



September 30, 2016

Dr. Christopher M. Moore  
Executive Director  
Mid-Atlantic Fisheries Management Council  
800 N. State Street; Suite 201  
Dover, DE 19901

Dear Dr. Moore:

I am writing on behalf of the Garden State Seafood Association (GSSA) in response to the proposal to create Special Management Zones around the 13 existing reefs in the EEZ off of NJ's coast. The GSSA does not outright oppose the creation of SMZ with NJ artificial reefs in the EEZ. However, we do oppose the removal of commercial fishing operation from all of these sights in light of the past funding from the commercial sector, original intent of the program, and the Federal Policy as it relates to Artificial Reefs.

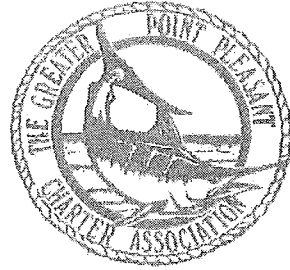
We believe it is more appropriate and consistent with both Federal and State policy to set aside reefs for all use groups. GSSA recommends the MAMFC consider dividing the reefs equally among the four primary users groups (3 Dive reefs, 3 For Hire Charter, 3 Recreational, and 3 Commercial) and set the one remaining reef as a scientific no take zone. Thus each user group would be allocated three reefs one north, one south, and one centrally located as equitably as possible.

The New Jersey artificial reef program was taken over by the NJDEP in 1984. Prior to that time private organizations and individuals applied for permits from the Army Corp of Engineers to sink materials to make reefs. Both commercial and recreational sectors were involved in these operations with material historically being placed in close proximity to existing underwater structures. All of these reef structures were open for anyone to fish around—both commercial and recreational fishermen. There was no 'defacto' private leasing or zoning of ocean bottom.

It is worth noting that in 1984 when the Department developed the artificial reef program the initial funding stemmed from the Oyster Creek Nuclear Power plant. Over \$400,000 was provided to the NJDEP to offset fish kills associated with the cooling of the facility. The commercial industry agreed to allow its portion of the funding (\$200,000) to be used on the artificial reef program keeping in mind that the program allowed commercial fishing on the reefs, and limited the reef program to then proposed 10

**GREATER POINT PLEASANT CHARTER BOAT ASSOCIATION**

Post Office Box 1355  
Point Pleasant Beach, NJ 08742  
732-892-3666



November 25, 2016

Mid Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE, 19901

Re: NJ SMZ Request

Dear Dr. Chris Moore,

The Greater Point Pleasant Charter Boat Association is an organization of 'for-hire' captains that hail out of Shark River, Manasquan and Barnegat Inlets. Most of us try to fish New Jersey's artificial reefs but that has become almost impossible because of the web of commercial traps and pots that presently blanket our local reef sites. At times we end up losing more fish rigs than the trip is worth. When rigs cost \$3.00 to \$7.00 each, profits diminish rather quickly and the only option is to move out.

There are issues with anchoring, dodging surface trap-line markers (which are usually barely visible plastic Clorox bottles) and ground lines that occasionally get hung up in our props. One of our members carrying over 50 passengers was recently stranded for two and a half hours while his mate had to dive overboard to cut trap-lines off his running gear. This has happened more than once to other for-hire captains too. Situations like this become very risky and dangerous.

This is really not right since recreational money has been used to build our reefs from the beginning. Our organization alone has donated hundreds of thousands of dollars from tournaments we run but that has stopped until this conflict is solved. In fact, GPPCBA has refused to donate for the past 5 years until just recently when the governor gave us some relief on the Axel Carlson and Sandy Hook reefs.

The GPPCBA members unanimously request the MAFMC please approve SMZ status on New Jersey's reefs in the EEZ. Help keep our fading for-hire industry in businesses.

Thank you,

Captain Dan McGivney  
President, GPPCBA

New Jersey State Federation of Sportsmen's Clubs, Inc.  
P.O. Box 884  
Eatontown, New Jersey 07724

November 24, 2016

Dr. Chris Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE 19901

Dear Dr. Moore,

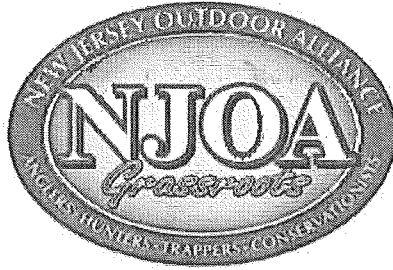
The New Jersey State Federation of Sportsmen's Clubs (NJSFSC), represents over 150,000 sportsmen and women in New Jersey. Internal polling has determined that over 80 percent of our membership includes saltwater anglers.

The NJSFSC is committed to protecting the natural resources for our membership, and reefs located off the coast of New Jersey are of extreme importance to our membership. As such, the NJSFSC is respectfully in support of the MAMFC SMZ Monitoring Team's recommendation to designate all 13 artificial sites as SMZs.

I wish to thank you in advance for your consideration of our request and I may be reached at [Rayszpond@gmail.com](mailto:Rayszpond@gmail.com) or (908) 403-5798 if further clarification on our position is needed.

Best Regards,

Raymond Szpond, President  
New Jersey State Federation of Sportsmen's Clubs



November 24, 2016

Mid Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE, 19901

Attn.: Dr. Chris Moore, Executive Director  
Re: NJ SMZ Request

Dear Dr. Moore,

The New Jersey Outdoor Alliance Conservation Foundation (NJOA-CF) represents over 300,000 sportsmen and sportswomen and related sport organizations throughout the state of New Jersey who want to express their extreme concerns over New Jersey's request for Special Management Zones (SMZ) on (13) offshore artificial reef sites.

For over nine years the NJOA-CF has been fighting for relief for the recreational fishing community on New Jersey's artificial reef system. Fixed gear trapping for lobster, finfish and conch have forced recreational anglers to not only abandon but stop financial support to New Jersey's outstanding reef program. This is a program that:

- 1) Created (15) reef sites, (2) in state waters and (13) in federal waters
- 2) Cost over \$10 million to build
- 3) Was 99% funded by recreational out-of-pocket donations and matching Wallup-Breaux Sportfish Restoration fund dollars
- 4) That was the most popular public saltwater fishing and diving program New Jersey ever developed and orchestrated (studies show 20% of recreational caught fish come from NJ reefs)
- 5) Was the nation's premier reef program that other states used as the model to copy

This wonderful program ended abruptly in 2011 when the USFWS Sport Fish Restoration Program was flooded with complaints about the lack of reef access due to the proliferation of trapping gear and that on the water, face to face confrontations were happening on a regular basis. Anglers were losing more tackle on the fixed gear than catching fish. And just like that, federal funding for reef building was terminated. Plus recreational donations ceased and New Jersey's once famous reef program came to a screeching halt. This once enormously valuable program has been relatively dormant for the past five years.

NJOA \* Box 655 \* Belmar, NJ \* 07719



212 West State Street  
Trenton, New Jersey 08608

November 25, 2016

Dr. Chris Moore  
Executive Director  
Mid Atlantic Fisheries Management Council  
800 North State Street  
Suite 201  
Dover, DE 19901

RE: NJ SMZ Request

Dear Dr. Moore:

On behalf of the Garden State Seafood Association (GSSA) I wanted to thank the Council for deciding to hold two public hearings in New Jersey to receive public input regarding the proposal to create Special Management Zones around the 13 existing reefs in the EEZ off of NJ's coast.

The GSSA has been debating the issues and controversy surrounding the artificial reef program for ten years. We view this latest development as an opportunity to satisfy the MAFMC goals and ultimately continue the NJDEP Artificial Reef while allowing multiple user groups to co exist.

Throughout this debate we have not outright opposed the creation of SMZ with NJ artificial reefs in the EEZ. Please consider that, similar to the compromise we offered in our own State, we have publically offered the same approach in the reefs in federal waters. However, we remain opposed to the removal of commercial pot fishing from all of these sights. We feel that we have maintained a consistent position when you consider the past funding from the commercial sector, original intent of the program, and the Federal Policy as it relates to Artificial Reefs.

Additionally we believe the conclusion reached by staff appears inconsistent. While the economic impact to small commercial fishermen is minimal \$25,000 for all reefs, and the staff has identified conflict on only two reefs. Additionally the NJDEP has stated anecdotally that the number of pots prevents access by recreational hook and line fishermen. The State's position is supported anecdotally

**THOMAS A. MASTERSON, JR.**  
**520 ARBORDALE ROAD**  
**WAYNE, PA 19087**  
**tamastersonjr@gmail.com**  
**267-939-5500**

November 24, 2016

Mr. Richard Seagraves  
Mid-Atlantic Fishery Management Council  
800 N. State Street, Suite 201  
Dover, DE 19901

**RE: NJ SMZ Request**

Dear Mr. Seagraves:

I am writing in support of the SMZ designation for the New Jersey reefs. I am a 63 year old and third generation lifelong New Jersey fisherman. I am also a charter boat captain who specializes in taking families and children to fish the artificial reefs. In my opinion, there would be no New Jersey inshore charter or recreational fishery without the successful fishing trips made possible by New Jersey's artificial reef system.

I strongly object to the suggestion of allowing pots on half the reefs or anywhere on or near the reefs. Pots and their lines and gear are an inherent conflict with rod and reel fisherman who must drift with the currents over and across the reefs where pots and their lines and floats will snag fishing lines and hooks and obstruct drifts. Pots will also target and deplete reef fish especially the black sea bass. The black sea bass is crucial to the inshore rod and reel fishery. Pots decimate the black sea bass population in the areas where they are placed on the Little Egg Reefs.

As stated in "The Artificial Reef Management Plan for New Jersey" of December 2015 the objectives of New Jersey's Reef Program are, among other things, to:

"4) create fishing grounds for hook-and-line fisherman;"

"6) provide economic benefits to recreational fishing and diving industries."

Allowing pots on half of the artificial reefs will totally conflict with and undermine those stated objectives. These reefs were built for the benefit of hook and line fisherman and recreational sport fishing and should be limited to hook and line and spear only. Sport fishing generates a tremendous amount of economic benefit and good will to New Jersey. The artificial reefs are where many children who will become lifelong fisherman will catch their first fish, most likely a black sea bass.

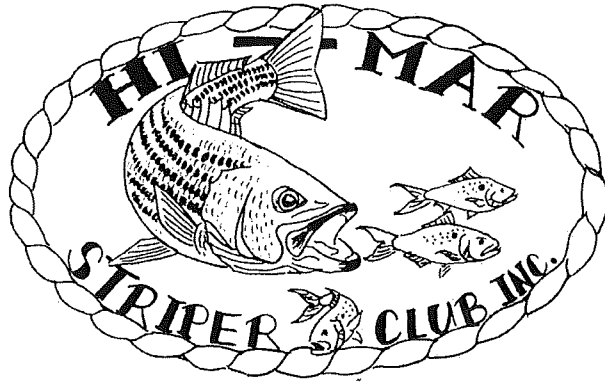
New Jersey cannot afford to allow pots or anything else to interfere with kids getting "hooked on fishing". The future of the recreational fishing industry depends on it. Please say no to the pots on New Jersey's artificial reefs.

If you need any additional information please feel free to contact me.

Sincerely,



Thomas A. Masterson, Jr.



P.O. BOX 126 • MIDDLETOWN, NJ 07748

November 22, 2016

Dr. Chris Moore, Executive Director

MAFMC

800 North State Street. Suite 201

Dover, DE 19901

Email: Rich Seagraves at [rseagraves@mafmc.org](mailto:rseagraves@mafmc.org)

Dr. Chris Moore:

The Hi-Mar Striper Club of Middletown and Highlands, New Jersey, and its 40 members hereby advise you, that we support the Mid-Atlantic Fisheries Management Council's (MAFMC) Special Management Zone (SMZ) Monitoring Team's recommendation to designate all 13 artificial reefs as Special Management Zones.

Yours Truly

  
Casey Campi

President, Hi-Mar Striper Club

(17)

To: Richard Seagraves, MAFMC

From: Bill Figley

Subject: NJ Reef SMZ Request

As coordinator of NJ's Reef Program, I was mandated by a Federal Sportfish Restoration contract to build ocean reefs for recreational angling and scuba diving. Federal and state reef permits noted that the intent of building reefs was for hook and line fishing and diving. The state's Artificial Reef Manage-



their anchors in  
can snag ground lines of  
fixed gear. Traps lost  
during storms or due to  
entangling in reef structures  
become "ghost traps" that  
snag hooks for years.

As reef construction  
increased, so did the numbers  
of traps on reefs. On some  
reefs, there were hundreds  
of traps and thousands of  
feet of ground lines. Such  
fixed gear is left in place

The states in the Gulf and South Atlantic encountered similar problems with a proliferation of trap gear. Their Councils solved these conflicts by providing SMZ status for their reef sites.

