagging requirement was temporarily waived. In spite of this, landings increased slightly in 2020 and there were plenty of tags available. Harvesters primarily sell to a fresh market, not live

market, and there was no reported issues. One harvester who does supply to live market reported that the tag hit the gill filament under the gill plate and killed the fish. He has moved on to the tagging the tail with no tag mortality. No law enforcement issues (LE) were noted. VMRC staff recommended that SAFIS modify its reporting to allow for tag data. NY said they also requested a field in SAFIS for tagging data, and in the meantime are using the comments field and an email for tag information.

### Maryland

The tagging program was administered through COVID-19 pandemic with no issues. MD traditionally has a very small fishery and in 2020 participation was reduced to one individual. As such, there plenty of tags available. No issues report to MD DNR staff from LE.

### Delaware

Similar to MD, DE has a very small fishery. The number of harvesters remained the same from prior to 2020, with harvest comparable to previous years. Based on the small fishery and number of participants, DE reduced the tag number order for the second year (2021). No issues applying the tags, minor fishery with dead market, no issues with LE.

### New Jersey

NJ has a limited entry permit program, which will remain at 62 permits, even as the number of active fishermen changes year to year. Twenty-two fishermen picked up tags and seven actually used them, which is in line with previous harvest records over the years. NJ DFW staff indicated they had more than enough tags and are looking to order a smaller amount for 2022. Many NJ fishermen requested tags in fear of losing their permit but did not use them. No issues with applying tags to fish. The live markets were impacted by the COVID-19 restrictions and the fresh market did not have issues with tag mortality. LE reported no issues of enforcement with the tagging program. Harvesters report through SAFIS, and send blue copy of VTR and tag report to NJ DFW staff. To aid with reporting, NJ DFW plan to use a postcard system for tag reporting next year.

### New York

NY DEC staff reported that preliminary 2021 data shows the number of harvesters has doubled and they expect to have increased demand for tags for their fall season. An initial 170,000 tags were purchased for the 2020 season (note: 2020 tags are being used for the 2021 fishing season and NY did not implement the tagging program in 2020), and 20% of the harvesters have requested additional tags this year.

Over 100 participants have reached out with concerns for the tagging program. Those expressing concerns were full-time commercial harvesters and catch the 25-fish per day for the live market. Some of the concerns about tags were about application inducing injuries such as cuts on their hands- there was reports of one fisherman being injured and sent to the hospital given the severity of the cut. The tags are dangerous when applied in a rush without gloves and there is a significant learning curve to applying the tags. Harvesters reported up to 50% mortality from tagging that was not seen in the spring. Some of the reasons/stressors likely causing the mortality center around the challenges in holding and tagging the fish as well as increased water temperature in the summer. Additional anecdotal reports indicated that a few harvesters, like VA, have come up with their own ways to get around tag mortality by tagging in the tail, or not tagging the fish while on their vessel, but instead having their

dealer tag the fish (note: this is not legal per NY DEC's regulations). NY has a substantial live market, and given the challenges indicated with tagging mortality, there was a lot of frustration among participants. Based on their experience, many harvesters were advocating for a different style tag that will cause less damage to the fish. NY DEC staff indicated that the standard Floy Tag may be the best alternative to the current tag. Floy tags were initially considered, but were ultimately not chosen due to the placement near the dorsal fin and concern over damage to the meat. Despite the anecdotal reports, the LE and commercial sampling teams are seeing tagged fish in the market place and compliance appears good. NY DEC staff indicate that based on the feedback they've received from their harvesters, the program is not working as intended as there are tags killing the fish, live fish with no tag but a scattering of tags on the bottom of the tanks in live markets and restaurants.

### Connecticut

Tagging was implemented in 2021, not 2020, due the COVID-19 pandemic. CT DEEP staff indicated they have the same amount of commercial harvesters in 2021 as previous years. CT DEEP staff ordered 6,000 tags, handed out 3,000 tags and ordered another 1,000 more for fall. It was noted there was an issue with staff injured when mailing out tags (sharp edges). One fisherman complained about mortality from tagging over the rail (for example tagging the fish and then keeping them in a laundry mesh bag over the boat railing). CT DEEP staff indicated there was low mortality and no reported LE issues. Discussion about fishermen tagging in RI waters at the time of harvest and when it is required to be accomplished (over the rail vs at the dock before off-loading). Overall, CT has a relatively small fishery compared to neighboring states (RI and NY) with few issues reported on the tagging program.

