



Atlantic States Marine Fisheries Commission

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Law Enforcement Committee Meeting Summary

October 10, 2025

Committee Members: Scott Pearce, Chair, FL; Delayne Brown, NH; Jeff Mercer, RI; Thomas Gadomski, NY; Nicholas Couch, DE; David Bailey, MD; Matt Rogers, VA; Jason Walker, NC

ASMFC Staff: Emilie Franke, Madeline Musante and Kurt Blanchard

Other Participants: Captain Daniel Ipock and Lt. Sean Reilly

The Law Enforcement Committee (LEC) conducted a virtual meeting on October 10, 2025, to discuss a request by the Atlantic Striped Bass Management Board to review the Plan Review Team's (PRT) Commercial Tagging Ten-Year Review Meeting Report. Specifically, the task was to review the report and discuss any further LEC recommendations on point of tagging and potential improvements to state tagging programs.

Emilie Franke, ASMFC FMP coordinator, provided the following background to the development of this report. The Atlantic Striped Bass Management Board tasked the Plan Review Team (PRT) with reviewing the striped bass commercial tagging program since it has been over a decade since the program was implemented. The PRT and state commercial tagging contacts met via webinar on July 24 and July 30, 2025, with the following objectives:

1. Inform the Board: Compile a summary of each state's tagging program.
2. Look Across Programs: Report any key observations and takeaways across programs, including common challenges faced by multiple states and the various biological metrics used to determine the number of tags for each season.
3. Share Information: Opportunity for states to share best practices and information on common issues, challenges, and solutions.
4. Streamline Reporting: Minimize duplicate information submitted in annual commercial tagging reports vs. annual state compliance reports. Confirm what information is most useful to law enforcement in tagging reports (e.g., tag color) vs. what is more relevant in state compliance reports (e.g., tag accounting).

Each state provided a written overview of their tagging program and presented an overview of their state program during the meetings. This report summarizes the subsequent discussion of observations and differences across state commercial tagging programs for striped bass.

The LEC appreciates the effort taken by the PRT to provide such a detailed report on this topic and welcomes the opportunity to review this report and offer comments as requested by the Board.

Discussion

The general discussion by the LEC was that the current state programs are effective and each in their own way offer a level of protection to the resource and meet the spirit of Addendum 3 to Amendment 6 of the Atlantic Striped Bass Interstate Fishery Management Plan and Amendment 7. This plan in part is derived from recommendations from the 2012 Interstate Watershed Taskforce Investigation which offered the following recommendations.

LAW ENFORCEMENT RECOMMENDATIONS

As a result of the comprehensive investigation and criminal proceeding, the following recommendations were made by the Interstate Task Force and are endorsed by the Law Enforcement Committee of the Atlantic States Marine Fisheries Commission.

Recommendations to Improve Enforceability & Accountability:

- *Implement a uniform commercial tagging system among all states where striped bass are harvested and landed for sale. This includes:*
 - *Uniformity by year, style, color, and inscriptions.*
 - *Tags should be valid for one year only.*
 - *Inscriptions should include the year, state, state size limits, and a unique number.*
 - *Use standardized, tamper-proof tags.*
- *Require all fish harvested for sale to be tagged immediately upon possession.*
- *Issue a set number of tags based on a scientific sample of the average (mean) weight of legal-sized fish harvested during the open season for that gear type, divided into the weight quota.*
- *Require all unused tags to be returned annually or seasonally and prohibit license renewal if unused tags are not returned.*
- *Strengthen reporting of tag numbers used on dealer reports or trip tickets.*
- *Implement license revocation or suspension as a primary penalty for state or federal violations.*
- *Ensure that law enforcement officers have real-time access to the tag numbers issued to each fisher.*

Many of these recommendations still have merit in the striped bass fishery today. The following is a more detailed response to the questions posed by the Board.