I urge the MAFMC to follow the recommendations of the SMZ committee, as was done for DE, and limit gear on ~~NET~~ reef sites to hook and line, spear and hand.

Dr. Chris Moore  
Executive Director  
Mid Atlantic Fishery Management Council  
800 N State St Suite 201  
Dover, DE 19901

November 17, 2016

Dear Mr. Moore,

I am an Area 4 lobsterman. I am all for artificial reefs, however, I am adamantly against closing access to reefs to lobster traps.

I also rod and reel fish and know how to set an anchor and drift fish to avoid gear. It is rather simple. The Captains that were complaining last night in Toms River should open a doughnut shop as a new profession.

The presentation was self-serving, biased and delivered many, many inaccuracies.

We are only allowed to fish 11 months a year and paid tens of thousands of dollars for our federal permits. We pump hundreds of thousands of dollars into a variety of industries for bait, fuel, traps, high fliers, ground gear, etc.

The lying captains and presenters told a series of desperate lies throughout the night.

Lie # 1 – Where a lobsterman came up to his charter boat and offered (He had his hands open as if it was the size of two basketballs), a clump of line, sinkers, buck tails, etc. Complete lie trying to make a point. Pathological, desperate lie #1! It never happened!

Lie # 2 – The Mako Mania email that I received inviting me to the meeting (WHY WEREN'T LOBSTERMEN NOTIFIED??????), told a lie of a story where a family saved up their life savings, caught no fish all day due to getting snagged on lobster gear, kids crying, captain lost anchor, etc... Pathetic, desperate Lie # 2! It never happened!

Lie # 3 – The slide show... I was told of the self-serving data regarding the dollars spent by Sport fishing Fishermen vs Lobstermen (\$25K) on the Sea Girt Reef. 1 of several lobstermen that fishes the Sea Girt Reef was there and he personally spent over \$25K. Pathetic, desperate Lie # 3!

Lie # 4 – The slide show... The reef areas in question and where lobstermen have been fishing long before the artificial reef movement, is not flat, rather, maintains a lot of structure. Pathetic, desperate Lie # 4! He probably believes that the earth is flat!

Lie # 5 – People were talking about all the sea bass we catch in our traps. I caught a small cod, a small blackfish and two sea bass that were all returned to the ocean alive this year. Pathetic, desperate Lie # 5!

Lie # 6 – Ghost gear. In 11 years of lobster fishing I lost a total of 9 traps. Pathetic, desperate Lie # 6!

My point is that if they want to make a case then just tell the truth and don't fabricate things because it is hard to read the truth through all of the lies that took place last night.

By the way, I don't care if only \$5.00 was spent on fuel, bait, gear, etc. This is the Atlantic Ocean. God's ocean! No one should claim areas of the ocean as theirs just because they dropped rubble and sank barges, tugs, etc.

The Old Fisherman's (space sharing) SMZ proposals for Federal reefs: 30 Oct 2016

30 Oct 2016

Dr. Christopher M. Moore  
Executive Director, MAFMC

Dr Moore:

RE: NJ Artificial reef SMZ request

There are two laws concerning artificial reefs in the EEZ under which NMFS can and should act.

The first is 50 CFR 648.148. It allows NMFS to restrain or prohibit "gear" that is "incompatible with the intent of the reef" (see Attachment 1). However, in order to prohibit any gear type when acting under this CFR, the Council must be careful not to use statements of intent that come from source other than the owner of the reefs<sup>1</sup>. Since the U.S. Government owns the reefs in federal waters, NMFS must show that the gear type being prohibited is incompatible with the intent that Congress established for artificial reefs in Federal waters as listed in 33 USC 2101 (a5).

The second law is 33 USC 2102. It mandates that management measures on artificial reefs in the EEZ are to be managed in a manner that is consistent with standards included in the law (see Attachment 1). These standards reference fishing sectors (*commercial and recreational*), and "uses" rather than gear.

Since, in New Jersey's request, the reason for the SMZ request is that pots are causing recreational users to lose access to reef areas (rather than pots being incompatible with the intent<sup>1</sup> of Federal reefs), **it is justifiable, under the mandate of 33 USC 2102, to create an SMZ plan that ameliorates present and future conflict by addressing sector usage.**

Near the close of the Council's discussion on SMZs, Mr. Bullard asked that the public make suggestions for a "sharing" plan that may be an alternative to the "possibly imperfect" plan suggested by the Garden State Seafood Association (GSSA). Therefore I propose the attached plan (see attached Plan A) that:

- Meets the sector mandates of 33 USC 2102 and the gear requirement of 50 CFR 648.148;
- Allows the reef near each inlet to be accessed and utilized by both sectors simultaneously as opposed to the GSSA plan that makes the fishermen from one of the sectors travel a great distance to get on a reef of proper designation;
- Allows each sector to have an equitable distribution of reef resources in the EEZ as opposed to the possibility of an inequitable distribution or inequitable future reef development.

(Both of the latter are shortcomings of the GSSA plan.)

Please have the Council consider the attached Plans as fair and balanced solutions (SMZ) for ameliorating conflicts occurring on all Federal waters reefs.

The Old Fisherman  
Walter Chew (wdchew@comcast.net)

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<sup>1</sup> *Sport Fish Restoration Program (SFRP)* intent applies only as criteria for granting SFRP funds; and *New Jersey reef program* intent applies only to State waters reefs.

**ATTACHMENT I (Regulations and Laws)**

**50 CFR 648.148** - Special management zones.

"..... The MAFMC may prohibit or restrain the use of specific types of fishing **gear** that are not compatible with the **intent of the artificial reef** or fish attraction device or other habitat modification within the SMZ. ...."

*(intent of a Federal Artificial reef is listed in 33 USC 2101 a5)*

**33 USC 2101** - Congressional statement of findings and purpose

(a) The Congress finds that—

(5) properly designed, constructed, and located artificial reefs in waters covered under this chapter can

enhance the habitat and diversity of fishery resources;

enhance United States **recreational and commercial fishing opportunities**;

increase the **production of fishery products** in the United States;

increase the energy efficiency of **recreational and commercial fisheries**; and

contribute to the United States and coastal economies.

(b) The purpose of this chapter is to promote and facilitate responsible and effective efforts to establish artificial reefs in waters covered under this chapter.

=====

**33 USC 2102** - Establishment of standards

"..... artificial reefs in waters covered under this chapter shall be sited and constructed, and subsequently monitored and managed in a manner which will—

(2) facilitate access and utilization by United States **recreational and commercial fishermen**;

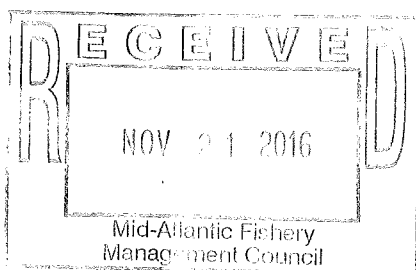
(3) minimize conflicts among **competing uses** of waters covered under this chapter and the resources in such waters;

(4)....."

11/20/16

Dear SIAS,  
in regards to the special management zones in New Jersey, I strongly disagree with some of your findings. With gear conflicts, I occasionally get a sinker or two in my trap gear and end up with about half a bucket of sinkers at the end of the year, this is a minimal amount of tackle that the sport-fishing groups lose on trap gear, when they do lose their hooks and sinkers, it is most likely due to rough bottom such as concrete and rebar and the various wrecks that are deployed on these sites. on my end, I experience a mainline of my gear cut about once a month or so, this is not a big deal, I simply grab the other buoy and tie the gear back together. Fishing tackle lost on a reef is to be expected as any experienced angler knows.

The next topic of concern is



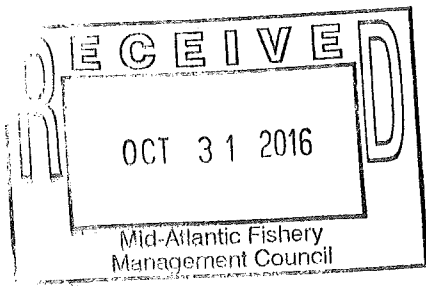
The Loss of Revenue. I was at the November 16, 2016 SM2 meeting in TOMS RIVER, NJ and the TOTAL income projected that was harvested from all 13 ARTIFICIAL REEFS was "said" to be \$25,000. in 2015. This is NOT an accurate amount, if it were it would simply NOT be PROFITABLE enough to stay here. OVER 70% OF MY catch is from fishing on the Seagirt and Shark River Reef sites and I have been fishing these two sites since I began my LOBSTER fishing business in 1991. when these reefs were being created they were supposed to benefit BOTH commercial and recreational fishermen as both groups have contributed for this cause. Now here we are years later where the sector (Sport fishing) believes that since ~~they~~ they contribute more, that they are now ENTITLED to all of these Reef Areas. I would

Like For the Committee who  
is Reviewing this Dispute to  
see that all the gear conflict is  
that losing a few hooks and sinkers  
is not enough of a good reason to  
exclude TRAPS and POTS from catching  
LOBSTERS from people who need this income  
to support their families. Again,  
I have fished these areas for  
25 years and can not see a  
reason why things should change now,  
nothing has changed from then till  
now except for people trying to "own"  
Federal waters in the EEZ by  
providing structure on it. If this  
is the case can anyone do this just  
by creating a dump site?

Thank you,

Stephen Celeste  
F/V MISS AM  
732-610-6790





10/28/16

Attn: Dr. Chris Moore

I support the MAMFC SMZ  
Monitoring Team's recommendation  
to designate all 13 artificial  
sites as SMZs.

Joyce Adams  
88 Stephan Rd.  
Brick, NJ 08724

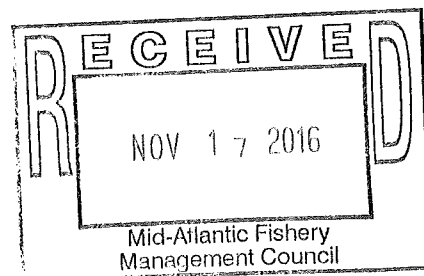
Joyce Adams  
Member JCSA



**JERSEY COAST ANGLERS ASSOCIATION**  
Working For The Saltwater Resource & Marine Anglers  
1594 Lakewood Rd., Suite 13, Toms River, NJ 08755  
Phone 732-506-6565 Fax 732-506-6975  
Web Site <http://www.jcaa.org>  
Email [jcaa@jcaa.org](mailto:jcaa@jcaa.org)

November 10, 2016

Dr. Chris Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State St. Suite 201  
Dover, DE 19901



Re: NJ SMZ Request

Dear Doctor Moore

JCAA is an association of fishing clubs and organizations representing thousands of NJ salt water anglers.

We fully support the SMZ Monitory Team's recommendation to designate SMZ status to the 13 artificial reefs located in the EEZ. We urge the Council to accept their recommendations. We would like the potting conflict resolved so that funding may be restored for these reefs so that organizations such as ours can add deployments to these reefs.

As you are aware, the numerous pots are a major hindrance to recreational fishing. I can say, from personal experience, that the pots on the Sea Girt and Shark River reefs prevent anglers from fishing the very structures that were sunk to create these reefs as they are surrounded by pot lines and traps. The pot lines are poorly marked and the markers are difficult to see. Many of the markers on the Shark River reef consist of plastic bottles strung together. While the income to the commercial fishing industry may be considered de minimis as pointed out in the SMZ Monitoring Team report, the interference with recreational fishing is very significant.

Another consideration as to why the pots should be removed is due to current and proposed sandmining projects for beach replenishment and dune construction. Natural lumps are being mined causing loss of marine habitat. This reduces or eliminates very popular fishing areas. Recreational anglers have been frustrated with the constant reductions of bag limits, size limits and length of seasons; some warranted; some not. Now we are faced with sandmining projects that are destroying the very habitat where fish aggregate. Just last week, the ACOE put out for bid the Manasquan Inlet to Barnegat Inlet beachfill project.

Two natural lumps, Borrow Areas D and E have a combined area of 554 acres, will be destroyed. A third lump, Borrow Area B is a "Prime Fishing Area" as designated in the Coastal Zone Management rules. It is 360 acres in size and consists of 7.5 million cu. yds of sand. On this lump, only, and I say this facetiously, 5

million cu. yds will be removed. As more and more natural fishing habitat is removed, the greater the importance the artificial reefs become to the recreational angler

The reefs were built by virtue of the Sportfishing Restoration Act and the Sportfishing Restoration Program. The Program is funded with recreational dollars. Its' sole purpose is to restore sportfishing, not commercial potting, as a "user pays; user benefits" program. The Artificial Reef Program was very successful up until this conflict was created. It's now time for the pots to be moved off the artificial reefs and for us to get back to reef building.