### Rhode Island

RI typically has about 250 participants and had 295 people request tags. The new program may have caused people to think if they did not get tags, they may never be able to fish for tautog again. People who never landed tautog in RI previously are asking for tags. The biological metric used to order the tags did not estimate many first time entrants in this fishery, and many of those tags issued were returned unused. Applying the tag did have a learning curve, once they figured it out it was not too bad. No complaints concerning mortality or LE issues. RI did have two MA fishermen reach out complaining they could not get tags in MA. RI was hoping to allow dealers to tag fish instead of the fishermen since it must easier logistically to accomplish.

### Massachusetts

MA DMF shifted from an open access program with about 2,000 participants to a limited entry with 218 license holders. Overall, the tagging program went well after initial minor issues with the distribution of tags and initial allotments – these issues could be attributed to the COVID pandemic and that it was the first year of the program. In 2020 34,775 tags were issued and 13,502 were returned. MA DMF ordered 35,000 tag for 2021. MA DMF staff received a few minor complaints about applying these tags, with some problems attributed to individuals not purchasing the manufacturer's applicator and using other tools to attempt to apply the tags. There were limited complaints overall about tag loss or mortality; one mortality incident early on was attributed to improper tagging technique that damaged gill tissue. There were a handful of LE citations for tag violations. MA DMF staff recommend increasing the educational materials available to reduce tag loss and mortality. The MA tautog market is primarily for live fish.

## TC recommendations to the Tautog Board

- Address the SAFIS reporting challenge

SAFIS reporting does not have a field for tag reporting, this field has been requested by NY and is pending due to other higher priority work. NY requires the number of fish and pounds of fish for each trip. The TC wants the SAFIS tag field available but not mandatory. The number of fish field is in the switchboard in the mobile application but may have issues in the desktop application. NY requires the tag serial number used in the SAFIS comments section and a follow up email to the VTR office.

- Consider additional research and trials of tag type

The TC recommends the Board review the challenges that have been reported by some sectors of the fishery as well as the analyses that led up to the decision to select the tag type that is currently in use. If a change in the type of tag is recommended, the TC suggests, if possible, a structured approach to evaluating tag performance, such as experiments examining the effects of tagging in warmer water environments. The TC was in agreement that having different tag types by state would be problematic, so if there is change it should be uniform across the coast. Given the need to evaluate alternative tags, the timetable if there was a change in the tag type would not be immediate. That being said, based on feedback from NY staff, a protracted timeframe to change the program may present challenges of continuing industry support for the program. Based on the language in Amendment 1, the Board has flexibility in changing what type of tag to use without going through an addendum process; the main consideration is whether there would be benefit in getting additional feedback from the public and industry through a public comment process.

- Consult with Law Enforcement Committee on the enforceability of tag placement

There were anecdotal reports from VA and NY that changing the tag location to the tail reduced mortality. Law enforcement may have issues on varied locations for tag placement. Tag placement is not specified in the FMP. The TC had previously discussed on which side of the fish should be tagged. The TC recommends that the Law Enforcement Committee provide feedback on tag placement in terms of enforceability.

- Define 'participants' as the number of people issued tags

As part of reporting out the tagging program information, states were required to provide the number of participants per state. Some states were defining the number of participants differently, such as listing 'active' participants using recent landing information to determine whether an individual was 'active' vs listing all participants. The TC was in agreement that listing all participants who are issued tags is the preferred approach. States may in addition to this, provide information on how many participants were actually used the tags.

- 2020 fishing year may not be a reliable biological metric for future tag justification

The TC discussed the role of the COVID-19 pandemic in affecting both the implementation and

fishing participation in 2020. With the easing of restrictions in 2021, participation in the tagging program and landings may be different from last year. Additionally, there should be consideration of potential further rebound in the fishery next year (2022). The TC recommends that states should consider how potential increases in participation may require them to adjust their tag estimates, especially in how to consider commercial data from 2020 and 2021 in their biological metric.