LEC Recommendation on Point of Tagging

Point of Tagging - The historical perspective of the above recommendations has softened in respect to time of tagging. In general, the ability to inspect a commercial catch of striped bass at multiple points from take to consumption provides law enforcement the ability to be most effective in our protection of the resource. Recent management measures in the ocean fishery have made the commercial take of striped bass more easily distinguished from a recreational take of striped bass. Management measures in the ocean fishery creating different size and possession limits between sectors gives law enforcement the ability to clearly define a commercial take from a recreational take while at sea and at the dock. This reduces the enforcement concern in a point-of-sale (POS) program. Point of Sale or Point of Landing tagging is less desirable for enforcement in states that are managed through individual quotas, and/or that allow for multiple commercial limits on board a vessel, or that have overlapping size limits between the commercial and recreational fishery. In these instances, states should strongly consider point of harvest (POH) tagging. The report shows that one state, Delaware, has a point of landing (POL) provision. State law enforcement has indicated that due to their fishery being small, they have experienced good compliance with this provision. If a POL provision were to be considered more widely, law enforcement would recommend that a clear and consistent definition of landing be used.

Tag Distribution – The LEC does not have a concern with how states are managing their respective tag distribution. Although there are several processes being used, they all meet the requirements of the plan. A concern arose amongst the LEC regarding the use of weigh stations and the accurate reporting of striped bass weights attributed against an individual's quota. For distributing additional tags in-season in states that have individual quotas, the LEC recommends the current strategy of the Potomac River Fisheries Commission. The assigning of tags based on an estimated average fish weight that each fisher receives a set number of tags where extra tags in-season are only provided in the case of lost/defective/broken tags. This encourages better compliance with regulations. By distributing a single annual allotment of tags, fishers have less reason to underreport their catch weights. In contrast, if additional tags are distributed throughout the season according to weights reported by fishers or private weighmasters, there is a higher temptation to understate actual landings.

Tag Accountability – all jurisdictions have a process in place to account for the lost, damaged, or delinquent tags. Again, these processes differ among agencies, but all meet the standards of the plan. Tag accounting through commercial tagging reports is a valuable management tool. This report offers insight into how this accounting of tags is conducted and the length of time it takes to gather the appropriate level of data. The PRT and State Commercial Tagging Contacts have offered that although it may take more time, more accurate data can be provided in the

annual striped bass compliance reports versus preliminary reports. The LEC supports this recommendation.

Potential Improvements to State Tagging Programs

Tag Traceability – While this report did not specifically address tracking tag numbers, the LEC wanted to emphasize the importance of being able to trace a tag back to the fisher. Most states with a POH program seem to follow this practice, but not all states with a POS program allow for tags to be traced to the fisher.

The following is an excerpt from the Guidelines for Resource Manager on the Enforceability of Fisheries Management Measures in reference to tagging, labelling, or marking of marine species.

TAGGING, LABELING OR MARKING OF MARINE SPECIES

Definition: The act of placing an approved manufactured tag, label, or a manipulation/alteration of the respective marine species for the purpose of marking a marine species for a management purpose.

Average Overall Rating: 4.00

Recommendation:

- *The tag should be an approved device that is identifiable, traceable, and tamper proof.*
- *The tag should be placed on a marine species in a location that will cause least harm to the species whether alive or dead.*
- *When any alteration to a marine species (i.e., fin clipping, v-notching or other) the requirement should be consistent among all jurisdictions.*
- *Improved documentation and labeling of fish and fish products would enable law enforcement to track such products back to the harvester and/or the initial purchaser and to intercept unlawful seafood product at various points between harvest and final sale for consumption.*



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MEMORANDUM

TO: Law Enforcement Committee

FROM: Sector Separation Fishery Management Action Team (FMAT)/Plan Development Team (PDT)

DATE: October 20, 2025

SUBJECT: Law Enforcement Committee Discussion Document for Summer Flounder, Scup, Black Sea Bass, and Bluefish Sector Separation Amendment

Background

This amendment is being developed by the Atlantic States Marine Fisheries Commission (Commission) and Mid-Atlantic Fishery Management Council (Council). The purpose of this amendment is to review and consider options for managing for-hire recreational fisheries separately from other recreational modes (referred to as mode management) as well as options related to for-hire permitting and reporting requirements for the summer flounder, scup, black sea bass, and bluefish.

Recreational mode management is being considered as a potential way to account for differing motivations, preferences, fishing behaviors, economic considerations, operational needs, and data reporting requirements between for-hire vs. private/shore components of the recreational fisheries.