We urge the Council to join the ranks of Delaware, South Carolina, Georgia and Florida in designating New Jerseys artificial reefs as Special Management Zones.

Respectfully submitted,

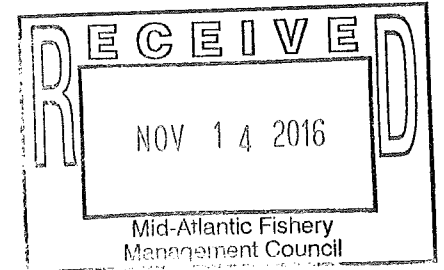


Kenneth F. Warchal  
Vice President



# Manasquan River Marlin & Tuna Club

Established in 1936



November 10, 2016

Dr. Chris Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State St.  
Suite 201  
Dover, DE 19901

Re: NJ SMZ Request

Dear Dr. Moore

MRMTC is a fishing club having 235 members. We are very active in the artificial reef program having funded 11 deployments. The most recent one was NY Harbor Charlie which is a 65' crew boat sunk on the Axel Carlson reef on August 8<sup>th</sup> of this year. It was a memorial honoring one of our past principal members.

We fully support the SMZ Monitory Team's recommendation to designate SMZ status to the 13 artificial reefs located in the EEZ. We urge the Council to accept their recommendations. We would like the potting conflict resolved so that funding may be restored for these reefs so that organizations such as ours can add deployments to these reefs.

As you are aware, the numerous pots are a major hindrance to recreational fishing. I can say, from personal experience, that the pots on the Sea Girt and Shark River reefs prevent anglers from fishing the very structures that were sunk to create these reefs as they are surrounded by pot lines and traps. The pot lines are poorly marked and the markers are difficult to see. Many of the markers on the Shark River reef consist of plastic bottles strung together. As pointed out in the SMZ Monitoring Team report, the income to the commercial fishing industry may be considered de minimis but the interference with recreational fishing is very significant.

Another consideration as to why the pots should be removed is due to current and proposed sandmining projects for beach replenishment and dune construction. Natural lumps are being mined causing loss of marine habitat. This reduces or eliminates very popular fishing areas.



# Manasquan River Marlin & Tuna Club

Established in 1936

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Recreational anglers have been frustrated with the constant reductions of bag limits, size limits and length of seasons; some warranted; some not. Now we are faced with sandmining projects that are destroying the very habitat where fish aggregate. The ACOE recently put out for bid the Manasquan Inlet to Barnegat Inlet beachfill project. Two natural lumps, Borrow Areas D and E have a combined area of 554 acres, will be destroyed. A third lump, Borrow Area B is a "Prime Fishing Area" as designated in the Coastal Zone Management rules. It is 360 acres in size and consists of 7.5 million cu. yds of sand. On this lump, only, and I say this facetiously, 5 million cu. yds will be removed. As more and more natural fishing habitat is removed, the greater the importance the artificial reefs become to the recreational angler

The reefs were built by virtue of the Sportfishing Restoration Act and the Sportfishing Restoration Program. The Program is funded with recreational dollars. Its' sole purpose is to restore sportfishing, not commercial potting, as a "user pays; user benefits" program. The Artificial Reef Program was very successful up until this conflict was created. It's now time for the pots to be moved off the artificial reefs and for us to get back to reef building.

We urge the Council to join the ranks of Delaware, South Carolina, Georgia and Florida in designating New Jerseys artificial reefs as Special Management Zones.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. Warchal', written in a cursive style.

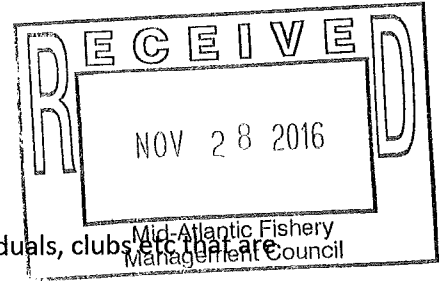
Kenneth F. Warchal,

Fisheries Management Chair

Dr. Chris Moore,

In the attached letter, I make reference to the various organizations I represent.

After I sent it to you, I realized that I should have indicated the numbers of individuals, clubs, etc. that are in these organizations so that you have a better understanding of them.



**New Jersey Outdoor Alliance** - an organization that represents the rights of anglers and hunters in New Jersey. It is also a PAC and can support legislators who favor our issues.

Approximately 3,500 members.

**Jersey Coast Anglers Association** - an association of 40 fishing clubs with the mission of protecting anglers who fish in New Jersey's waters. Not sure of exact numbers, but approximately 3,000 members.

One JCAA club, the NJ Beach Buggy Association alone has 1,200 members in it.

There are not many commercial anglers who have traps on the 13 reefs, but the proliferation of their traps deny the use of the many anglers who want to fish them.

Sincerely,

A handwritten signature in black ink, appearing to read "John Toth", with a long horizontal line extending to the right.

John Toth

# SALT WATER ANGLERS Of Bergen County

AMERICAN LEGION POST NO. 170

33 WEST PASSAIC STREET

ROCHELLE PARK, NEW JERSEY 07662



Dr. Chris Moore,

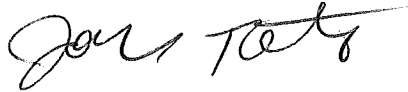
November 18, 2016

On behalf of the Salt Water Anglers of Bergen County and the other associations listed below, we strongly recommend that the MAMFC designate the 13 artificial reefs off New Jersey's coast in federal waters as SMZs (Special Management Zones) in accordance with the findings of your SMZ Monitoring Team. We believe these reefs should receive this SMZ status for the following reasons:

1. The numerous commercial traps on these reefs is a major problem for New Jersey's recreational anglers and divers. Thousands of feet of trap lines and hundreds of traps stretched across these reef sites snag the rigs and anchors of recreational anglers. Recreational anglers funded the development of these reefs, but they cannot effectively use them due to the proliferation of commercial traps.
2. These reefs should be available for use by everyone and not be effectively restricted for use by numerous traps and gear. The reefs should be like a public park and open to everyone with hook and line or spear.
3. Your MAMFC Executive Summary report dated October 2016 shows that pot/trap landings at all 13 reef sites combined approached **only \$25,000 in revenue during 2015 for commercial anglers !** Accordingly, if these reefs received SMZ status, commercial anglers would not be adversely affected economically if the reefs received SMZ status due to the very small amount of revenue generated by the 13 reefs for them.
4. Traps are often lost when they get hung up in reef structure and then become "Ghost Traps" and kill marine life 24/7 until their net funnels rot out.
5. Other states such as Florida, Georgia, South Carolina, Virginia and New York have protected public use of reefs off their coasts by limiting fishing gear on reefs to hook and line. New Jersey should follow their example.

These are only a few of the many reasons why these 13 reefs off New Jersey's coast should receive SMZ status. You have undoubtedly received many more of them through your public meetings and other communications. The time to do something positive about this ongoing issue is NOW and we implore you to do so.

Thank you for assistance on an issue that we have been trying to resolve for almost 10 years!

A handwritten signature in black ink, appearing to read "John Toth". The signature is fluid and cursive, with a long horizontal stroke extending from the end.

John Toth, President, Salt Water Anglers of Bergen County

President, Jersey Coast Anglers Association (JCAA)

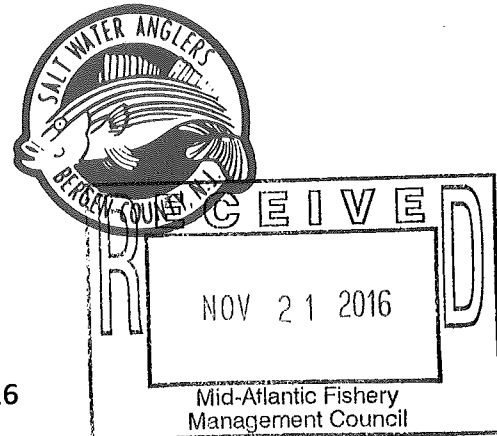
President, New Jersey Outdoor Alliance (NJOA)

The Salt Water Anglers of Bergen County has approximately 150 members and more information about it can be found at [www.swabc.org](http://www.swabc.org). I can be reached at (732) 656-0139 for further information if needed or [tothjohn@verizon.net](mailto:tothjohn@verizon.net)



# SALT WATER ANGLERS Of Bergen County

AMERICAN LEGION POST NO. 170  
33 WEST PASSAIC STREET  
ROCHELLE PARK, NEW JERSEY 07662



Dr. Chris Moore,

November 18, 2016

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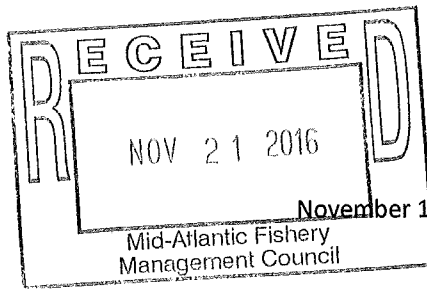
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John Toth, President, Salt Water Anglers of Bergen County

President, Jersey Coast Anglers Association (JCAA)

President, New Jersey Outdoor Alliance (NJOA)

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Dr. Chris Moore  
Executive Director  
Mid Atlantic Fishery Management Council  
800 N State St Suite 201  
Dover, DE 19901

Dear Mr. Moore,

I am an Area 4 lobsterman. I am all for artificial reefs, however, I am adamantly against closing access to reefs to lobster traps.

I also rod and reel fish and know how to set an anchor and drift fish to avoid gear. It is rather simple. The Captains that were complaining last night in Toms River should open a doughnut shop as a new profession.

The presentation was self-serving, biased and delivered many, many inaccuracies.

We are only allowed to fish 11 months a year and paid tens of thousands of dollars for our federal permits. We pump hundreds of thousands of dollars into a variety of industries for bait, fuel, traps, high fliers, ground gear, etc.

The lying captains and presenters told a series of desperate lies throughout the night.

Lie # 1 – Where a lobsterman came up to his charter boat and offered (He had his hands open as if it was the size of two basketballs), a clump of line, sinkers, buck tails, etc. Complete lie trying to make a point. Pathological, desperate lie #1! It never happened!

Lie # 2 – The Mako Mania email that I received inviting me to the meeting (WHY WEREN'T LOBSTERMEN NOTIFIED?????), told a lie of a story where a family saved up their life savings, caught no fish all day due to getting snagged on lobster gear, kids crying, captain lost anchor, etc... Pathetic, desperate Lie # 2! It never happened!

Lie # 3 – The slide show... I was told of the self-serving data regarding the dollars spent by Sport fishing Fishermen vs Lobstermen (\$25K) on the Sea Girt Reef. 1 of several lobstermen that fishes the Sea Girt Reef was there and he personally spent over \$25K. Pathetic, desperate Lie # 3!

Lie # 4 – The slide show... The reef areas in question and where lobstermen have been fishing long before the artificial reef movement, is not flat, rather, maintains a lot of structure. Pathetic, desperate Lie # 4! He probably believes that the earth is flat!

Lie # 5 – People were talking about all the sea bass we catch in our traps. I caught a small cod, a small blackfish and two sea bass that were all returned to the ocean alive this year. Pathetic, desperate Lie # 5!

Lie # 6 – Ghost gear. In 11 years of lobster fishing I lost a total of 9 traps. Pathetic, desperate Lie # 6!

My point is that if they want to make a case then just tell the truth and don't fabricate things because it is hard to read the truth through all of the lies that took place last night.

By the way, I don't care if only \$5.00 was spent on fuel, bait, gear, etc. This is the Atlantic Ocean. God's ocean! No one should claim areas of the ocean as theirs just because they dropped rubble and sank barges, tugs, etc.

Should Lobstermen claim the entire Mud hole and all wrecks in the Atlantic as theirs? Of course not, but that is what is being proposed on the reefs. We are all tax paying citizens that should have equal access to all areas of the ocean (I am not referring to fishing grounds that are being protected like the Elephant Trunk/scallop fishery).

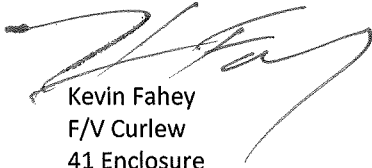
In closing, I do not fish reefs. I fish wrecks only. I fish only 60 traps at a time and do not sell my catch. This stupid proposal does not affect me at all. I fish recreationally, JUST LIKE THE CHARTER BOATS, CAPTAINS AND RECREATIONAL FISHERMEN!

