

JCAA NEWSPAPER JUNE 2011

Official Newspaper of the *JERSEY COAST ANGLERS ASSOCIATION*
(Published on May 24th, 2011)

Monthly Meeting Room Brick Plaza at 270 Chambers Bridge Rd
"WORKING FOR MARINE RECREATIONAL ANGLERS"

JCAA REGULAR MEETING:

Tuesday, May 31st, 2011

Starting at 7:30 PM

At Brick Plaza at 270 Chambers Bridge Rd

NEXT JCAA BOARD MEETING

Thursday, June 9th, 2011

Starting at 7:30 PM at JCAA Office

OFFICIAL NEWSPAPER OF THE JERSEY COAST ANGLERS ASSOC.

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JCAA Newspaper Publisher Tom Fote

JCAA Newspaper Editor Paul Turi

This publication is printed and mailed one week prior to each regular monthly meeting of the Jersey Coast Anglers Association. One of the prime goals of JCAA is to get accurate information into public hands as soon as possible.

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**JCAA General Membership Meetings are for club representatives and invited guests only. These meetings are not open to the general public. If you would like to attend as a guest, call the President at (732) 929-2591 or Tom Fote at (732) 270-9102 before the meeting date to ask permission.**  
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2011 OFFICERS

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Cors. Sec.	Paul Turi	609-660-2126
Mem. Sec.	Bruce Smith	732-695-3431
Tournament Dir.	Tim Burden	732-279-3177

Committee & Chairpersons listed on last page

JCAA 17th Annual Fluke Tournament

June 11, 2011

By Tim Burden

It's important to know not too many days are left before the largest one day tournament on the East Coast takes place along the tidal waterways of New Jersey. Participants registering before June 4th will pay the lower \$120 fee and those registering from June 5th through June 10th will pay the higher \$150 fee.

Fast and Easy Online Tournament Registration is Now Available by going to www.jcaa.org.

Don't wait until the last minute to go online to register. Such a delay could leave you out of the tournament if a power outage occurs in your area. It's best to register early, thereby ensuring a weigh slip is mailed with your name and tournament entry number (not to mention the \$30 early entry fee savings to use toward bait or the casino floor!)

This year's **Grand Prize is between \$5,000 & \$10,000** (based on 500+ entries). As in past years, the Awards Ceremony will be at **Atlantic City's Trump Marina Grand Ballroom on Friday night June 17th**. Besides the **\$1,200 First Place Prize** for the biggest fluke weighed in at each of the ten ports, there are 110 other great port prizes. Add to that the **dozens of fantastic door prizes** to be given out and there's more than **\$70,000 in prizes to be won** (including Penn Reels, Shakespeare UglyStik rods, Berkley Gulp Bait, SpiderWire line, West Marine gift certificates, Canyon Gear products, Minn Kota and Hummingbird electronics, Nor'East Saltwater products, premium sunglasses from Costa, and gallons of Interlux Paint).

You don't have to catch a fish to be eligible for these prizes, port winner or not. All tournament registrants attending have the same chance of winning the door prizes and an automatic entry to win the Grand Prize.

Plan for an early afternoon arrival at TRUMP. It will allow time to register for the GRAND PRIZE, buy more t-shirts before they are sold out and enjoy all that Trump Casino and Hotel have to offer before the Awards Ceremony begins. Quite a few people claim their early entry fee savings are going towards the slots, card tables, or roulette wheels. (To that I say, "Black 11" and "Let it Ride")

Be sure your crew is wearing this year's Fluke Tournament t-shirts and hats at the weigh-in stations. One never knows if a photographer might be there to take a shot of that prize winning doormat. Or send us one of your photos for future use in tournament presentations (all photos will become the property of JCAA).

Tournament rules, printing of snail-mail entry forms, and tournament t-shirt/hat order forms can be obtained by going to our website www.jcaa.org. Printed entry & t-shirt/hat order forms should be mailed with proper payment to:

JCAA Fluke Tournament
1201 Route 37 East, Suite 9
Toms River, NJ 08753

Entries can also be sent to the JCAA office via fax: 732-506-6975. For any other information call the JCAA office: 732-506-6565.

President's Report

By Eileen Smith

The High Roller Raffle was held at the general membership meeting on April 26, 2011. I would like to thank all the member clubs for participating in the event. This was a great success this year because of the valuable prize selection. Thanks go to the volunteers for all their hard work on this big project. It takes a great team to make this happen.

Congratulations to the following winners:

- 1. Joe Gelbman**, Livingston, NJ - Shimano Tallus TLC-58HRSA Rod with Tiagra 30 W LRSA Reel (donated by JCAA) value \$688.00
- 2. Steve Ratica**, - MinnKota Riptide Trolling Motor Model RT SS/SE/L&D (donated by Johnson Outdoors Inc.) value\$550.00
- 3. Robert J. Clark**, New York - \$500 Gift Certificate in Fisherman Headquarters (donated by Fisherman Headquarters) value \$500.00

4. Mike Murodza, Waretown, NJ - Tony Maja Bunker Rod with Shimano Tekota 800 Reel (donated by Barnegat Fishin' Hole) value \$470.00

5. Tony Robinson, Cape May Court House, NJ - Lamiglas IC 70MH Rod with Canyon Reel HS-IS (donated by JCAA & Canyon Reel value \$459.00

6. Larry Lindsay, Leonardo, NJ - Lamiglas TFX 7650 Ct Rod with Shimano Torium 20 Reel (donated by JCAA) Value \$424.00

7. Richard Zdaniecki, Brick, NJ - Shakespeare Ugly Stick, BWLB 1100 M Rod with Penn 3206 T2 Reel (donated by JCAA) value \$160.00

8. Bill Galway, Little Egg Harbor, NJ - Shakespeare Ugly Stick, BWSL 2200M Rod with Sportfisher Fin-Nor FS50 Reel (donated by JCAA) value \$140.00

We are just a couple of weeks away from the Fluke Tournament. You still have time to enter. Call now. BE SURE you pre-register with the FREE New Jersey Salt Water Registry before fishing. (Unless you are under 16 years old or fishing on a party/charter fishing boat for the day.) Please be careful to pack the necessary safety equipment on board. The only good day of fishing is also a safe day.