Additional for-hire permit and/or reporting requirements will also be considered with the goal of ensuring the effectiveness of any mode management approaches. Limitations may be needed on the flexibility of fishery participants to enter and leave the for-hire sector at will based on preferred regulations under mode management, and increased consistency in state for-hire permitting and reporting requirements may be needed to effectively analyze mode management approaches going forward.

The Sector Separation Fishery Management Action Team (FMAT)/Plan Development Team (PDT) requests input and recommendations from the Law Enforcement Committee (LEC) in regard to the enforceability and expected compliance outcomes for the draft alternatives currently under consideration as described in more detail below. Under each set of draft alternatives, there are specific discussion questions for LEC consideration. However, additional input not captured by the questions below is welcomed.

M25-89

Draft Alternatives Under Consideration

The conceptual approaches listed below are currently being considered by the FMAT/PDT and will be further developed if determined to be viable. The Commission's Interstate Fisheries Management Program Policy Board (Policy Board) and Council will consider adopting a range of alternatives at their joint December 2025 meeting.

1. MODE MANAGEMENT GUIDELINES

This set of options would focus only on processes for setting different management measures by recreational mode, without separate allocations of catch or harvest. These separate measures would be designed to account for each sector's priorities, fishing behaviors, and data sets. Although mode-specific management measures are already used in a limited manner, this action could consider a more uniform approach and/or management guidelines for development of separate measures.

Current (2025) recreational management measures can be found in Appendix 1. In addition, current (2025) and historical recreational management measures for each species can be found at the following links:

- [2025 Summer flounder measures](#) / [Historical summer flounder measures](#)
- [2025 Scup measures](#) / [Historical scup measures](#)
- [2025 Black sea bass measures](#) / [Historical black sea bass measures](#)
- [2025 Bluefish measures](#) / [Historical bluefish measures](#)

Draft Alternatives

- **Status Quo** - Mode management measures continue to be considered at the state and/or federal level by species on an as-needed basis.
- **Uniform approaches or guidelines for implementing mode management** - Establishing guidelines or best practices for implementing mode management including but not limited to analytical approaches, degree of difference between measures by sector, and approaches to minimize enforcement concerns.
- **Requirements for states to consider or implement mode management** - Modify the Fishery Management Plans (FMPs) to require consideration of, or implementation of, mode management at the state and/or federal water level. This could include general direction that mode split measures must be considered or adopted, with associated guidelines on analytical approaches, degree of difference between measures by sector, and approaches to minimize enforcement concerns.
- **Coastwide measures for the for-hire fleet** - Consideration of one set of coastwide measures for the entire for-hire fleet.

- **Regional measures for the for-hire fleet** - Consideration of regional measures for the for-hire fleet to account for species distribution and seasonality along the coast.
- When the recreational fishery as a whole is required to reduce or liberalize catch by a certain percentage, **changes required for the for-hire mode are capped at x%.**

Questions for the Law Enforcement Committee:

- Are there enforcement concerns or issues associated with current mode management approaches at the state and/or federal level?
- Are there considerations for mode management that would help improve enforcement outcomes or address enforcement concerns?

2. LETTER OF AUTHORIZATION PROGRAM FOR SEPARATE FOR-HIRE MEASURES

A Letter of Authorization (LOA) program would be developed to authorize participating federally permitted for-hire vessels to operate under an alternative suite of regulations, including bag limits, size limits, and/or fishing seasons, that differ from the coastwide or state-specific measures otherwise in effect.

Participation in the program would be voluntary on an annual (or biennial) basis but would require vessels to commit to the program for the duration of the fishing year. Because of the nature of state/region-specific conservation equivalency, states would need to agree and authorize for-hire vessels permitted/landing in their state to participate in the LOA program and recognize and enforce the LOA specific measures that participating vessels would be required to follow.

The LOA program would establish for-hire specific regulations for authorized vessels that would be conservationally equivalent to the coast-wide or federal waters measures but structured to enhance operational viability and client satisfaction for charter and head boat operations. For example, in exchange for a higher bag limit, the LOA measures might impose a shorter season and/or a larger minimum fish size.