So, why am I so pissed of you may ask? Trust me I am, and my Irish is up!

It is all about principle and that is how I was brought up. Attacking when I believe there is an injustice and this proposal is just that, a total injustice to the hard working lobster fishermen that fish that area of the ocean.

An hour after the planed hit the WTC I drove my Harley Davidson over to Manhattan College where I went to school via the Tappan Zee Bridge. I left my bike at the security booth and took two trains down to the site. I worked there for 3 days helping out. I am not a fireman, first aid worker, etc. Just a blue collar guy that does the right thing as often as I can.

This proposal is not the right thing!



Kevin Fahey  
F/V Curlew  
41 Enclosure  
Nutley, NJ 07110

Dr. Chris Moore, executive director,  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover DE, 19901

November 25, 2016

Dear Dr. Chris Moore,

The Lower Township Chamber of Commerce is writing you, in reference to the NJ SMZ Request. Federal law provides that the 13 reefs, built in Federal waters, were to benefit both commercial and recreational fisherman in the State of New Jersey. We are petitioning the Mid-Atlantic Fishery Management Council to determine an equitable solution to the conflict that has arisen between the commercial and recreational fisherman over the use of these reefs. A compromise must be reached to provide the shared use. Commercial fishing is essential to our economy as is recreational fishing. These reefs are an important resource for both industries, therefore, a fair compromise must be reached.

Thank you for your attention to this matter,

Kathleen E. Louderback

President

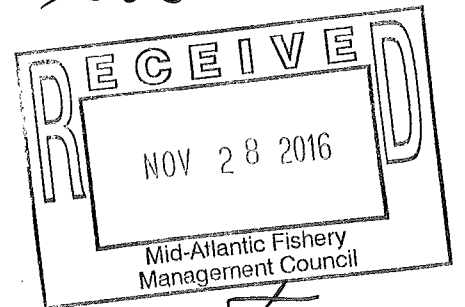
Lower Township Chamber of Commerce

11/21/2016  
Pg 1 of 4

TO: DR. CHRIS MOORE,  
EXECUTIVE DIRECTOR,  
MAFMC  
800 NORTH STATE STREET  
SUITE 201, DOVER, DE 19901

FROM: SERGIO RADDOSI  
14 ROOSEVELT AVE  
RIDGEFIELD PARK, N.J. 07660

RE: NJ SMZ REQUEST



Dear Dr. Moore,

I am writing to you to support SMZ status for New Jersey's artificial reefs. This is as per the findings of the MAFMC's SMZ committee.

In addition to the committee's findings and recommendation, I offer the following observations & comments.

Regarding Gear Conflicts: It

has been observed that recreational

11/21/2016

- Pg 2 of 4

anglers have lost anchors,  
anchor chain & line due to fouling with  
commercial pots on artificial reefs.  
This is in addition to fishing gear.  
Recreational anglers do not fight this, they  
pick up and leave - taking the loss and  
disappointing their crew. Commercial  
gear overcomes recreational gear -

Please Note: It is recreational  
dollars which build & maintain  
artificial reefs - then recreational  
anglers are chased away. This  
impacts the private boater, and  
"for hire" vessels.

Regarding Partitioning Ocean Bottom:

Artificial reefs represent a very small  
area of the ocean. If commercial potter  
wish to take advantage of the reef they  
can fish the edges or they can fish  
with hook & line. The intent of

11/21/2016

artificial reefs from inception - Pg 3 of 4  
is Hook & line & spear fishing only.  
Pots & Traps were never permitted  
on the reefs. Agiri: It is recreational  
dollars which built & maintain  
artificial reefs.

### Regarding possible solutions:

The recreational sector has suggested  
that the commercial sector build  
additional commercial reefs, the commercial  
sector is not interested in this solution.  
They prefer the existing reefs which were  
built and are maintained with  
recreational funds. Note a solution was  
suggested

### In conclusion:

Rather than continue citing examples  
of gear conflicts (I have doo & anchors  
to pots) or harp on the recreational  
funds which built & maintain the reefs,



11/21/2016 }  
(my club, the Hudson River Fishermen's } PG 4 of 4  
Assn has raised funds to sink two ships }  
I will close by citing the  
recommendation of the MAFMC's  
SMZ committee.

Please give New Jersey's artificial  
reefs SMZ Status.

Thank you for listening.  
Thank you for your support

Alyia Rad

SFR010 TRAD0221

RIDGEFIELD PARK, N.J.

cc: Mr. Rich Seagraves.

## Sergio Radossi

---

**From:** Sergio Radossi <sradossi@verizon.net>  
**Sent:** Monday, November 21, 2016 9:20 PM  
**To:** 'rseagraves@mefmc.org'  
**Subject:** NJ SMZ Request  
**Attachments:** NJ SMZ Request.pdf

**Importance:** High

Dear Mr. Seagraves,  
Please find attached my hand written letter to Dr. Moore asking for SMZ status for NJ's artificial reefs. While I have sent this to him via the US postal system, I want to make sure he gets it. Please forward it to him, before the comment period deadline.

I am asking you for your help in this matter, because I while I have already e-mailed you my request for SMZ status for NJ's artificial reefs, I was advised that a hand written letter carries muck more weight than an e-mail which simply states .... I support the recommendation n of the MAFMC's SMZ committee.

Thank you for listening to me.  
Thank you for your comprehensive report.  
Sergio Radossi

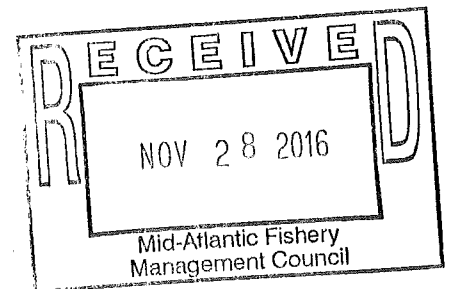
Cc: Dr. Chris Moore

To: Dr. Chris Moore, MAFMC

From: Bill Figley, Reef Rescue

Subject: NJ SMZ request

Enclosed are letters accumulated by Reef Rescue from fishermen and fishing organizations regarding traps on New Jersey artificial reefs. These documents demonstrate both a conflict between hook and line fishing and trap gear and the need to establish SMZ status for the 13 NJ reefs in the EEZ.



Rush to Sea

9 of 11



Mr. Deyback, left, and Mr. Smith examine fishing line, hooks and lures that were tangled in their traps. Lobstermen have told of hooks and sinkers flying up into their faces as they haul in their catch.

Photo: Laura Pedrick for The New York Times

RELATED

Article: Battlegrounds of Rot and Rust

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**February 28, 2009**

**91 Longwood Dr.  
Manahawkin, NJ  
08050-5409**

**Governor Jon Corzine  
Office of the Governor  
PO Box 001  
Trenton, NJ 08625**

**Dear Governor Corzine:**

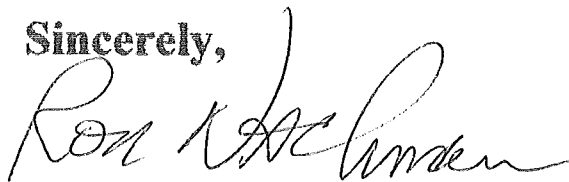
**In August of last year, four friends and I ran my boat out to the Atlantic City Reef for a day of fishing. Every time we located a submerged structure to fish on, we were unable to drop our anchor because there were high flyers marking commercial trap lines near the structures. We were afraid that our anchor would get entangled in the commercial gear. The end result was that we caught very few fish and had a disappointing fishing trip. That was the last time I fished the AC Reef.**

**I am currently the president of the South Jersey Saltwater Anglers Fishing Club. Our members have watched the number of traps grow each year on New Jersey's reefs, making it harder and harder for us to fish on reefs. Our club has donated money to help build the reefs and now, our access to the reefs is being limited by strings of commercial traps.**

**How can the State allow a few commercial trappers to monopolize reefs that were designed for the public and were paid for by hundreds of thousands of anglers? What can be done to solve this problem? Who in State government can my club contact regarding this matter?**

**Thank you for your attention to our request.**

**Sincerely,**

A handwritten signature in black ink that reads "Ron Nachmann". The signature is written in a cursive style with a large, sweeping initial "R".

**Ron Nachmann**

April 21, 2008

Dave Chanda, Director  
Division of Fish and Wildlife  
501 East State St.  
PO Box 400  
Trenton, NJ 08625-0400

Re: Proliferation of Traps on Public Reefs

Dear Director Chanda,

New Jersey Outdoor Alliance (NJOA) is an organization that unites New Jersey's outdoor sportsmen and women – freshwater and saltwater anglers, hunters, divers, trappers, target shooters and conservationists. I am writing to you regarding an issue of great concern to hundreds of thousands of saltwater anglers who either reside in our state or travel here to fish. This issue is the proliferation of fish and lobster traps on New Jersey reefs, an issue which is greatly diminishing the intended benefits of a fabulous public marine resource, which your agency has been widely commended for creating. The time has come for the DFW to take one more necessary step by protecting and preserving our ocean reefs so they can continue providing their originally intended benefits.

Fish and lobster traps are made of heavy-gauge, plastic-coated wire. Each trap is 4 feet long, 2 feet wide and one foot high. Most traps are set on a long connecting line. According to a 2005 study by the Division of Fish and Wildlife, the average trap line is 1,500 feet long and has approximately 22 traps attached. Typically, a vertical line with a high-flyer buoy marks each end of the submerged trap line. However, some fishermen do not buoy their trap lines, especially on the Shark River and Cape May reef sites, so there is no evidence of their presence.

Trappers set their gear on or around the best reef structures where they have the greatest chance of catching fish and lobster. Traps are called fixed gear, because, once set, they may be left in place for the entire fishing season. Each trapper may set hundreds of traps on a reef. While collectively, thousands of traps may be set on that same, single reef site. There are no restrictions on the amount of trap gear that can be placed on a reef site. As more reef structures are added to a site, more traps are added as well. Over 20 years of experience has shown that the number of traps on reef sites will continue to grow.

Anglers fish on reefs in two principle ways, bottom fishing and trolling. Bottom fishing implies using sinkers to get rigs to the sea floor. On reef sites, this technique involves either anchoring directly over large bottom structure or drifting through areas of scattered, smaller reef structures.

The latter method is favored by less-experienced anglers. Trolling for bluefish and striped bass is done by pulling lures behind a moving boat over and around reef structures. No matter what method is employed, it is important to recognize that access to bottom structure is the key to success in catching fish on reefs.

After polling member clubs and individuals, NJOA has identified nine ways in which trapping activities interfere with, discourage and reduce access of anglers to New Jersey's ocean reefs, as follows:

1. Anglers snag and lose rigs in trap gear. Wire-mesh traps snag fish hooks, especially when anglers are drift fishing. If a single trapper sets 400 traps on a reef site, as they have reported they do, the result is 1,600 lineal feet or 8,000 square feet of obstruction, like a chain-link fence on the sea floor, that will snag rigs for months. The more trappers, the greater the extent of obstruction. Lost rigs cost anglers money, take time to re-rig, detract from the fishing experience and instill a concern about losing more tackle.
2. Anglers snag and often lose their anchors in trap gear. Trap lines are well over 1,000 feet long. A study by the Division of Fish and Wildlife estimated there was 23,000 feet of trap lines on one reef site. That represents a great impediment to anchoring. Snagging an anchor in trap gear is hazardous, frustrating and time-consuming. Losing an anchor and rode is expensive, may terminate the fishing trip and instills a concern about dropping an anchor near trap gear.
3. Anglers avoid sections of reef sites with trap gear from fear of losing tackle. Since traps are set near the best reef structures and left in place for months at a time, anglers are restricted or excluded from large areas of the reef.
4. Anglers avoid anchoring near trap gear from fear of fouling their anchors. Since trap gear is placed around the best structure, anglers are restricted to marginal parts of the reef.
5. Anglers trolling on reef sites must alter course to avoid the high-flyers that mark the locations of trap lines. Lures that get caught in the vertical lines that connect high-flyers and traps are lost. Losing lures is expensive, disrupts fishing activity and may discourage anglers from trolling reef areas where trap flags are present.
6. When the amount of trap gear is high, which corresponds with the prime angling season, many anglers report that they avoid reef sites altogether. Thus, they are excluded from fishing reefs built with Wallup-Breaux Sportfish Restoration funds and designed for angling.
7. Confrontations between anglers and trap gear vessels occasionally occur on reef sites. Shouting matches and arguments detract from the fishing experience, have the potential of escalating and may leave an angler reluctant to fish on the reef again.
8. On some occasions, trap gear vessels have made threatening or intimidating maneuvers toward recreational vessels that are fishing near trap gear on reefs.
9. Trap gear often becomes entangled in shipwrecks and other reef structures under normal working conditions or after being moved by storms. The resulting tangle of lost traps and attachment lines do not deteriorate for many years and consequently, continue to snag anglers' lines and anchors.