I look forward to meeting all of the fishermen who have been making this great tournament so successful on June 17, 2011 at the Trump Marina in Atlantic City.

We encourage all of our readers to stay informed about all the latest information on beach access, the salt water registry issues for New Jersey anglers, and other fast breaking news. It is so easy to keep updated on the current issues when you go to the JCAA web site JCAA.org.

IMPORTANT DATES

May 31st JCAA General Meeting

June 2nd Long Beach Island DEP Public Access Hearing

June 9th JCAA Board Meeting

June 11th JCAA Fluke Tournament

June 17th Fluke Tournament Awards Ceremony

June 28th JCAA General Meeting

July 13th -15th ICAST

July 14th JCAA Board meeting

July 20th Joint NJMFC & NJF&G Council Meeting

August 1st - 4th ASMFC Week Alexandria VA

Fisheries Management & Legislative Report

By Thomas Fote

Hooked on Fishing Not on Drugs Bill Passes Senate Environment Committee

S106 establishes the Hooked on Fishing-Not on Drugs Program in the DEP and appropriates \$200,000 from the Drug Enforcement and Demand Reduction Fund. The bill moved out of the Senate Environmental and Energy Committee on May 19th. Don Marantz accompanied me to the hearing. We met Ed Markowski there. Don testified for the Newark Bait and Fly Casting Club, Ed testified for the NJOA and I testified for JCAA & NJSFSC. We were the only recreational groups to testify at this committee hearing. The next move in the Senate is the Senate Budget and Appropriations Committee needs to post the bill for a vote. The corresponding bill in the Assembly is A228 and that bill needs to be posted and voted on in the Assembly Agriculture and Natural Resources Committee. JCAA, NJOA and the NJSFSC will be meeting with legislators to help move the Hooked on Fishing-Not on Drugs bill through the legislature and make sure it gets posted and voted in the appropriate committees. JCAA will keep you posted.

NJ & NY Saltwater Registries

New York and New Jersey now have free salt water registries. New York and New Jersey wrote their regulations differently than other states and each other. New Jersey does not recognize any other registry program. That means you must register in New Jersey if you fish in any of New Jersey's waters unless your only fishing is on New Jersey registered party and charter boats. The process is simple. Just go to the webpage listed below. I truly think it is a good idea to register everyone who fishes in New Jersey because of the data that will be collected. If you think you only fish on charter or party boats, you don't technically have to register, but I suggest you do. The registry is free and the data is helpful in that it proves to legislators how many people actually fish in New Jersey. We can stop having an estimate and deal with facts. There has been much talk about the fines listed on the webpage for failure to register.

I talked to DEP Commissioner Bob Martin last week and he assured me that the DEP is drafting new fines for the registry to go to public hearing and go through the public process. This step could have been avoided if the legislation had included the fines. But since they weren't included, we need to go through this process. New York is treating New Jersey differently since we require everyone to register. With that in mind, if you fish in New York waters, you must register on the New York website if you only have a New Jersey registry. Again, this registry is free and you should simply go to the website listed below.

New Jersey Registry

<http://www.nj.gov/dep/saltwaterregistry/index.html>

Who Needs To Register in NJ Saltwater Registry?

NOTE: Anglers with a valid registration with the National Saltwater Angler Registry or have a valid license from another exempted state are required to register (for free) with the NJ Saltwater Recreational Registry Program. Registration with NJ will exempt you from having to register with the National Saltwater Angler Registry.

Individual saltwater anglers ages **16 and older** **MUST** register if ANY of the following criteria are met:

- Recreationally fish with a hand line or rod and line, spearfish or fish by hand.
- Recreationally fish in the marine and fresh tidal waters of the State of New Jersey.
- Recreationally fish in marine waters outside the State of New Jersey but land the catch in New Jersey.

New York Registry

<http://www.dec.ny.gov/permits/54950.html>

The New York registry differs from New Jersey's in that it does recognize other registry programs for some states. It does not recognize New Jersey's. You need to go to the webpage to find out exactly who is exempt. Some of the information is below:

How do I register?

Anglers may register through DEC's automated licensing system (DECALS) in one of the following ways:

- At locations where hunting and fishing licenses are offered (most town clerks; many bait and tackle shops; sporting goods stores; DEC regional offices in Albany, Allegheny, Buffalo, Ray Brook, Stony Brook, and Watertown), -- find a license issuing agent near you or
- Online:
<http://www.dec.ny.gov/permits/54950.html>
- By telephone: 1-86-NY-DECALS (1-866-933-2257)
- Connecticut and Rhode Island residents: Yes. Anglers that have a marine/saltwater fishing license from Connecticut or Rhode Island are allowed to fish in New York State waters that serve as boundaries with those states without having to enroll in the New York State registry.
- New Jersey residents: No. New Jersey residents must enroll in New York's registry in order to fish in New York's waters.