Additionally, LOA participants would be subject to enhanced reporting requirements, likely including more detailed discard data and potentially mandatory participation in some sort of specialized monitoring program.

Each year, or every other year to align with the current recreational measures setting process, the Board and Council would develop and propose the LOA measures when setting coast-wide and federal recreational measures (typically during the December joint meeting). This would also provide states the opportunity to formally opt into the

program for the upcoming year and identify whether for-hire vessels operating out of and landing in those states are eligible to receive an LOA if they chose to.

Draft Alternatives

- **Status Quo**
- **Federal for-hire LOA Program with *coastwide* LOA measures**
- **Federal for-hire LOA Program with *regional* LOA measures (likely limited to two regions)**

Questions for the Law Enforcement Committee:

- How feasible is it to enforce separate measures for LOA vessels v. other for-hire vessels?
- Would an LOA program make it more difficult to enforce for-hire vessel activity generally?

3. FOR-HIRE PERMITTING AND REPORTING

The Policy Board and Council are interested in exploring options for additional criteria for holding a for-hire permit. This was primarily driven by the potential need to limit the flexibility of fishery participants to enter and leave the for-hire sector at will under any potential mode management programs, e.g., dropping and adding a for-hire permit based on preferred regulations. Currently, open-access for-hire permits can be dropped or added at any time, assuming the permit holder is in compliance with reporting requirements for all permits held. Some Policy Board and Council members also expressed a desire to consider enhanced for-hire reporting requirements in conjunction with mode management approaches.

Draft Alternatives

Federal Permitting Alternatives

- **Status Quo** - No changes to federal level for-hire permitting. Federal for-hire permits are open access and can be dropped or added at any time and have minimal associated requirements.
- **Moratorium on new federal for-hire permits** - A moratorium would aim to hold permits at “current” levels; likely determined based on permit activity prior to the Council’s adopted federal for-hire control date of February 11, 2025.
- **Limited entry system for federal permits with qualification criteria designed to reduce latent effort** - Potential qualification criteria are still under consideration.
- **Tiered permit system** - Tier 1 could be for full-time or highly engaged for-hire operators and associated with eligibility and retention requirements. Tier 1

participants could have different measures or requirements compared to Tier 2 permits, which could be for part-time vessels and/or new entrants. Tier 2 permits would likely be open access.

- **Additional federal for-hire permitting requirements - such as proof of enrollment in a drug screening program, proof of liability insurance, minimum levels of participation in the for-hire survey**

State level permitting and reporting requirements

- **Status Quo** - No changes to state level permitting and reporting requirements, which are highly variable across states.
- **State level permit requirements** - Require states to limit permits via moratorium, limited entry system, or additional permit requirements, method TBD.
- **State level for-hire reporting requirements** - Require states to implement/enhance for-hire reporting requirements.

Questions for the Law Enforcement Committee:

- Does the LEC have any concerns with enforceability of the permitting and reporting options currently under consideration?

Appendix 1: 2025 State/Regional Recreational Management Measures

Summer Flounder

STATE	Mode	Size Limit	Possession Limit	Open Season
MASSACHUSETTS	Private & For-Hire	17.5"	5 fish	May 24 – September 23
	Shore	16.5"		
RHODE ISLAND	All	19"	6 fish	April 1 – December 31
Rhode Island Shore Program (7 designated shore sites)	Shore	19"	4 fish*	
		17"	2 fish*	
CONNECTICUT	All	19"	3 fish	May 4 – August 1
		19.5"		August 2 – October 15
Connecticut Enhanced Opportunity Shore Fishing Sites (45 designated shore sites)	Shore	17"	3 fish	May 4 – October 15
NEW YORK	All	19"	3 fish	May 4 – August 1
		19.5"		August 2 – October 15
NEW JERSEY	All	18"	3 fish	May 4 – September 25
New Jersey Shore Program Site (IBSP)	Shore	16"	2 fish	
New Jersey Delaware Bay and Tributaries	All	17"	3 fish	
DELAWARE, MARYLAND, & VIRGINIA	All	16"	4 fish	January 1 – May 31
		17.5"		June 1 – December 31
NORTH CAROLINA	All	15"	1 fish	September 1 – September 14

* Combined possession limit of 6 fish; no more than 2 fish at 17-inch minimum size limit.

