

DRAFT – July 14, 2022

An Act concerning a revision to the New Jersey Atlantic Menhaden Commercial Harvest Rules

1. a. Strike the language at N.J.A.C. Chapter 22 7:25-22.4 (d)(7):

~~7. Removal of fish from the purse seine shall be by brailing or dip net only. No fish pump shall be on board any vessel operating under a license for the purpose of taking Atlantic menhaden, unless the pump is completely covered and securely fastened with a brightly colored tarp, and the pump intake or hose is disconnected from the pump and is securely stowed away from the pump, so that it is not readily available for use when the vessel is fishing in State waters.~~

2. b. And insert in its place:

7. Removal of fish from the purse seine shall be by fish pump, brailing or dip net. Fish pumps shall be wet pumps, of either capsule or centrifugal design, and no dry pumps may be used. The pump discharge hose shall be placed at or below the vessel's water line to minimize the potential for excess aeration of surface waters in proximity to the fishing operation.

The removal of fish from the purse seine by fish pump is currently restricted within the state waters of the Atlantic Ocean and Delaware Bay. This bill would permit the use of a fish pump from 0.6 nautical miles off of New Jersey's beaches and in Delaware Bay. For Delaware Bay, a demarcation line would be set in consultation with the industry and marine law enforcement, so the boats do not fish too close to bayside beaches.

Current regulations do not permit New Jersey menhaden purse seine vessels to pump the fish onboard in state waters and require that all fish from the purse seine must be removed by brailing or dip net only. However, 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. This bill would eliminate this restriction with the authorization to use fish pumps in State waters.

With this change, crew safety and vessel efficiency benefits can be expected to accrue to New Jersey's menhaden purse seine fleet and fishermen. The use of fish pumps is authorized in the state waters' menhaden purse seine fisheries of Virginia, Rhode Island, Massachusetts and Maine, competing states that allow purse seines to be used to harvest Atlantic menhaden. There are no known environmental or conservation benefits in restricting the use of fish pumps in New Jersey State waters.

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