New Complications for the Artificial Reef

Bill

As you noticed in the article below, we are stressing no compromise for the artificial reef bill. This is important because Don Marantz and I went to Trenton on May 19th to talk with Assemblywoman Celeste Reilly about this bill. She is the vice-chair of the Agriculture and Natural Resources Committee. To our amazement, she told us she thought the problem had been resolved by a compromise which Assemblyman Albano is suggesting to the current bill. We responded that JCAA, NJ Outdoor Alliance and the NJ Federation of Sportsmen Clubs have not approved any changes to this legislation. The letter from the Fish and Wildlife Service makes it clear that until the recreational fishing community is not impeded in their access to the artificial reefs by commercial gear, New Jersey can no longer use Wallop-Breaux money for artificial reefs. We explained the history of this problem and the legislation in detail. She informed us that Garden State Seafood and some recreational groups were in agreement with the amendments. Since Don and I were representing NJ Outdoor Alliance, JCAA and the NJ State Federation of Sportsmen's Clubs, we stated our "organizations have not and will not approve any changes to the legislation that has already passed the NJ Senate."

I have been trying to avoid any in-fighting among the recreational groups. However, we have reached a point where I need to speak up about what is happening. I am concerned that we are losing

sight of the goal and endangering the passage of this legislation. In the beginning all the recreational groups were in agreement. In any press release from any recreational group that I have seen, the need for the all fish pots to be off the artificial reefs has been affirmed. Imagine my surprise when a recent RFA press release called for a management plan on fish pots and asking for further study. I have worked on fishery management plans for over thirty years. A management plan for dealing with all pots would take years. The last time I went through a process like this it was about crab pots in the bays and estuaries. It was worked on for years and the resolution was to allow for the greatest number of pots currently in use by a single person. It did nothing to solve the problem. This is the history. I agree that there should be a management plan for all pots and how this gear is distributed in the ocean or the number of pots an individual can fish. This, however, has nothing to do with removing the pots from the artificial reefs. And to connect the two issues just delays any action to remove the pots. This will only cloud the issue and delay any action. I can't believe a recreational group would support any action that would delay passage of the original bill. I can't believe a recreational group would do anything to impede access to the reefs by recreational anglers.

To complicate the issue further, there is a problem with doing outside funding for the reefs. In 2007 New Jersey decided we couldn't use the present method of funding for the artificial reef program by the state government. We needed an alternative. As you can read on message boards and in the newspaper, this has become another controversial issue. Let me be clear, we must not be distracted by other issues. We must keep up the pressure on the Assembly to pass the original legislation to remove the pots from the reefs. Everything else just delays us again. I would not like to think that this is the goal of any recreational group. We can discuss how to fund the reefs once the legislation is passed. All recreational anglers who fish on the artificial reefs want this legislation passed now. The only way I can see that we can use Wallop-Breaux funds for the artificial reefs is to pass this legislation.

Pots Off the Reefs Legislation Update

The Pots Off the Reefs Bill has gotten even more complicated. We have been working to

remove the commercial pots from the artificial reefs for many years. In the beginning we tried to work through the NJ Marine Fisheries Council but that was unsuccessful. The Council tried to find a compromise that didn't suit anyone. Lisa Jackson, former Commissioner of DEP, decided with the Director of the Division of Fish and Wildlife that there was no suitable compromise that could be enforced and met the established criteria for the artificial reef plan. The commercial pots needed to come off the reefs. Since the commercial interests have more votes on the Marine Fisheries Council, there was no chance that the Council would find a way to remove the commercial pots from the reefs. That left us with legislation as the only alternative. The first bill to remove the pots was introduced and sponsored by Senator Jeff Van Drew and Assemblyman Albano three legislative sessions ago.

In two legislative sessions the bill was passed by the Senate overwhelmingly but was never voted on in the Assembly because Speaker Joe Roberts was unwilling to post the bill. When the current session began, we had a new Speaker and Senate President. We were hopeful for speedy action on this legislation. We did get speedy action in the Senate. The bill was posted and voted on positively in the Senate Environment and Energy Committee. Senate President Sweeney posted the bill (S221) and it passed the Senate overwhelmingly. There is no compromise in this bill, it will simply require the removal of the commercial pots from the artificial reefs. We are now in the same situation, we need the bill (S221 and A1152 without amendments) voted on in the Assembly. Thus far Assemblyman Albano has not posted the bill for a vote in the Assembly Agriculture and Natural Resources. We have been asking Speaker Oliver to tell Assemblyman Albano to post the bill for a vote in his committee or, if he is unwilling, move the bill to another committee for a vote. This is something Speaker Oliver can do.

Please contact Assemblyman Albano, particularly if you are in his district and ask him to post the bill. Assembly Speaker Sheila Oliver has the power to tell Assemblyman Nelson Albano to post the bill in the Assembly Agriculture and Natural Resources Committee for a vote. Please contact her and let her know that you want her to tell Assemblyman Nelson Albano to post this bill for a vote in his committee or move the bill to another committee. Then we want Speaker Oliver to post it for a full vote in the Assembly. Tell her that the

Senate has shown the way and we will be judging the Assembly on its action on this bill. This bill contains no compromise and should not be amended. There are currently 20 co-sponsors for the present bill in the Assembly. Below is a letter that JCAA is sending to Speaker Oliver and all New Jersey Assemblymen/women. It is crucial that you write Assembly Speaker Sheila Oliver and your own Assemblymen/women immediately. All Assemblymen/women need to hear from everyone. Please use the letter below to Assembly Speaker Sheila Oliver and the cover letter to your assemblymen/women as a guide in creating your own letter.