Scup

STATE	Mode	Size Limit	Possession Limit	Open Season
MASSACHUSETTS	Shore	9.5"	30 fish	May 1 – December 31
	Private	11"		
	For-Hire	11"	40 fish	May 1 – June 30
			30 fish	July 1 – December 31
RHODE ISLAND	Shore	9.5"	30 fish	May 1 – December 31
	Private	11"		
	For-Hire	11"	30 fish	May 1 – August 31
			40 fish	September 1 – October 31
			30 fish	November 1 – October 31
CONNECTICUT	Shore	9.5"	30 fish	May 1 – December 31
	Private	11"		
	For-Hire	11"	30 fish	May 1 – August 31
			40 fish	September 1 – October 31
			30 fish	November 1 – December 31
NEW YORK	Shore	9.5"	30 fish	May 1 – December 31
	Private	11"		
	For-Hire	11"	30 fish	May 1 – August 31
			40 fish	September 1 – October 31
			30 fish	November 1 – December 31
NEW JERSEY	All	10"	30 fish	January 1 – June 30
				September 1 – December 31
DELAWARE, MARYLAND, VIRGINIA, & NORTH CAROLINA (North of Cape Hatteras, N of 35° 15'N)	All	9"	30 fish	January 1 – December 31

Black Sea Bass

STATE	Size Limit	Possession Limit	Open Season
MAINE	13"	10 fish	May 19-September 21; October 18-December 31
NEW HAMPSHIRE	16.5"	4 fish	January 1-December 31
MASSACHUSETTS	16.5"	4 fish	May 17-September 1
RHODE ISLAND Private & Shore	16.5"	2 fish	May 22-August 26
		3 fish	August 27-December 31
RI For-Hire	16"	2 fish	June 18-August 31
		6 fish	September 1-December 31
CONNECTICUT Private & Shore	16"	5 fish	May 17-June 23; July 8-November 25
CT (Authorized For-Hire Monitoring Program vessels)		5 fish	May 17-August 31
		7 fish	September 1-December 31
NEW YORK	16.5"	3 fish	June 23-August 31
		6 fish	September 1-December 31
NEW JERSEY	12.5"	10 fish	May 17-June 19
		1 fish	July 1-August 31
		10 fish	October 1-October 31
		15 fish	November 1-December 31
DELAWARE	13"	15 fish	May 15-September 30; October 10-December 31
MARYLAND			
VIRGINIA			May 15-July 15; August 5-December 31
NORTH CAROLINA North of Cape Hatteras (N of 35° 15'N)			May 15-September 30; October 10-December 31

Bluefish

State/ Jurisdiction	Bag Limit	Season	Size Limit
MAINE	3 fish	All year	None
NEW HAMPSHIRE	Private/Shore 3 fish; For-hire 5 fish	January 1 - September 30	None
MASSACHUSETTS	Private/Shore 3 fish; For-hire 5 fish	All year	None
RHODE ISLAND	Private/Shore 3 fish; For-hire 5 fish	All year	None
CONNECTICUT	Private/Shore 3 fish; For-hire 5 fish	All year	None
NEW YORK	Private/Shore 3 fish; For-hire 5 fish	All year	None
NEW JERSEY	Private/Shore 3 fish; For-hire 5 fish	All year	None
DELAWARE	Private/Shore 3 fish; For-hire 5 fish	All year	None
MARYLAND	Private/Shore 3 fish; For-hire 5 fish	All year	8" min size
VIRGINIA	Private/Shore 3 fish; For-hire 5 fish	All year	None
NORTH CAROLINA	Private/Shore 3 fish; For-hire 5 fish	All year	None
SOUTH CAROLINA	Private/Shore 3 fish; For-hire 5 fish	All year	None
GEORGIA	15 fish	Jan 1 - Feb 29; May 1 - Dec 31	12" min size*
FLORIDA	3 fish	All year	12" min size*

* Minimum sizes are in total length (TL), except GA and FL which are in fork length (FL).