

For Release: Immediate
Friday, February 10, 2012

Contact: *Alise Roderer*
(609) 847-3700

**SMITH/SWEENEY/GREENSTEIN LEGISLATION TO PROTECT
RECREATIONAL FISHING ON ARTIFICIAL REEFS APPROVED BY
ENVIRONMENT PANEL**

Measure Would Bring State Guidelines for Reef Usage in Line with Federal Regulations, Qualify New Jersey for Federal Sport Fish Restoration Program Funding

TRENTON – Legislation sponsored by Senator Bob Smith, Senate President Steve Sweeney and Senator Linda R. Greenstein which would prohibit commercial fishing on New Jersey's artificial reefs in order to preserve the sites for recreational fishermen was approved yesterday by the Senate Environment and Energy Panel.

"Artificial reefs have helped create a place for recreational fisherman and scuba divers to enjoy their craft while visiting and enjoying New Jersey's shore. They serve as a great attraction for tourists and help bring visitors into New Jersey who then patronize our businesses, restaurants and hotels," said Senator Smith, D-Middlesex, Chairman of the Environment and Energy Committee. "Unfortunately commercial fishing has taken over in these areas and is causing recreational fishermen's lines and gear to tangle and tear. By changing the law to reserve these reefs for recreational fishing, we can ensure the vitality of the Shore economy that depends on eco-tourists and recreational fisherman to survive."

The bill, S-1177, would prohibit, within New Jersey's waters, any person from using commercial fishing gear, such as lobster pots, trawl nets, gillnets and other gear, within 300 feet of artificial reefs created under the Division of Fish and Wildlife's artificial reef program. The only exceptions would be for rod-and-reel-gear, hand lines, spears or recreational gigs.

Additionally, the bill would require the state Department of Environmental Protection to apply to the Mid-Atlantic Fishery Management Council to designate the 13 artificial reefs in federal waters – more than three miles off the coast of New Jersey – as Special Management Zones. This would allow New Jersey to impose similar restrictions on commercial fishing on these artificial reefs in federal waters. While New Jersey manages and maintains artificial reefs in federal waters, they currently do not have jurisdiction to restrict access to recreational fishers.

The state's artificial reefs have been funded through a Federal Sport Fish Restoration Program that distributes federal excise taxes collected on recreational fishing and diving equipment. The Senators noted that since sports fishermen and divers are contributing to the fund through purchasing of equipment, they should have access to the reefs. However, due to the nature of commercial fishing, many of these sites are littered with commercial gear, making access for recreational fishermen impossible.

In 2011, the US Fish and Wildlife Service cut off all further federal funding for New Jersey's artificial reef program because commercial fishing gear such as crab pots on the artificial reefs was interfering with recreational fishing.

"Recreational fishermen have paid for the construction and maintenance of our artificial reefs through the purchase of gear and equipment and are now being driven away by commercial fishing," said Senate President Sweeney, D-Gloucester/Cumberland/Salem. "Without revisions to the law that ban commercial fishers from placing traps and nets on our artificial reefs, we risk allowing future funds intended to protect New Jersey's artificial reefs to instead support reefs off the shores of other states. These reefs were created for the public to enjoy and it is time that we ensure that they are available for that purpose."

According to the New Jersey Outdoor Alliance, New Jersey's recreational marine fishing industry adds approximately \$1.3 billion annually to the state's economy and provides employment for over 10,000 New Jerseyans. While these figures cover recreational fishing throughout the Garden State, in 2000, anglers caught nearly 18 percent of the state's total salt-water-recreational catch on the state's artificial reefs.

"While these man-made reefs were built for the enjoyment of sportsmen and scuba divers, commercial fishermen are overtaking these reefs, making it nearly impossible for recreational fishermen to fish there," said Senator Greenstein, D-Middlesex/Mercer. "Our state's lucrative tourism industry depends on recreational fishing, but with the encroachment of commercial fisherman on artificial reefs, we are losing the recreational side and tourism dollars to other states. I am hopeful that this bill will help give these reefs back to the public to enjoy."

Artificial reefs are constructed for use by the general public by intentionally placing dense materials, such as old ships and barges, concrete and steel demolition debris and dredge rock on the ocean floor. These artificial reefs help to create and improve habitats for fish and shellfish as well as fishing grounds for sports fishermen and underwater structures for scuba divers.

The bill was approved by the Senate Environment and Energy Committee with a vote of 4-1. It now heads to the full Senate for consideration