To find the appropriate addresses, go to <http://www.njleg.state.nj.us/>. You can find the names and addresses of your legislators. You can also check their votes on important legislation. JCAA, Reef Rescue and other member organizations will keep you posted. For more information go to Pots off the Reefs at <http://www.njreefrescue.com/> or at <http://www.jcaa.org/> newspaper archives.

Letter to Assembly Speaker Sheila Oliver

Dear Speaker Sheila Oliver:

JCAA is writing to request your support for Assembly Bill A1152/S221 which prohibits the use of traps on artificial reefs. You need to tell Assemblyman Nelson Albano to post this bill for a vote in his committee or move the bill to another committee. Then we want you to post it for a full vote in the Assembly. We will not accept any compromises or amendments to this bill. This bill was passed by the full Senate on Monday, March 21st by a vote of 31 yes and 4 no. Now is the time for the Assembly to pass this legislation. JCAA wants this legislation passed before you leave for summer recess. JCAA and the fishing clubs throughout New Jersey will be watching your actions on this matter and we will be judging you and the Assembly on its action or inaction. Our members and 800,000 New Jersey anglers are in support of this issue. Your action will matter to us in the upcoming election.

New Jersey's artificial reef system is one of the nation's most successful reef building programs. Though it occupied just 0.3 percent of the sea floor off New Jersey's coast, a 2000 study by the state's Division of Fish and Wildlife revealed that 20 percent of New Jersey's recreationally landed fish

come from the state's 15 reefs. As more and more severe fisheries restrictions are placed on the more than 800,000 New Jersey anglers and the more than 500,000 out-of-state anglers who fish New Jersey's waters, the reef sites have become even more important to the state's recreational anglers. In the case of summer flounder, aka fluke, the reefs are the best opportunity for most recreational anglers who target fluke to catch one that meets the new minimum size of 18 inches.

This fishing effort provides a tremendous trickle-down economic effect in both shore and inland communities, as these anglers support marinas, boat liveries, bait and tackle stores, fuel stations, restaurants, convenience stores, sporting goods stores, toll highways, hotels/motels, real estate rentals, etc. These considerations add \$4 billion to New Jersey's economy, \$150,000 in sales taxes, and provide for 37,000 jobs.

At issue here is the very legality of the use of traps on the artificial reef sites. According to the state-approved 2005 Artificial Reef Plan, the intent of the reef sites is for "hook-and-line" angling activities. Continuing to allow fixed gear on the reefs is in complete disregard for this Department of Environmental Protection-approved measure.

Furthermore, the continually increasing use of fixed gear for commercial fishing purposes on New Jersey's reef system may directly violate federal law. For more than 20 years, the administration of the reef program has been funded by Dingell-Johnson Sport Fish (Wallop-Breaux) Restoration Funds. These funds are derived from an excise tax on recreational fishing purchases, and as a "user pay, user benefit" program, federal law requires that these funds be used to benefit recreational fisheries. Under 50 CRF 80.14 and the U.S. Fish and Wildlife Service Federal Assistance Toolkit, Part 521, Section 2.9 lists ineligible activities for the use of these funds, with paragraph C specifically disallowing their use for "*Providing services or property of material value to individuals or groups for commercial purposes or to benefit such individuals or groups.*" Violation of these rules is subject to repayment of funds.

The majority of states that have artificial reef programs, including New York, Virginia, South Carolina, Georgia and Florida, have identified traps as incompatible with their reef programs and no longer allow traps on their reefs. Furthermore, this action has been supported federally by classifying

reefs in federal waters for a number of those states as Special Management Zones (SMZs), restricting the use of traps on those sites.

The issues are clear and the precedent has been set: Traps are not compatible with the purpose or the laws governing New Jersey's artificial reefs. JCAA looks forward to your support in enforcing this mandate and voting for Bill S221 and A1152. If you have any questions, please contact our legislative chairman, Tom Fote, at 732-270-9102 or tfote@jcaa.org.

Sincerely,
YOUR NAME

Letter to your Assemblyman/woman

Dear _____ (Your Assemblyman or woman):

We are asking for your support for A1152 without amendments. The attached letter to Assembly Speaker Oliver states the reasons this bill is crucial to the recreational fishing community. We are asking you to let Speaker Oliver know that you support this legislation and want it voted on in the Agriculture and Natural Resources Committee or moved to another committee. Then we want Speaker Oliver to post it for a vote by the entire Assembly. We are asking you to also contact Assemblyman Albano, Chairman of the Agriculture and Natural Resources Committee to request his immediate action to post this bill. Jersey Coast Anglers Association, our member clubs and the 800,000 recreational anglers want this legislation passed before the summer recess. Since the Senate has passed this bill in three sessions and the Assembly has refused to post this bill for a vote, we clearly know that the problem is in the Assembly. We will be watching and hold you accountable for your action or inaction.