Over the past year, our members have investigated this gear conflict in great detail and have found that the proliferation of traps on reefs is not consistent with the goals and objectives of New Jersey's Reef Program or the federal Wallop-Breaux Sportfish Restoration Program, which provides anglers' tax monies to run the state's reef-building effort. The following is a very short list of the facts which must be recognized and/or addressed to resolve the gear conflict with lobster and fish traps that are severely interfering with angler access to ocean reef sites:

- The administration of New Jersey's Reef Program is funded through the Wallop-Breaux Sportfish Restoration Program; without this federal excise tax on recreational fishing equipment, there would be no reef building in New Jersey.
- Consequently, New Jersey reefs are designed as a public resource for recreational angling.
- When another use of reefs interferes or discourages the access of anglers, it must be addressed and corrected.
- It is the responsibility of the resource agency which is the recipient of Wallop-Breaux funds, in this case the Department of Environmental Protection, to rectify the problem.

NJOA requests that NJDEP resolve the reef gear conflict immediately.

NJOA contends that the solution to this problem must conform to the goals, objectives and policies of both the state's Reef Plan and the federal Sportfish Restoration Program.

NJOA maintains that time is of the essence regarding this matter and requests a meeting with the appropriate DEP officials to discuss and determine a solution to this problem. We would be glad to meet at the convenience of those involved, but request this meeting take place within the next 30 days.

Thank you for your time and attention to a matter of great concern to all anglers.

Sincerely,

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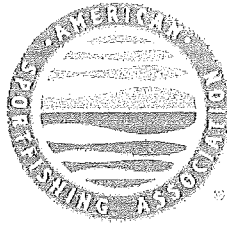
Anthony Mauro  
Chairman, NJOA

Cc: John Organ, Section Chief  
U.S. Fish and Wildlife Service

Lisa Jackson, Commissioner  
Dept. Of Environmental Protectio

William Pascrell, III  
Princeton Public Affairs Group

Peter Grimbilas, NJOA  
Chairman, Reef Rescue



July 28, 2010

Mr. Rowan W. Gould  
Acting Director  
U.S. Fish and Wildlife Service  
1849 C Street, NW  
Washington, DC 20240

Mr. Eric C. Schwaab  
Assistant Administrator for Fisheries  
National Oceanic and Atmospheric  
Administration  
1315 East West Highway  
Silver Spring, MD 20910

Dear Mr. Gould and Mr. Schwaab,

The American Sportfishing Association (ASA) is concerned about a pervasive and escalating problem affecting marine recreational anglers who fish on artificial reefs constructed by the states of New York, New Jersey, Delaware, Maryland and Virginia using Sport Fish Restoration and Boating Trust Funds. For decades, these states have used Trust Fund moneys to administer artificial reef programs whose objectives are to enhance marine fish habitat, provide opportunities for recreational anglers and provide economic benefits to the sportfishing industry and coastal communities. However, the recent proliferation of lobster, fish and conch traps set on ocean artificial reef sites act to restrict access to recreational anglers. We believe this to be in violation of federal rules and specified grant objectives and is in direct opposition to the purpose for which the reefs were created.

Large numbers of traps and their attaching lines snag rigs and anchors. Their presence also acts to obstruct access to anglers. This gear conflict is described in more detail in the attached document submitted to ASA by the New Jersey Outdoor Alliance.

The creation of these artificial reefs is essentially a partnership between the FWS, the National Marine Fisheries Service (NMFS), and the states. States make use of Wallop-Breaux funds to build reefs in federal waters. NMFS participates in the reef permitting process, approving the state's construction objectives. Therefore, it is the responsibility of NMFS and the regional Fishery Management Councils to adhere to the rules of the Federal Aid to Sport Fish Act and ensure that gear conflicts on reefs located in federal waters do not violate conditions of the act.

ASA requests that the FWS and NMFS work together to take the appropriate steps to restore angler access to the ocean reefs constructed with Trust Funds in the Mid-Atlantic Region. One method of solving this gear conflict is to request that NMFS confer Special Management Zone status to reefs in federal waters through the Mid-Atlantic Fisheries Management Council. Florida, Georgia and South Carolina have granted Special Management Zone status through the

AMERICAN SPORTFISHING ASSOCIATION

225 RESURGENCE LANE, SUITE 420, ALEXANDRIA, VA 22314 • 703-519-9691 • FAX: 703-519-1872  
WWW.ASFA.ORG • E-MAIL: INFO@ASFA.ORG

Mr. Rowan Gould and Mr. Eric Schwaab

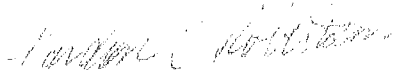
July 28, 2010

Page 2

South Atlantic Fisheries Management Council for reefs in both state and federal waters to effectively prohibit traps on reefs.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gordon Robertson".

Gordon Robertson  
Vice President

Enclosure

Wm. F. Kleimenhagen  
963 Woodbourne Dr.  
Southampton, PA 18966

April 2, 2009

Mark Mauriello, Commissioner  
Dept. of Environmental Protection  
401 E. State St.  
7<sup>th</sup> floor  
PO Box 402  
Trenton, NJ 08625

Dear Commissioner Mauriello:

I have a summer home at the Jersey shore, which I use primarily for saltwater fishing. Like thousands of out-of-staters, I pay property taxes and spend a lot of money in New Jersey each year.

One of my favorite types of fishing is catching sea bass, tog and fluke on New Jerseys reefs. I belong to the Beach Haven Marlin and Tuna club whose members support the construction of one more reef each year. In the past, reefs were always my most productive fishing spots. Over the past few years, however, my ability to fish reefs has been reduced by commercial traps. I've lost too many rigs to fish near them and I see more traps each year. It doesn't seem fair to me that one commercial fisherman can set hundreds of traps and hog an entire reef site. Does anyone know how many fish these traps are removing from the reefs? To me, it seems like the state is allowing a few fishermen to destroy a resource that was once used by tens of thousands of anglers. Since your agency is responsible for building the reefs, can't you do anything to correct this travesty? Please direct me to the appropriate person in the DEP who I can contact about this.

Sincerely,



Bill Kleimenhagen  
215-355-0844

March 23, 2009  
Captain Barry Gabler USN-R  
401 Seabright Rd.  
Forked River, NJ 08731

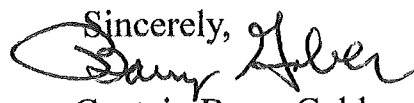
Governor Jon Corzine  
Office Of Governor  
PO Box 001  
Trenton, NJ 08625

Dear Governor Corzine:

The weather is starting to warm and thoughts of the upcoming fishing season lead me to write to you regarding a question that makes me and many of my fishing friends upset. How many fish traps is the state going to allow a couple of commercial fishermen to put on the artificial reefs? Over the past 20 years, I have watched the traps increase in number from none in the beginning to more and more each year.

I fish on New Jersey's reefs 15-20 times a year and donate money to the reef program every year. The two fishing clubs I belong to have funded the construction of more than a dozen reefs. We were told by state personnel that our donations would be used to build these sites for recreational fishing. Instead, they are being taken over by commercial gear. I am having more trouble avoiding traps on reefs each year. When I drift fish on the Little Egg and Garden State South reefs, I cannot access some of the best areas because there are fish trap lines. If you drift across a trap line, everyone on the boat will lose their rigs. The offshore end of the Atlantic City Reef has so many traps that I have to avoid many of my favorite fishing spots for fear of losing my anchor in the trap gear. Trappers know the best spots to catch fish and lobster and that's where they leave their traps all season.

Recreational anglers are excluded from the best reef structures, even ones they paid to put there, and are often left to fish on the barren sand. My catches on the reefs and my level of enjoyment have suffered immensely. I know that Florida, South Carolina, and several other states prohibit fish traps on reefs; they only allow hook and line fishing and diving. Why can't New Jersey do the same? If the state does not do something soon, it will lose the support of thousands of anglers.

Sincerely,  
  
Captain Barry Gabler

Dear Governor Corzine

I am a member of the South Jersey saltwater anglers Club.

A survey of our membership shows there is a defmation frustration trying to fish on the public reefs.

Com mercial fisherman have taken over the reefs with their fish traps. It makes it impossible to fish these reefs without loosing large amounts of terminal tackle and a poor catch of fish.

We are all tax paying voters in the State of New Jersey.

We are urging you as Governor of this fine State to make it illegal for the Com mercial fisherman to put their traps on the reefs along the New Jersey shore.

Sincerely

Lou Falcone  
103 Desna St  
Piscataway NJ 08854


LOUIS FALC @ AOL . com .

Dear GOVERNOR CORZINE,

On July 12<sup>th</sup>, four friends and I went fishing on the Atlantic City Reef. We fished on sunken subway cars and army tanks for sea bass. There were black and white flags marking strings of fish traps all over the reef. There were so many that we were afraid to drop our anchor, so we had to run the boat's engine all day long in an attempt to stay on the structure that made fishing difficult and we did not catch many fish. Furthermore, with the cost of fuel, that made our fishing trip even more expensive.

Why is the State allowing one trap fisherman to set so many traps on a public reef? Who, in your administration, is responsible for taking care of the reefs? What can you do to correct this problem?

Sincerely,  
Francis J. Delusik  
164 Antietam Rd.  
Delran NJ 08075



# FISH HAWKS

## Saltwater Anglers

July 30, 1991

Mid Atlantic Fisheries Management Council

2115 Federal Building

Dover, Delaware 19901

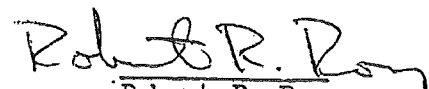
Attention: Axel Carlson

### FISH HAWKS OPPOSE FISH TRAPS ON ARTIFICIAL REEFS

The 200 member Fish Hawks oppose the use of fish traps on New Jersey's artificial reefs. Hundreds of traps are already being used on "open" wrecks with the effect of almost sweeping them clean of fish. Since State funds and contributions from recreational fishing clubs and individuals are being used to create the artificial reefs, the Hawks feel that they should be used by the greatest number of taxpayers possible and that would be the recreational fishermen.

The Hawks request that regulations be set up or laws passed to prohibit the use of fish traps on New Jersey's artificial reefs.

cc/  
The Honorable H. James Saxton  
Robert McDowell  
The Fisherman  
Bruce Freeman  
Bill Figley  
Al Ristori

  
Robert R. Roy  
President



Deep Sea Fishing

# 95' JAMAICA II

Joseph Bogan  
Ryan Bogan

P.O. Box 53 • Brielle, NJ 08730

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Fax: 732-458-5322

Half - Day Fishing Trips • Codfishing • Special Offshore Wreck Trips  
First Party Boat to Make Mudhole Marathon Wreck Trips • Seabass Marathons  
Year Round Fishing

June 8, 2005

BRADLEY CAMPBELL  
DIVISION OF FISH + WILDLIFE

Gentlemen:

THE FOLLOWING ARE OBSERVATIONS CONCERNING THE SEA GIRL  
AND AYEL CARLSON REEFS. IT IS ALSO A FOLLOW UP OF A LETTER  
I SENT YOU LAST YEAR AND RECEIVED NO RESPONSE.

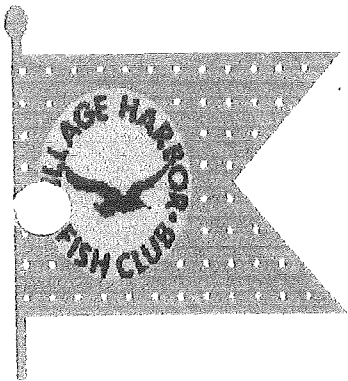
WHILE BOTH REEFS ATTRACT A WIDE RANGE OF FISH AND  
CRUSTACEAN LIFE, MANY ROD AND REEL FISHERMAN ARE  
GIVING UP ON UTILIZING BOTH REEFS. THE REASONS ARE:  
(1) BOTTOM "CONGESTION" IS TOO MUCH ROCK, RUBBLE, ETC IN SOME  
AREAS MAKING ANCHORING IMPOSSIBLE AND (2) MORE IMPORTANTLY  
THE COMMERCIAL FISHING ON THESE REEFS MUST STOP! LOBSTER  
AND SEABASS POTS STROWN EVERY WHERE, USING "POLY" ROPES  
WHICH FLOAT OR SUSPEND MAKING DRIFTING IMPOSSIBLE DUE TO  
ENTANGLEMENT IN "POT" ROPES.

