

**A proposal to revise the New Jersey Atlantic Menhaden Commercial Harvest Rules -
To allow for the removal of menhaden from a purse seine by pump in State waters**

July 14, 2022 - On behalf of the Port of Cape May, Lunds Fisheries, Inc. is requesting a rule change to the New Jersey Atlantic Menhaden Management Program N.J.A.C. 7:25 – 22.4 (d)(7)

New Jersey currently has four purse seiners operating out of Cape May and one operating out of Raritan Bay that harvest Atlantic menhaden. While pumping is currently restricted within the state waters of the Atlantic Ocean and Delaware Bay, with the change being requested hydraulic pumping would be permitted from 0.6 nautical miles off of New Jersey's beaches and in Delaware Bay. We propose that the pumping of Atlantic menhaden in state waters would be initially permitted through legislation and prior to the end of the 2022 fishing year, and would result with the establishment of regulations implementing the rule change prior to the beginning in the 2023 fishing year.

Current regulations do not permit the purse seine fishery to pump fish onboard in state waters and require that all fish from the purse seine must be removed by brailing or dip net only. New Jersey purse seine vessels may use a pump when removing fish from their nets in Federal waters. The State of New Jersey currently allows fish pumps to be on board vessels operating in state waters, as long as the pump and hoses are clearly and completely disconnected from a power source, tarped, not readily available, and inoperable in state waters. We propose that this restriction be eliminated with the authorization to use fish pumps in State waters.

We are not aware of any negative environmental or conservation impact that occurs when pumping menhaden, nor is there a similar restriction in any other Atlantic coast state with a menhaden purse seine fishery. The required use of brails or dip nets is unsafe and inefficient, extending the time it takes to remove fish from the net and adding time to the fishing operation. While some limited amount of air-induced foam may rise to the surface of the water during pumping, this impact can be significantly reduced by extending the pump's discharge hose below the surface of the water.

Removing menhaden by hydraulic pump from the seine net, rather than using a manually-operated brail, reduces the potential for fish to be lost in the fishing operation and, potentially, end up on a beach. For example, when brailing fish, the net must be tightly pursed around the school of fish so that they are available to the brail at the surface of the water. This tightening can suffocate the fish which can then drop deeper into the net; the combined weight of the catch sinking can then cause a tear in it. When using a fish pump to remove menhaden, the net does not need to be tightly pursed so there is less potential for the fish to suffocate since they remain alive in the net alongside the seine vessel. If there is an operational failure for some reason, there is a greater likelihood that inadvertently-released fish would swim rather than float.

Also, since brailing takes more time to complete the fishing operation after the net is set, allowing the fish to be quickly pumped will also reduce the potential for the seiner to inadvertently drift into closed areas, depending on wind and tide, since it is not under power until the fish are all brought on board

In the past, New Jersey eliminated the pumping option in State waters to move the very large menhaden steamers that were utilizing menhaden for fish meal and other products into Federal waters. Since fishing for Atlantic menhaden for 'reduction' purposes is now prohibited here, this is no longer a useful restriction in today's Atlantic menhaden bait fishery, which utilizes much smaller, 50 foot (+-) vessels.

With the change being requested, crew safety and vessel efficiency benefits would ensue because an operation assisted by pumping can bring the fish onboard quicker and the vessel does not have to divert crew from quickly removing fish from the net to the dangerous practice of manually brailing fish from the net. In addition, with this efficiency, less fuel would be burned per set. We are not aware that there have been any issues with pumping menhaden in federal waters to remove the fish from the purse seine, nor is the use of pumps restricted in other coastal states with a menhaden bait fishery.

Thank you for your consideration of our request.

For additional information, please contact:

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