Sincerely,
YOUR NAME

New Public Access Proposal by DEP

During the administration of Governor Corzine, DEP began a proposed change to the public access regulations. At that time we thought some of the proposals went too far. The new administration has gone too far in the opposite direction. The new proposals are turning over responsibility for public access regulations to the local municipalities. When

I began to fish in New Jersey in 1973, purchasing a four wheel drive, I joined the NJ Beach Buggy Association, the United Mobile Sportfishing Association and the Berkeley Striper Club. These organizations were working to guarantee fishermen access to New Jersey's beaches and jetties. JCAA was formed with concerns about public fishing access for herring. In addition to striped bass, this was my earliest interest as a concerned angler. I know that local municipalities do not have the interest of the general public and the fishing public when they propose access rules. Just look at Monmouth Beach, Sea Bright and Deal. Their concerns are their own residents and making money. This has been an ongoing battle to guarantee access, parking and other ways to get to the beach. We used to have a public advocate who would represent us in these matters. Those days are gone. Jose Fernandez, who we lost last year, was one of the original public advocate lawyers who worked on public access. He knew these rules were coming and we will miss his support and counsel. We need to be diligent. By the time you get this newspaper, 3 of the public hearings will have been completed. The last Public Hearing on the new proposed access rules is on June 2nd, 7PM, at the Long Beach Township Municipal Building, 6805 Long Beach Boulevard, Brant Beach, NJ 08008. There are also opportunities to send in written comments. Those web addresses are below. I have also included links to articles on this issue and a letter you can sign written by the Surfrider Foundation. JCAA, NJOA, New Jersey Beach Buggy Association and NJ State Federation of Sportsmen's Clubs are all signing this letter. Many other organizations will also sign.

- galloway.patch.com
- pressofatlanticcity.com
- nbc40.net
- delawareonline.com

Support for Public Access to NJ Beaches and Waterways

Organizational Sign-on Statement

Public access to beaches and waterways is a fundamental right of NJ residents protected by the Public Trust Doctrine. Yet, public access is limited in many places despite this strong legal doctrine. Some beaches are still inaccessible due to limited or nonexistent parking, lack of amenities, or other local

laws and ordinances which fail to protect and promote public access. Industrialization and pollution along our urban riverfronts and waterways has limited public access for decades. Similarly, residential development along our suburban bays and rivers has limited public access and use. The State of NJ must take a strong leadership role in protecting the public's rights and increasing access to public waters for all its citizens, in all communities.

We are opposed to the following provisions of the DEP's draft public access rules because they will result in less access for the public, not more including:

- Removing state standards for beach access points, parking, and amenities
- Allowing towns to create their own public access plans without any State standards or oversight
- Allowing public money to replenish inaccessible beaches
- Removal of references to the Public Trust Doctrine in the State Rules on public access
- Elimination of public access requirements for urban waterfront development projects

The undersigned organizations therefore oppose the Christie Administration's attempt to roll back public access rules concerning our beaches and waterways.

Fact Sheet put out by the American Littoral, NJ/NY River Keeper Surfrider Foundation

The N.J. Department of Environmental Protection is presently proposing to scrap and replace important rules that protect and create public access to the State's tidal waterways, including the Jersey Shore, the Hudson River and other urban waters. The new rule proposal—the (No) Public Access Rule—threatens to drastically reduce the public's right to view, use and enjoy the State's rivers, bays and coast for fishing, surfing, bathing, diving and all other water dependent recreational activities. This Fact Sheet is one in a series of Fact Sheets detailing why DEP's proposal must be stopped.

1. Fishing Access and Amenities No Longer Specifically Required

The current rule resulted in the creation of many new fishing access areas and amenities. It is an affront to the recreational fishing community that DEP is

proposing its repeal. The (No) Public Access Rule would end the requirement that fishing access and associated amenities be required as part of development (including reconstructed bridges) along tidal waterways.

2. Along the Jersey Shore, the ¼ Mile Access Standard is Being Reduced to ½ Mile

As surf fishermen who lug gear from the nearest available parking space know all too well, there is a major difference between fishing access being provided every ¼ mile as opposed to every ½ mile.

DEP is proposing to repeal its ¼-mile public access requirement for renourished beaches and instead rely upon the federal Army Corps of Engineers lesser ½-mile standard.

3. No Specific Parking Requirements Proposed

Without sufficient parking, public access to the waterfront can be meaningless. The (No) Public Access Rule does not contain any specific parking requirements. It is not clear how much public parking, if any, must be provided for in the untested Municipal Public Access Plans. The proposed rule does not state how much parking constitutes is “sufficient” for beach renourishment projects. Moreover, towns are no longer required to remove parking restrictions in order to receive State funding for such projects.

4. Closed Areas to Remain Closed

Particularly along the urban waterfront, DEP’s proposed “status quo” approach will keep those areas closed to the public. In many instances, the (No) Public Access Rule would not require existing commercial, industrial, marina, and port developments to provide public access where none presently exists.

5. Public Access Limited to Business Hours

Apparently, DEP believes that the public does not fish on weekends, at night, or in the early morning. In many instances, the (No) Public Access Rules would only allow public access “during normal operating hours.” This is true for public projects, industrial developments, marinas and commercial facilities (where additional hours *may* be allowed).

Access Rule Fact Sheets #1 Overview, #2 Municipal Public Access Plans, #3 Renourished Beaches, #4 Urban Waterfront, and #6 What You Can Do to Help, brought to you by:

NJ DEPARTMENT of ENVIRONMENTAL PROTECTION
LAND USE MANAGEMENT
DIVISION OF LAND USE REGULATION

Notice of Rule Proposal:

Coastal Permit Program rules, N.J.A.C. 7:7, Coastal Zone Management rules, N.J.A.C. 7:7E