I ASKED YOU TO ADDRESS THIS PROBLEM LAST YEAR AND  
I AM ASKING YOU AGAIN THIS YEAR.

THERE SHOULD BE NO COMMERCIAL FISHING ALLOWED ON  
NEW JERSEY'S ARTIFICIAL REEFS

VERY TRULY

Capt. Joseph Bogan



VILLAGE HARBOUR FISHING CLUB, INC.

P.O. Box 1026 Manahawkin, NJ 08050

The Village Harbour Fishing Club has a membership of nearly one hundred (100), who with their families and friends fish New Jersey's saltwaters. While we meet in Manahawkin, NJ, our members reside throughout New Jersey, New York, and Pennsylvania. For the past twenty (20) years, we have enjoyed fishing the Barnegat Light, Garden State North and South, Little Egg, and Atlantic City Artificial reef sites. Our club has supported the Reef Program with many donations to further build these reefs and also memorialize and honor certain individuals. In addition, every year club members collectively spend many dollars on their boats and fishing equipment. It is our understanding, that Federal Excise Taxes on these purchases are also used to build these reefs for New Jersey.

We are now concerned that reefs built with our money are being taken over by commercial trappers. Each year, we see more and more trap flags on the reefs we fish. Much to our detriment and frustration, our fishing rigs get snagged, necessitating that we break off and lose gear. When everyone on a boat gets snagged at the same time, the traps are to blame. We expect an occasional hang-up, but three(3) or Four (4) simultaneously is annoying and costly!

According to the Reef Plan, of the New Jersey Division of Fish and Wildlife web site, the reefs were built for hook and line and diving. Why then is the State allowing the reefs to become COMMERCIAL FISHING GROUNDS? We would like you to come to a Village Harbour meeting and explain this Situation. Furthermore, is there any state agency we can ask for help in solving this problem? We know that the particular reefs that we fish are outside New Jersey's territorial waters, therefore can you direct us to any federal agency that we can contact for help? How have other states handled this problem and successfully prohibited trapping on their reefs?

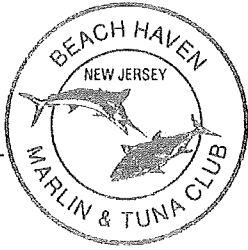
We thank you for your consideration on this matter, and look forward to hearing from you.

We the undersigned have agreed to sign this letter at our regular monthly meeting on June 13<sup>th</sup>, 2008.

*William Lopez*  
*Joseph Dadda*  
*Robert Doddz*  
*Roy H. Agon*  
*Joseph Dilice*  
*Robert Klebosia*  
*Ben K. Hays*  
*Chris Dadda*  
*Janne McAlone*  
*Bill Jann*  
*Vince Sibona*

*Peter Rustic*  
*Jeff Bell*  
*Pat Longo*  
*Matt Mayer*  
*Richard Chimiza*  
*David Shaski*  
*Robert B. Banta*  
*Stan Cook*

*John T. Tuzogay*  
*Robert Citarelli*  
*Don Loustree*  
*Steve Beckman*  
*Robert Mahon*  
*W. Timan*  
*Bill Preley*  
*Alan Cook*  
*Bruce Zewerba*



**BEACH HAVEN MARLIN & TUNA CLUB**

P. O. BOX 1216 • BEACH HAVEN, NEW JERSEY 08008

609-492-5263

FAX 609-492-6566

Lisa Jackson, Commissioner  
Department of Environmental Protection  
501 East State St.  
PO Box 402  
Trenton, NJ 08625-0402

Dear Commissioner Jackson:

The Beach Haven Marlin and Tuna Club is a long-time supporter of New Jersey's Reef Program. Our club members established the original Garden State South Reef before the State ever stated building reefs. We commend the DEP for developing one of the best reef systems in the country. The reefs off Long Beach Island are important fishing spots for most of the 300 families in our club. They are great places to teach kids how to fish.

However over the past 20 years, we have observed a steady increase in the number of commercial traps set on the reefs. Last year, club members counted over 30 trap flags on the Deepwater Reef, making it risky to drop anchor and fish. We lose a lot of tackle in traps, especially in drift fishing areas. We often have to avoid sections of the reefs because there are too many traps.

What can the DEP do to correct this problem? New York has prohibited traps on their reefs and Delaware plans to do the same. The BHMTTC strongly recommends that traps be prohibited from NJ reefs. It has always been our understanding that the DEP's Reef Program is funded by a federal tax on recreational fishing tackle, which our members all pay, and that the reefs are intended for recreational fishing. Why then are a few commercial fishermen allowed to dominate the reefs?

Every year for the past 15, our club has donated money to the Reef Program to build reefs. We have decided to suspend such donations until traps are taken off the reefs.

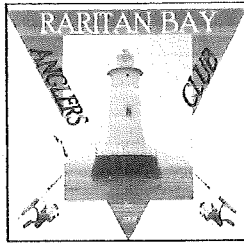
Please advise our membership of your intended actions regarding this matter.

Sincerely,



George Smith,

Commodore



Raritan Bay Anglers Club  
P.O. Box 546 Perth Amboy  
NJ, 08862-0546  
June 13, 2008

Lisa Jackson, Commissioner  
Department of Environmental Protection  
401 East State St., 7<sup>th</sup> Floor, East Wing  
PO Box 402  
Trenton, NJ 08625-0402

Dear Commissioner Jackson:

The Raritan Bay Anglers Club is a long time-time supporter of New Jersey's Reef Program. Our donations have helped to establish these reefs to be used by recreational anglers. We are now finding that we can no longer fish on or near the reefs. The commercial traps which are set upon these reefs have caused our members to lose fishing tackle and rigs. These reefs were designed specifically for hook and line fishing and well as for scuba divers. This is a valuable resource that generates not only enjoyment to the recreational anglers but also helps to generate needed revenue to party and charter boats, marinas, bait shops, tackle manufactures, restaurants and more.

We would like the DEP to take an active role in prohibiting the commercial traps from the New Jersey reefs. We may be a small club of only 56 members, but the RBAC will make its presence known when the time comes.

Please advise our club of your intended actions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "James Krutzler".

James Krutzler

Vice-President

Lisa Jackson, Commissioner  
NJ Department of Environmental Protection  
501 East State Street  
P.O. Box 402  
Trenton, NJ 08625-0402

Dear Commissioner Jackson:

I am writing to you concerning the use of commercial fish pots on the State's artificial reef sites. Our fishing club, the Absecon Saltwater Sportsmen has been a long time supporter of New Jersey's Artificial Reef Program. Over the years we have made many donations to the program. We have found the reef sites an excellent place to pursue recreational fishing. Unfortunately, over the years there has been an increase commercial pots placed on the reef that is limiting access to recreational fishermen.

These pots limit our access to the reef sites by not allowing us to anchor on large areas of the reef for fear of lost anchors and damage to the pots. Also, in drifting the reefs much tackle has been lost on the pots and the pot lines. These traps are fishing 24 hours a day 7 days a week.

In the Executive Summary and Section 1.0 of the Artificial Reef Management Plan for NJ 2005, two of the objectives clearly state that the intent of the reefs is:

4. create fishing grounds for hook-and-line fishermen (anglers)
6. provide economic benefits to recreational fishing and diving industries

Nowhere is commercial fishing mentioned as an objective of the reef plan. Additionally, on page xii of the Executive summary, the plan states; "To meet the goal of the Reef Program, DEP may have to restrict or discourage uses of reefs that allow a small group of people to dominate either reef resources or access to those resources".

We ask you to follow the Reef Plan and give us back access to the State's Artificial Reefs. Until such a time that this issue is settled our membership cannot contribute any more funds to the Artificial Reef Program. We look forward to hearing from you concerning this matter

Sincerely,

James Van Daley, President

The Absecon Saltwater Sportsmen is an organized charity within the meaning of section 501(c)(3) of the Internal Revenue code whose mission is to promote both natural resource and fishing education along with drug and alcohol abuse awareness

Lisa Jackson, Commissioner  
Department of Environmental Protection

Bill Hammarstrom  
11 Roberts Road  
Waretown, N.J, 08758

Dear Lisa Jackson

My name is Bill Hammarstrom and I have been operating a eighty foot party fishing boat now for fifty three years out of Barnegat Light N.J. My son and daughter also have a vested interest in this fishing vessel.

We used to fish the artificial reefs almost extensively but for the past six or seven years we have been avoiding them mostly all together. Several commercial pot fishermen have taken the assumption that the reef belongs to them, and to hell with the recreational fishermen. They have covered the bottom with their backbone runners, Pots are tied 100 feet apart on the backbone line and they generally put 20 pots on a line.

We, (the party boat fishermen and private boats too), cannot drift these areas anymore because were always getting our fishing lines caught on their gear. You should hear 60 or 70 people screaming when theyre caught on the bottom. You have to leave the area.

It is my understanding that the main funding for these reefs come from a federal tax put on fishing tackle that is paid by the recreational fisherman not the commercial man.

I feel the commercial man is abusing these reefs for their own financial interest.

Let them set their pots outside the reefs. (the fish and lobsters have to come in from offshore to get to the reef.

I understand New York and Delaware have laws prohibiting trap fishermen from setting their gear on these reefs.

Can't N.J. do the same thing?.

There has been an effort to get a salt water fishing license passed. How can you even suggest a thing while the state always sides with the commercial fisherman. If you ever want a salt water fishing license passed, you will have to commit your selves totally to the recreational fisherman. you cant have it both ways.

Thank you for taking the time to read this letter.

Very Respectfullu Yours

Bill Hammarstrom

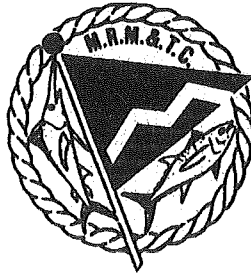
*Bill Hammarstrom*

*(over)*

## MANASQUAN RIVER

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P.O. BOX 0251



## MARLIN & TUNA CLUB, INC.

---

BRIELLE, N.J. 08730

Mr. Dave Chanda  
Director  
Division of Fish and Wildlife  
501 E. State Street  
P.O. Box 400  
Trenton, NJ 08625-0400

April 16, 2008

Dear Director Chanda:

The Manasquan River Marlin & Tuna Club has been a proud and active sponsor of the State of New Jersey's Artificial Reef Program. In 2000 MRMTC formed an Artificial Reef Committee and started the process of raising funds for our first reef site. The intention of the program was to provide aquatic habitat in our local waters for the many inshore species of fish we seek as anglers. To date with only 170 active members, we have contributed over \$43,250 to support the deployment of TEN (10) Artificial Reef sites in our local New Jersey waters and currently have over \$23,500 in earmarked funds for future deployments. Our program has been successful as its charter was and always has been to fund a new project as soon as we can raise enough money to purchase the next vessel, barge load of concrete pipes or reef balls. With each new reef, we provide new aquatic habitat for many inshore species of marine life as well as hours of angling potential for our members and fellow recreational fisherman and divers.

Unfortunately as chairman of the MRMTC Artificial Reef Program, I am starting to find reluctance by our members to raise funds to continue the development of new reef sites due to the increase in commercial potting on our local artificial reefs, namely the Axel Carlson, Sea Girt, and Shark River. Due to commercial potting on the artificial reefs **funded by our members**, the following has been experienced by an MRMTC member or members.

1. MRMTC members have lost fishing gear due to encountering commercial potting gear.
2. MRMTC members have lost or snagged their anchor on commercial potting gear.
3. MRMTC members have indicated that they now avoid areas marked with high flyers out of fear of loosing fishing tackle.
4. MRMTC members have indicated that they now avoid areas marked with high flyers out of fear of fouling or loosing their anchor on commercial potting gear.
5. MRMTC members have snagged or lost trolling gear on vertical lines of trap high flyers.
6. A MRMTC member had a confrontation with a commercial trap gear vessel and was intimidated by maneuvers made by the vessel.

Is the Division of Fish and Wildlife going to resolve this problem and if so, how? It is MRMTC's understanding that the state designed the artificial reefs for public use by recreational anglers and divers. Why then has the state allowed a few (I understand less than 40 individuals **statewide**) to dominate New Jersey's artificial reef sites. A large number of Atlantic Coast states have already protected their artificial reefs. Are you going to take any action to do the same in New Jersey, and when?

**Therefore effective immediately, the Manasquan River Marlin & Tuna Club's Board of Trustees has decided to stop funding any future Artificial Reef sites within the state waters of NJ until such time as we feel this issue is resolved to our satisfaction.**

MANASQUAN RIVER

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P.O. BOX 0251



MARLIN & TUNA CLUB, INC.