PUBLIC NOTICE

Take notice that the NJ Department of Environmental Protection is proposing to restructure when and how it requires public access to tidal waters and their shorelines under the Coastal Permit Program rules, N.J.A.C. 7:7, and the Coastal Zone Management (CZM) rules, N.J.A.C. 7:7E. The changes are proposed in response to the ruling of the Appellate Division limiting the Department’s authority to require additional parking and restrooms from municipalities receiving State shore protection funding (see Borough of Avalon v. NJ Department of Environmental Protection, 403 N.J. Super. 590 (App. Div. 2008)), due to Legislative action (see Public Access and Marina Safety Task Force Act, N.J.S.A. 13:19-38 et seq.), and because the Department believes that public access to tidal waters can be provided in a more effective and comprehensive manner. The proposed amendments to the CZM rules establish public access requirements for new development based upon the type of development, for example, residential versus marina development. In addition, the scenic resources and design rule is proposed to be modified to exempt governmental agencies from the setback requirement where the proposed structures are greater than 15 feet in height where certain criteria are satisfied. The proposal also modifies the coastal general permit for beach and dune maintenance activities to only apply to municipalities that have a Department-approved municipal access plan. Amendments to the coastal general permit for tourism structures located on beaches are also being proposed to allow certain structures to remain year-round, except when severe weather is predicted.

The proposal is scheduled to be published in the New Jersey Register dated April 4, 2011. A

For more information about this proposal, and what you can do to help us stop it, read (No) Public

copy of the proposal is available from: the Department's website; at County libraries, or by contacting LexisNexis Customer Service at (800) 223-1944 or www.lexisnexis.com/bookstore. Be advised that there may be a fee for obtaining a copy of the proposal from some sources.

Public hearings concerning the proposal are scheduled as follows:

Thursday, May 12, 2011 at 11:00 A.M.
Liberty State Park Central Railroad Terminal Building
Blue Comet Auditorium
1 Audrey Zapp Drive Jersey City, NJ 07305

Tuesday, May 17, 2011 at 11:00 A.M.
Richard Stockton College of New Jersey
Townsend Residential Life Center Multi-Purpose Room
Jimmie Leeds Road Pomona, NJ 08240

Monday, May 23, 2011 at 1:00 P.M.
Seaside Heights Municipal Court
2nd Floor Court Room
116 Sherman Road Seaside Heights NJ 08751

Written comments may be submitted by June 3, 2011 to:

NJ Department of Environmental Protection
Gary Brower, Esq.
ATTN: DEP Docket No. 05-11-03
Office of Legal Affairs
401 East State Street, 4th Floor
PO Box 402
Trenton, New Jersey 08625

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New Jersey's New Saltwater Fishing Registry Launches to Mixed Reviews

by Mark Demko

The Express-Times, 5/15/2011

After months of planning and preparation, New Jersey has finally launched its free saltwater registry, which means recreational saltwater anglers can continue to enjoy their sport without having to pay any fees to do so.

Launched on May 4, the web-based New Jersey Saltwater Recreational Registry replaces the federal saltwater registry that the state has been required to participate in since Jan. 1. The state registry was created to exempt anglers fishing in New Jersey's marine and tidal waters from having to pay any required fees associated with the federal registry; however, those saltwater fishermen and women who already signed up with the federal registry in 2011 will not have their \$15 registration fee returned to them by the National Marine Fisheries Services. In addition, all anglers, even if they are already on the federal registry this year, must still sign up for the state registry as well.

"This registry allows us to comply with a federal mandate to have a system in place to collect better data from recreational anglers and better manage fishery resources that are so important to our economy," Department of Environmental Protection Commissioner Bob Martin said. "At the same time it's exempting our anglers from fees and keeping saltwater fishing in New Jersey free."

Saltwater anglers age 16 and older must join the registry if they fish recreationally with a rod and line, hand line or spearfishing equipment in marine and freshwater tidal waters in the Garden State. They must also be registered if they fish in federal waters (more than three miles from shore) and marine waters outside of the state, but return to New Jersey to land the catch. In addition to those under the age of 16, anglers who do not need to participate in the registry include people who fish on a for-hire party or charter boat that is registered with the state Saltwater Recreational Registry Program, as well as individuals who fish for shellfish such as crabs and clams.

Tom Fote, legislative liaison for the New Jersey State Federation of Sportsmen's Clubs and the Jersey Coast Anglers Association, notes that N.J. has gone a bit further with its registry requirements than other states in that it still requires all anglers to sign

up for the state registry, even if they are registered with the federal registry or are registered or have a saltwater license in another state.

"It's going to be very confusing for the people who come from out of state. It's very confusing for the anglers," Fote said. "Most of them think because they're registered with the federal registry that they don't have to register with New Jersey, and they do."

When it comes to the new registry, there are a couple of very important points that anglers need to know. First of all, the only way to sign up for the registry is via the Internet, so a person must have access to a computer and printer to fill out and print the registration. If an individual doesn't have a computer, a good place to turn to is the local public library, as almost all offer Internet access. The DEP says it has limited the registration to online only as a way to minimize costs and expedite implementation of the registry.

The second point worth noting is that all anglers must carry a copy of their printed registration with them when fishing. According to the DEP, any person or for-hire vessel owner/operator who fails to show his or her card if stopped by a DEP officer will be subject to a \$300 to \$3,000 fine for the first offense and \$500 to \$5,000 for any subsequent offenses. The same fines also apply for failing to sign up for the registry in the first place.

"The fines are ludicrous," Fote said. "We have guys that can keep six illegal fish and they're going to get less of a fine than the guys who basically fail to do the (New Jersey registration) or forgot it in their car."

In an effort to reduce the amount of the fines that can be imposed on anglers, State Sen. Jeff Van Drew (D-Cape May/Cumberland/Atlantic), who introduced the bill to create the free state saltwater registry, recently wrote to Martin, asking the DEP to halt the current fine structure and noting he plans to introduce legislation that will impose a warning for a first offense and a \$20 fine for each subsequent offense.

"The very purpose of creating the free registry was to cut people a break," Sen. Van Drew wrote. "And since it is a new system, it is expected that residents who fish infrequently and individuals traveling from out of state may not be aware of the new requirement to register. A \$300 fine for an initial offense of noncompliance is extreme, and the potential maximum fine of \$3,000 is just absurd."

To learn more and sign up for the New Jersey Saltwater Recreational Registry Program, anglers can visit www.saltwaterregistry.nj.gov. All registrants must provide their complete name, address, date of birth, phone number and last four digits of their social security number.

Mark Demko can be reached at sports@express-times.com.

Recreational Fishing at the National Level

By Bruce Freeman

Reacting to mounting criticism that the federal government is ignoring the concerns of recreational fishermen as well as not fully recognizing its economic importance in management decisions, the National Oceanic and Atmospheric Administration [NOAA] organized a Recreational Salt Water Fishing Summit. A major goal of the Summit was to find ways to improve the level of communication and cooperation between the federal fisheries agency and the salt water recreational community.

The Summit was hosted by Dr. Jane Lubchenko, Undersecretary of Commerce for Oceans and Atmosphere and Eric Schwab, Assistant Administrator, National Marine Fishery Service [NMFS]. Some 120 people attended and represented individual anglers, sport fishing organizations, fishing tournaments, charter and party boat owners, and tackle and boat manufacturers. The Summit was designed to identify key recreational issues and concerns and discussed candidly ways to overcome these impediments. Both Tom Fote and I attended the Summit and were involved in discussions concerning New Jersey and the middle Atlantic coast.

The NMFS discussed several pressing problems that recently faced recreational fishermen. One of these was the pending closure of the sea bass fishery in the middle of the season off New Jersey and other Middle Atlantic States. This situation was caused by a provision in the reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act [ACT] to develop annual catch limits and accountability measures for overfished

species by 2010. While the NMFS realized it did not have adequate biological information for the species and understood the disastrous economic consequences that would occur, it was being required to close the fishery to comply with federal law. Another serious problem was occurring for the same reason in the red snapper fishery in the South Atlantic region. In this situation anglers were looking at being prevented from bottom fishing in waters deeper than 98 feet. This would amount to closing 6,000 square miles of ocean water to any bottom fishing due to the fact that a red snapper could be caught!

To the credit of the NMFS it seized the need for a more balanced approach which includes improving catch information and allowing for a transition to the legal requirements of the ACT. It believes that massive, indefinite fishery closures are not responsible management.

Still other pending issues exemplify the low consideration given to recreational fisheries by some federal agencies. In 2009 an Interagency Policy Task Force was created and charged with developing a national policy for managing United States ocean waters and the Great Lakes. The Task Force developed a draft report and framework plan. However, the greatest deficiency in the report was that it did not recognize the economic, social, and conservation contribution of recreational fisheries. In addition, the report was skewed towards a preservation policy of the nation's marine resources and limiting access to public waters rather than to promote sustainable use such as recreational fishing. While the final report was expected to be issued a year ago, it has yet to be released because of a number of problems, including several states' rights issues concerning fish and wildlife management.

These examples emphasize the timeliness of the Summit. While there was considerable discussion at the Summit about concerns at the national level, much of the time was devoted to identifying regional issues. I was asked by the Summit organizers to address regional concerns in the New Jersey and mid Atlantic area. Given only a few minutes to address the audience, I had only time enough to quickly touch on five issues as follows:

1. Anglers continue to question the accuracy of recreational survey catch data. While the survey information collected by the NMFS is key to setting annual catch limits for

important recreational species such as Fluke, Sea Bass, Bluefish, and Porgies, the small sample size as well as the time of day the survey operates creates major problems.

2. The lack of federal policy for artificial reefs. Although tax revenue paid by anglers is the major source of funds used to construct reefs, fixed fishing gear such as commercial fish and lobster pots placed on and around the reefs make it nearly impossible for anglers to drift their baits over the reefs.

3. Anglers, and specifically party and charter boat operators, are increasingly frustrated over the constantly changing size, season, and bag limits. Because they change each year close to the opening of the season, it is impossible for anglers to plan ahead their fishing activities for the upcoming season. For party and charter boat operators, bait and tackle store owners, and marina operators, this creates a nightmare business situation and has caused some to fail.

4. Anglers see little, if any, economic or social impact analysis concerning recreational fishing when management decisions are being made. This is true even though federal fishery law requires such concerns to be taken into consideration.

5. Growing apprehension over the federal mandate of having each and every fish species at its maximum sustainable level, all at the same time. Based upon historical records available for the middle Atlantic area, some as far back as the late 1700s, it can be seen that various species were in great abundance at certain times. However, none of the species remained at high levels for extending periods of time; the natural population levels waxed and waned over time. This is not to say that recreational fishermen do not support sustainable levels of our fisheries, but it must be asked if our present management goals for all species being maintained at their maximum sustainable level simultaneously is possible. And what level of forage species must be maintained in order to support maximum populations of all predatory species? Is it biologically possible?

At the Rec Fish Summit the NMFS stated it would work to improve the way it operates towards the recreational fishery. As a start it identified general areas of concern it would work on immediately and move ahead to improve, including working to obtain more accurate and timely recreational catch information; more and better economic information; inclusion of recreational interests in the management process at the Fishery Management Councils; and better communication at both the national and regional levels.

In future articles, I will report on steps that the NMFS is taking in recreational fisheries, especially improvements in the recreational fishing survey.