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BRIELLE, N.J. 08730

Please advise MRMTC of any future meetings and or notices of action regarding this matter.

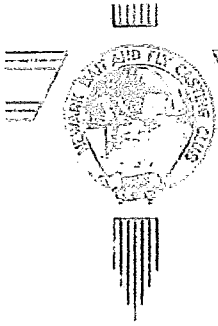
We look forward to your reply.

Sincerely,

George A. Lewis  
Chairman  
Artificial Reef Committee  
Manasquan River Marlin and Tuna Club

Cc: Governor Jon T. Corzine  
Lisa Jackson, Commissioner NJDEP  
Gilbert Ewing, Chairman, Marine Fisheries Council  
Hugh Carberry, Reef Coordinator, Div. Fish and Wildlife  
Tony Cuccia, President Manasquan River Marlin & Tuna Club





NEWARK BAIT AND FLY CASTING CLUB

NEW JERSEY'S GRAND OLD FISHING CLUB

Also Sent to:

LISA JACKSON &

GILBERT EWING

May 10, 2008

Dave Chanda, Director  
Division of Fish & Wildlife  
PO Box 400  
Trenton, NJ 08625

Dear Director Chanda,

I have been authorized by the 112 members and associates of the Newark Bait and Fly Casting Club to express our displeasure at the current conditions on the State's artificial reefs. These areas had been wonderful, all-year locations for sport fishing and diving. They are now virtually unusable by hook & line fishermen and divers because commercial fish traps dominate the reefs. Our anchors and fishing lines continuously get caught on the commercial gear, making it impossible to fish. They are also a safety hazard for divers.

These reefs were built with public funds and should remain open for everyone. Other states have banned fixed fishing gear from their public reefs and we should follow suit.

Sport fishermen and divers spend millions of dollars in New Jersey in enjoyment of their aquatic activities. This contributes significantly to the State's economic well-being. Especially in view of our faltering economy, it would be a shame if we lost this revenue to other, more welcoming state.

We urge you to pass legislation which will free the reefs from these traps.

Sincerely yours,

Arthur Dolgan, Secretary

**GREATER POINT PLEASANT CHARTER BOAT ASSOCIATION**

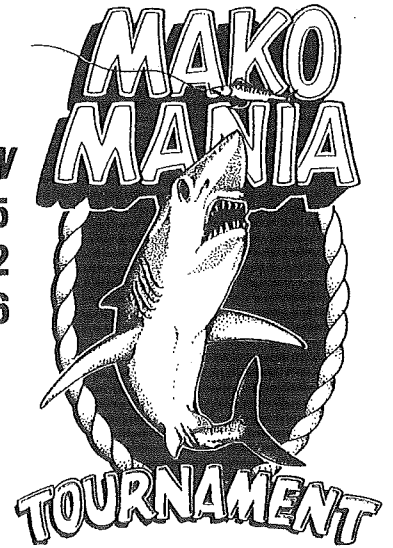
**Post Office Box 1355**

**Point Pleasant Beach, NJ 08742**

**732-892-3666**

May 8, 2008

Commissioner Lisa P. Jackson  
Department of Environmental Protection  
PO Box 402  
401 E. State Street  
Trenton, NJ 08625-0400



Re: Fish Traps on Public Reefs  
NJ Artificial Reef Program

Dear Commissioner Jackson,

The Greater Point Pleasant Charterboat Association has been a long time supporter and a major contributor to the New Jersey Artificial Reef Program. In fact, 90% of the profit from our annual Mako Mania Shark Tournament has been earmarked for reef building projects over the past 14 years. This was our way of giving something back to the marine environment that would not only enhance habitat and build fish stocks, but would benefit generation after generation of saltwater anglers and their families. But due to the drastic increase in the number of traps, pots, high-flyer and ropes that now plague these public sites, our membership voted to no longer donate nor support New Jersey's Reef Program.

The GPPCBA membership cited many reasons for their decision. The most common complaints are listed below:

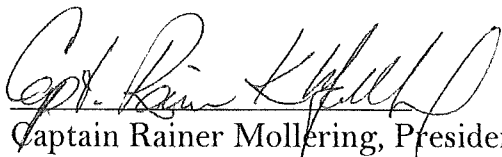
1. Commercial trappers are denying access to the public resource by covering the structures with miles of traps, ground lines and marker buoys. Our members, and the general public, can no longer get near or fish on the good structures.
2. The amount of high-flyers and traps is steadily increasing, year after year. We are convinced it will only get worse.
3. Confrontations with commercial fishermen trying to haul gear or complaining because gear was unintentionally snagged by a recreational anchor is becoming common place. Arguments and threats of retribution are escalating.
4. Snagging or losing anchors in fixed gear is happening more and more.
5. Loss of expensive fishing tackle (rigs, sinkers, jigs, lures) is a fact of life when anyone attempts to fish on the public reef sites. Many anglers simply avoid the reefs rather than losing tackle.
6. Boat engines are usually kept runner when drifting reef sites because captains have to continuously dodge the high-flyers and buoys; more fuel, more unwanted expense.

- 7) Trappers are now refusing to surface-mark their gear. This results in recreational captains not knowing what lies beneath until it's too late and anchors or tackle are snagged or gone.
- 8) Reef fish quantities are now dwindling due to the extremely efficient trap gear that is depleting fish stocks on a 24-7 basis.
- 9) The public reefs were and are being paid for by our recreational donations and funds from the Sportfish Restoration Program. The commercial sector donates nothing yet reaps the rewards while denying access to the intended user. This is not only unfair but does not comply with the rules and policies of the Sportfish Restoration Program.

It upsets me to turn our backs on such a great DEP/DF&W program. We truly believe that the Reef Plan is working, but not for the saltwater anglers; the intended users.

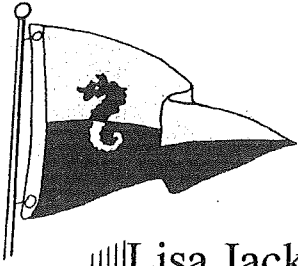
On behalf of our organization, I respectfully ask that you support the present bills before the State Legislature and push our representatives to vote in favor of S-336 and A-1519. If and when the State decides to restrict fixed gear from public reef sites, the Greater Point Pleasant Charterboat Association will again support this very effective and meaningful program.

Very truly yours,



Captain Rainer Mollering, President  
Greater Point Pleasant Charterboat Association

Cc: David Chanda, Director  
Department of Fish and Wildlife



Lisa Jackson, Commissioner  
Department of Environmental Protection  
501 East State Street  
PO Box 402  
Trenton, NJ 08625-0402

Dear Commissioner Jackson,

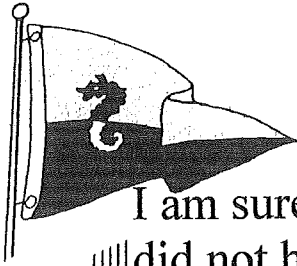
The Forked River Tuna Club has a long and honorable history within the New Jersey fishing community and up and down the East Coast. The 150 strong member FRTC, along with the Ladies Auxiliary, relatives and friends have recently celebrated our Fiftieth Anniversary of Incorporation.

The FRTC was initially first incorporated in 1937 by our first Commodore, State Senator W. Steelman Mathis, an avid sport fisherman. When WW II erupted, all sport fishing on the east coast ceased, putting the FRTC in limbo. The FRTC was reincorporated again in 1956.

The past generations of our current members did not have the opportunity to fish the reefs that were created with the financial support of the Forked River Tuna Club, other private clubs, and individuals within the state. I am sure they are smiling down on us and wishing they could fish the reef named after the FRTC club.

**FORKED RIVER TUNA CLUB**

P.O. BOX 246  
FORKED RIVER, NEW JERSEY 08731



I am sure our ancestors are also saying they are glad that they did not have to compete with the commercial traps that are pushing us off our own reef.

The reefs constructed by New Jersey Artificial Reef Program were built with our money, not with contributions from the commercial sector that has loaded the reef with their pots!

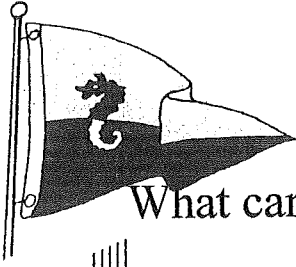
As fisher people in NJ we cannot teach our children to fish these reefs. They are too crowded with pots. We are constantly losing tackle while drift fishing, getting anchors caught on unmarked or abandoned pots, which are not checked by the commercial fishermen. If trolling, you must "try" to avoid all the flags and pots on the reef. This makes the reefs impossible to troll.

The Reef Program is also funded by a federal tax on recreational fishing tackle. Fisherpeople spend over \$1.3 BILLION annually on recreational fishing. Why should the commercial sector who contributes \$ 000.00 to the reef program be allowed to monopolize the reefs?

We, the 150 members of the FRTC, the Ladies Auxiliary and friends of the FRTC think it would be wise for the NJ DEP to follow the lead of New York, Virginia, South Carolina, Georgia, and Florida in banning fixed fishing gear from public reefs! We, as a club have decided until the time the pots are removed from the reefs we will not be making any further monetary contributions to the program.

## **FORKED RIVER TUNA CLUB**

P.O. BOX 246  
FORKED RIVER, NEW JERSEY 08731



What can the DEP due to resolve this problem? Ban the pots!!

In the past the NJ Dept. of Fish and Game has been most cooperative. Every year a representative from Fish and Game would come to the FRTC and inform us of the progress being made building the reefs by presenting a slide/power point presentation. We had first hand knowledge of what was being accomplished with the help our contributions, and always looked forward to the visit. We would encourage you to come to the Forked River Tuna Club and address its membership of your intentions.

Looking forward to your prompt response.

Thank you,

Blaine Schwarz-Commodore,

A handwritten signature in black ink, appearing to read "Blaine Schwarz".

Paul Lenzo Past Commodore  
Liaison, Reef Rescue

A handwritten signature in black ink, appearing to read "Paul Lenzo".

**FORKED RIVER TUNA CLUB**

P.O. BOX 246

FORKED RIVER, NEW JERSEY 08731



P.O. Box 74  
Cape May Court House, NJ 08210  
(609) 465-7181  
Fax: (609) 465-5017  
www.capemaycountychamber.com  
email: info@cmcchamber.com

November 23, 2016

Dr. Chris Moore, Executive Director  
Mid-Atlantic Fishery Management Council  
800 North State Street  
Suite 201  
Dover, DE 19901

Via FAX: 302-674-5399

RE: NJ SMZ Request

Dear Dr. Moore:

I am writing to you today regarding the issue between commercial pot fishermen and sport fishermen and the reefs off the coast of New Jersey located in federal waters that are to be shared between these two groups.

The Cape May County Chamber of Commerce supports a compromise and believes that it is in the best interest of all parties that the reefs be shared equally so that both commercial and sport fishermen can realize the benefits.

The lobster, sea bass, conch, and other fish caught off the reefs are a tremendous asset to the Cape May County local seafood restaurants. Visitors from all over the country consider a local seafood experience a must during their vacation along the Jersey Cape. Farm to table dining is one of the fastest growing areas of the tourism industry and we are blessed in Cape May County to have the bounty of the Atlantic Ocean to offer.

Thank you for the opportunity to comment on this important issue and I look forward to hearing that a compromise has been reached between commercial and sport fishermen.

Sincerely,

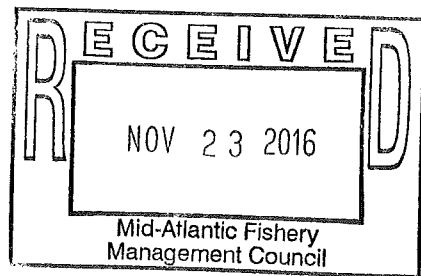
A handwritten signature in cursive script that reads "Vicki T. Clark".

Vicki T. Clark, IOM  
President

22 Nov 16

Thomas L. Vivian  
51 Musconetcong River Rd  
Hampton, NJ 08827

Dr. Chris Moore  
Mid-Atlantic Fishery Management Council  
800 North STATE ST. Suite 201  
Dover  
DELEWARE 19901  
U.S.A.



Gentlemen;

The following thoughts concerning N.J.'s request to make the Federal Reefs SMZ should be denied until it's proven that I as a consumer will not be denied fish from these reefs (13). As you know these are Federal Reefs and are to be utilized by Commercial & Recreational fishers to benefit the Common Good of the Citizens.