Bruce Freeman was asked to be a member of the Recreational Fisheries Working Group, the purpose of which is to advise the national Marine Fisheries Advisory Committee on issues of importance to the recreational fishery.

New Jersey Outdoor Alliance Report *By John Toth*

On behalf of the JCAA, I attended an April 25th meeting of the NJ Outdoor Alliance (NJOA) and the following issues were discussed.

A May 26th caucus of NJ's legislators will be held to review hunting and fishing issues at 8:00 a.m. in the State House in Trenton. NJ Council Board member Tom Connors set up this meeting. The purpose of this caucus is to update legislators on hunting and fishing issues. We take it for granted that our legislators are aware of the hunting and fishing issues that face us. Many of them do not understand them and even vote against us when they think that they may be helping us. This caucus is important to update our legislators about the issues that concern us. Hunters and anglers are urged to attend this meeting so that legislators can see our presence and hear our concerns.

Sergio Radossi, member of the Hudson Fishermen's Association, is up for nomination to NJ's Marine Fisheries Council. NJOA members are urged to contact their legislators to support his nomination. Sergio is very familiar with the many fishing issues facing anglers throughout our state.

The HOFNOD Bill (Hooked ON Fishing Not On Drugs) received considerable discussion by council members. The purpose of this bill is to allocate monies derived from drug arrests to expose kids to hunting and fishing and to help turn their disadvantaged lives around. Legislators have talked about supporting it for a number of years, but when push comes to shove, they don't do it and this has been a frustrating experience for all involved in the passage of this bill. NJOA Council members will not give up on the HOFNOD bill's passage.

Reef Rescue consumed most of the NJOA agenda. Reef Rescue Chairman Pete Gimbilas gave a report on the protests that were held by the Cape May Court House to pressure Assemblyman Albano to post Bill A-1152. Pete also reported on recent legislators who signed on as co-sponsors of this bill from District 38 in Bergen County (Assemblywomen Wagner and Voss) and Assemblyman DeAngelo from Middlesex County District 14 who also signed on as a co-sponsor. All three legislators are Democrats. Pete urged all Council members to urge their members to get in contact with their legislators to support A-1152 to get the Pots Off The Reef Bill passed and to possibly sign on as co-sponsors of this bill. Pete also reported on plans to hold the last protest by Albano's office on April 30th and the rally to follow in the Cape May Court House.

Youth Education Report *By Greg Kucharewski*

FREE FISHING DAYS IN NEW JERSEY

National Fishing and Boating Week, June 11 - 12, 2011: Free Fishing Days in New Jersey are Saturday & Sunday, June 11 & 12, 2011. Residents and non-residents may fish the public waters of New Jersey without a license or trout stamp. All other regulations apply. For those anglers just starting out, the Division of Fish and Wildlife offers many programs and classes to advance from beginner to expert. The Pequest State Trout Hatchery in Oxford, Warren County offers free fishing programs. Pequest offers a Natural Resource Education Center with a variety of exhibits and displays on wildlife, a butterfly garden, picnic areas and hiking trails. There is also a handicapped-accessible fishing site along the Pequest River. Last year the JCAA Youth

Education Committee coordinated fishing and aquatic education programs for the weeklong celebration of National Fishing Week. This year we will be working with disadvantaged students in Monmouth County. Member clubs that wish to conduct a National Fishing Week program can phone 732-785-9278 and we will guide your organization through the process. Phone if you have questions and please record your event. Let the JCAA Youth Education Committee know how many National Fishing Week participants supported your program. For more information about National Fishing Week check out their link: <http://www.rbff.org/page.cfm?pageID=46>

GET REGISTERED

Bottom line is everyone over sixteen years old that fishes in New Jersey and does not fish only on registered party and charter boats needs to be in the New Jersey register. Here is where to go to register for New Jersey's Saltwater Registry: <http://www.nj.gov/dep/saltwaterregistry/>

ROD AND REEL DONATION

Many thanks to Lindsay Fuller for his donation of six rods & reels packaged with terminal tackle and equipment. The items will be used for an upcoming JCAA Youth Education program that will support disadvantaged youths in Monmouth County, New Jersey.

JCAA YOUTH EDUCATION MATERIALS

National Fishing and Boating Week and "Hooked On Fishing Not On Drugs" materials are available to JCAA member clubs and organizations. Please let the JCAA Youth Education Committee know if your organization needs drug awareness and fishing promotional items for your next fishing event. The JCAA supported three youth and family events during the month of May and supplies are limited. If you are hosting a large event this summer or fall, please phone 732-785-9278 and we will return your call as soon as possible.

YOUTH EDUCATION TRAVEL

The Jersey Coast Anglers Association's Youth Education Chairman is invited to visit the University of Toledo from June 25-30, 2011 and support their annual National Youth Sports Program (NYSP), Youth Fishing Program. NYSP is a program that helps inner city children build the skills

and the confidence they need to tackle future challenges. The University of Toledo's National Youth Sports Program provides summer recreational, sport, and educational enrichment programming for approximately 250 youths aged 10 to 16. Each summer UT receives contributions from the business community to purchase learning materials and aquatic education field trips for youngsters participating in the NYSP Youth Fishing program. Our JCAA Youth Education Committee will provide guidance about the Future Fisherman Foundation's "Hooked On Fishing Not On Drugs" program and demonstrate a variety of angling techniques. Marine aquatic education will be discussed for children visiting coastal states during the remainder of their summer vacation.

Share Your Fun Take Someone New Fishing