The reefs are made up of Government property IE Naval Ships, TANKS, subway cars AND Donated surplus. The Taxpayers paid For The majority of construction costs. For N.J. To say these should be Recreational use ONLY Deprives me of fish as The Commercial Fishermen have to find fish someplace other than these reefs. Costing me as a consumer, Higher prices for fish found further away from



shore. This Exclusion of Commercial Fisherman  
Does Not Meet Congress's Intent. To Supply Fish For  
Consumption So That Everyone benefits.

The argument Recreational Anglers Funded  
The Reefs Falls Flat on its Nose. They are saying  
PAY TO PLAY AND they didn't pay as much AS  
The Taxpayers. The argument To Lessen Conflict  
Could Not Stand scrutiny. When Fishing with  
hook & Line around AND UPON Reefs entails  
Possibly snagging Reef & Debris from Reef  
Breakdown. To Blame "pots" For Conflict  
With The Recreational Hooks Makes Me Laugh!

Again I Request you Deny N.J.'s Request  
To make All (13) Reefs SMZ.

PS BSB SMZ says Nothing ABOUT Harvest  
PPS. Please Excuse my poor spelling.

Very Truly Yours  
Thomas L. Vivian



**VIA PUBLIC HEARING & ELECTRONIC SUBMISSION**

John K. Bullard, Regional Administrator  
NMFS Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930

**Re: Public Comment 11/15/2016 - NJ SMZ Request**

I am submitting the following personal public comment regarding the Proposed Rule on the New Jersey Special Management Zone ("SMZ") measures for artificial reefs. This has been a contentious fair use and access issue for more than a decade between a small number of commercial fishermen deploying fixed gear such as pots and traps to target lobster, conch and bottom fish along with those using gill nets around artificial reefs along the New Jersey coastal shoreline.

New Jersey has been one of the preeminent states on the east coast in deploying various reef material over the past three decades, and it has led to the creation of 15 artificial reefs; 2 within state territorial waters, 13 which are deployed at various depths and nearby distances in federal waters and now with a near future proposed A.R. footprint possibly being deployed north of Barnegat Inlet.

The creation of artificial reefs or as we are now starting to recognize as “eco-system enhancement” projects was based upon the premise to increase fishing thus seafood harvesting, along with providing increased diving opportunities for all user groups. But a growing conflict has arisen from a segment within the recreational fishing and dive community that has now led to an attitude of a zero-sum situation with the possible prohibiting of the extremely limited pot, trap and gill net activities that are ongoing at this time on New Jersey artificial reefs.

The diverse rhetoric we have seen in newspapers, websites and in social media from a number of recreational angler groups range from shortsighted to over-exaggerate the conflict as fishermen especially within the for-hire sector have for years dealt with and worked around the fixed gear that has been deployed on and around artificial reefs.

This is not an issue about fish-conservation, but in fact a use, access and gear conflict divide which should be debated over and worked out amongst the user groups in order to reach some consensus of compromising on the reasonable full access use of a small portion of New Jersey artificial reefs.

Time and again as the New Jersey “pots on the reef” issue has been raised, anglers complain about lost hook and line gear, yet fail to neglect to mention that in the targeting of any regional top and more so bottom fish species during the recreational fishing season, will also result in the loss of hook and line terminal fishing tackle. It is to be expected when fishing next to or within any wreckage, rocks, or manmade debris created structure.

I am not trying to sanitize or minimize the issue with commercial fixed gear causing the loss of fishing tackle or that the gear itself when deployed during certain periods of the fishing season, will take a higher proportion of legal size fish in contrast to hook and line gear. This though is an area where fishermen should be willing to sit down and work out a solution that would provide access on, and I am using as an example, on a rotational basis - 3 of the current 13 artificial reefs that are in federal waters to limit such conflicts in the future.

Numerous compromises exist and have been presented over the years, and we as fishermen should be open to discuss both a reasonable and flexible commercial fishing “full use alternative” during the season upon and within proximity to a limited number of these artificial reefs

from the Shark River area and southward to Cape May providing access to fixed gear.

I would ask that those in both the New York and New Jersey for-hire sector to consider supporting an effort for all user groups to come up with a compromise in order that a small group of commercial fishermen are not disenfranchised by the call of "no pots on the reef."

As we have seen with the New Jersey artificial reef program, it does provide the commercial, for-hire, recreational angler and sport diver, not only with nearshore access to enjoy their activities, but as much as they can generate a significant economic benefits for all user groups.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve Newellman", written over the printed name below.

Steve 'EC' Newellman'

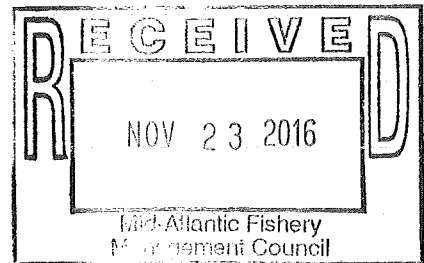
FISHING UNITED.com

11/23

DR. CHRIS MOORE,  
EXECUTIVE DIRECTOR  
MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

SUBJECT LINE:

NJ SMZ REQUEST



11/20/16

Dear SIRS,  
in regards to the special management zones in New Jersey, I strongly disagree with some of your findings. With gear conflicts, I occasionally get a sinker or two in my trap gear and end up with about half a bucket of sinkers at the end of the year, this is a minimal amount of tackle that the sport-fishing groups lose on trap gear, when they do lose their hooks and sinkers, it is most likely due to rough bottom such as concrete and rebar and the various wrecks that are deployed on these sites. on my end, I experience a mainline of my gear cut about once a month or so, this is not a big deal, I simply grab the other buoy and tie the gear back together. Fishing tackle cost on a reef is to be expected as any experienced angler knows.

The next topic of concern is

The LOSS OF Revenue. I was  
at The NOVEMBER 16, 2016 SMZ Meeting  
in TOMS RIVER, NJ and The TOTAL  
INCOME PROJECTED THAT WAS HARVESTED  
FROM all 13 ARTIFICIAL REEFS WAS  
"SAID" TO BE \$25,000. in 2015. THIS  
IS NOT an ACCURATE amount, IF IT WERE  
IT WOULD simply NOT BE PROFITABLE ENOUGH  
TO STAY here. OVER 70% OF MY  
CATCH IS FROM fishing ON The  
SEAGIRT and SHARK RIVER REEF SITES  
and I have BEEN fishing these  
two sites SINCE I BEGAN my LOBSTER  
fishing BUSINESS in 1991. when  
these REEFS WERE BEING CREATED  
they WERE SUPPOSED TO BENEFIT  
BOTH COMMERCIAL and RECREATIONAL  
fishermen as BOTH groups have  
CONTRIBUTED FOR THIS cause, Now  
here we are years LATER where the  
SECTOR (Sport fishing) BELIEVES THAT SINCE  
~~they~~ they CONTRIBUTE more, THAT they  
are now ENTITLED TO all OF  
THESE REEF AREAS. I WOULD



Like For the committee who  
is reviewing this dispute to  
see that all the gear conflict is  
that losing a few hooks and sinkers  
is not enough of a good reason to  
exclude traps and pots from catching  
lobsters from people who need this income  
to support their families. Again,  
I have fished these areas for  
25 years and can not see a  
reason why things should change now,  
nothing has changed from then till  
now except for people trying to "own"  
Federal waters in the EEZ by  
providing structure on it. If this  
is the case can anyone do this just  
by creating a dump site?

Thank you,

Stephen Celeste  
F/U MISS AM

732-610-6790



September 30, 2016

Dr. Christopher M. Moore  
Executive Director  
Mid-Atlantic Fisheries Management Council  
800 N. State Street; Suite 201  
Dover, DE 19901

Dear Dr. Moore:

I am writing on behalf of the Garden State Seafood Association (GSSA) in response to the proposal to create Special Management Zones around the 13 existing reefs in the EEZ off of NJ's coast. The GSSA does not outright oppose the creation of SMZ with NJ artificial reefs in the EEZ. However, we do oppose the removal of commercial fishing operation from all of these sights in light of the past funding from the commercial sector, original intent of the program, and the Federal Policy as it relates to Artificial Reefs.

We believe it is more appropriate and consistent with both Federal and State policy to set aside reefs for all use groups. GSSA recommends the MAMFC consider dividing the reefs equally among the four primary users groups (3 Dive reefs, 3 For Hire Charter, 3 Recreational, and 3 Commercial) and set the one remaining reef as a scientific no take zone. Thus each user group would be allocated three reefs one north, one south, and one centrally located as equitably as possible.

The New Jersey artificial reef program was taken over by the NJDEP in 1984. Prior to that time private organizations and individuals applied for permits from the Army Corp of Engineers to sink materials to make reefs. Both commercial and recreational sectors were involved in these operations with material historically being placed in close proximity to existing underwater structures. All of these reef structures were open for anyone to fish around—both commercial and recreational fishermen. There was no 'defacto' private leasing or zoning of ocean bottom.

It is worth noting that in 1984 when the Department developed the artificial reef program the initial funding stemmed from the Oyster Creek Nuclear Power plant. Over \$400,000 was provided to the NJDEP to offset fish kills associated with the cooling of the facility. The commercial industry agreed to allow its portion of the funding (\$200,000) to be used on the artificial reef program keeping in mind that the program allowed commercial fishing on the reefs, and limited the reef program to then proposed 10

to 15 sites. The plan was to provide additional structure to enhance historic lobster and fish habitat (pot sites) while limiting future expansion of the program into other fishing grounds harvested by bottom tending mobile gear. It is also worth noting that today all funding has been restored.

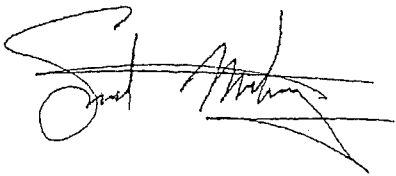
From 1984 until 2005 the NJDEP managed the artificial reef program explicitly for the benefit of both the commercial and recreational sector. During these years both the commercial and recreational groups donated vessels for reef maintenance and expansion.

The New Jersey Reef Management Plan (circa) 1987 stated, "the State of New Jersey - expects the program to achieve the following overall objectives: 1-improve catch per unit of effort (CPUE) for commercial and recreational harvesters of food and game species; 2- create fishing grounds for recreational and commercial fishermen"

In 2008 New Jersey's commercial pot fishermen transferred to the use of sinking-line in all pot strings off of New Jersey. This sinking line, lies on the bottom of the ocean floor, and reduces risk to snagging recreational gear that sometimes occurred with floating rope between pots, thus further reducing any potential conflict of the user groups. The Recreation community has ample access to reefs. Commercial gear is not an impediment and in many cases is used as location aid for recreational fishermen. There is no conflict between groups and no conflict has been reported on reefs in federal waters. Conflicts arose at inshore reefs and that issue has been addressed.

Finally the NJ Reefs were sited on historic fishing grounds. The Axel Carlson reef was sited on an inshore stricter the commercial fishermen had used as Lobster grounds dating back to the 1950's known as the 'rump'. The expansion of the reef program has damaged some of these historic grounds, but enhanced the overall area. Therefore removal of commercial fishermen from these grounds completely would have a negative impact on the employment and the state's economy. The tourism industry though local restaurant, grocery stores, and fish markets enjoy the over 250,000 pounds of lobster caught each year by New Jersey's commercial fishermen.

Sincerely,



Mr. Scot C. Mackey  
NJ Legislative Director  
Garden State Seafood Association

**VIA PUBLIC HEARING & ELECTRONIC SUBMISSION**

John K. Bullard, Regional Administrator  
NMFS Greater Atlantic Regional Fisheries Office  
55 Great Republic Drive  
Gloucester, MA 01930

**Re: Public Comment 11/15/2016 - NJ SMZ Request**

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steve EC Newellman", written over a horizontal line.

Steve 'EC' Newellman'

FISHING UNITED.com



November 1, 2016

Dr. Chris Moore, Executive Direc  
Mid-Atlantic Fishery Management Council  
800 North State Street, Suite 201  
Dover, DE, 19901

**RE: New Jersey Special Management Zone Request**

Dear Dr. Moore:

Please accept the following comments on behalf of the Recreational Fishing Alliance (RFA) in regards to special management zone (SMZ) designation for 13 artificial reef sites under New Jersey management located in the EEZ. RFA supports all three recommendations put forward by the SMZ Monitoring Team and included in their draft report issued to the Mid Atlantic Fishery Management Council (MAFMC) in October 2016. RFA respectfully requests that the MAFMC approve and implement those recommendations through the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan.

Sincerely,

A handwritten signature in cursive script that reads "Jim Donofrio".

Jim Donofrio  
Executive Director

Recreational Fishing Alliance  
PO Box 3080  
New Gretna, NJ 08224  
[www.JOINRFA.ORG](http://www.JOINRFA.ORG) 888 564-6732