

# JCAA NEWSPAPER APRIL 2011

Official Newspaper of the *JERSEY COAST ANGLERS ASSOCIATION*  
(Published on March 22nd, 2011)

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

## **JCAA REGULAR MEETING:**

**Tuesday March 29th, 2011**

**Starting at 7:30 PM**

**At Brick Plaza at 270 Chambers Bridge Rd**

## **NEXT JCAA BOARD MEETING**

**Thursday, April 7th, 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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<b>Mem. Sec.</b>	Bruce Smith	732-695-3431
<b>Fluke Director</b>	Tim Burden	732-279-3177

**Committee & Chairpersons listed on last page**

## **2011 HIGH ROLLER RAFFLE**

It is now time for the JCAA High Rollers 2011 Raffle. We have put together a terrific selection of rods and reels and other prizes for a raffle that will be drawn on April 26, 2011. This is a major fundraiser for the JCAA. The 8 prizes are listed below with a value of over \$3,391.00. Tickets will be two dollars each and Club Representatives can get books of tickets to sell by attending a JCAA meeting. If you would like to buy raffle tickets call the JCAA office. Raffle ticket books will also be mailed along with entries for the 17<sup>th</sup> Annual JCAA Fluke Tournament. When your club representative brings them to your club, please help with your purchase. Without your continued support we cannot function as an organization in protecting the marine resource and angler's rights.

- 1) Shimano Tallus TLC-58 HRSA Rod-Tiagra 30W LRSA Reel  
Value \$688 *Donated by JCAA*
- 2) Minn Kota Riptide Trolling Motor model RT 55/SE/L&D  
Value \$550 *Donated by Johnson Outdoors Inc.*
- 3) \$500 Gift Certificated to Fishermen Headquarters  
Value \$500 *Donated by Fishermen Headquarters*
- 4) Tony Maja Bunker Spoon Rod w/ Shimano Tekota 800 Reel  
Value \$470 *Donated by BarnegatFishinHole.com*
- 5) Lamiglas IC 70 MH Rod with Canyon Reels HS-15  
Value \$459 *Donated by JCAA*
- 6) Lamiglas TFX7650 CT Rod with Shimano Torium 20 Reel  
Value \$424 *Donated by JCAA*
- 7) Shakespeare Ugly Stik BWLB 1100 M Rod-Penn 320GT2 Reel  
Value \$160 *Donated by JCAA*
- 8) Shakespeare Ugly Stik BWSL 2200 M Rod-Sportfisher Fin-Nor FS50 Reel  
Value \$140 *Donated by JCAA*

**Total Value \$3,391**

## IMPORTANT DATES

**March 21-24** ASMFC Meeting Week (Alexandria)

**March 29<sup>th</sup>** JCAA General Meeting

**April 7<sup>th</sup>** NJ MFC Summer Flounder Meeting

**April 7<sup>th</sup>** Talk at West Marine Brick on Fisheries Regulations & Pots off the Reefs

**April 9<sup>th</sup>** Opening day of Trout Season

**April 12<sup>th</sup> -14<sup>th</sup>** MAFMC Meeting (MD)

**April 14<sup>th</sup>** JCAA Board Meeting

**April 26<sup>th</sup>** JCAA General Meeting

**May 12<sup>th</sup>** JCAA Board Meeting

## JCAA's 17<sup>th</sup> Annual Fluke Tournament, June 11, 2011

*By Tim Burden, Fluke Director*

By now, you should have received our mailing of this year's Fluke Tournament entry forms and High Roller Raffle tickets. If you haven't, either they're lost in the mail or you're not on the mailing list. Contact me at the JCAA office ASAP and I'll look into resolving either issue. Next, go get a pen and mark **June 11<sup>th</sup> (Fluke Tournament)** and **June 17<sup>th</sup> (Awards Ceremony)** on your calendar. These two dates will mark the JCAA 17<sup>th</sup> Annual Fluke Tournament. Now that you've done that, get your phone or get to the computer and start contacting your fishing buddies. Get your crew of up to six anglers on board with these dates.

These two dates mark opportunities to fish and win big! There are 120 port prizes available to be won on June 11<sup>th</sup>. That's twelve prizes for each of the ten ports ranging from Jersey City in the north to Fortescue in the south. Each port competes against its own registered boaters and serves as its own weigh station. The heaviest fluke weighed in at the ten ports will **win \$1,200 cash 1<sup>st</sup> Place Prize!** The remaining eleven prizes can be seen on our website.

Then there's the **\$5,000 to \$10,000 Grand Prize\*** (\*depending on the number of entries over 500). Winning the Grand Prize at the **June 17<sup>th</sup> Awards Ceremony** isn't determined by who weighed in the largest fluke, nor if your crew consisted of skilled anglers. Winning this bundle of cash and door prizes are the same for one and all. Everyone has an equal chance of winning and is automatically entered to win providing you or one of

your crew register at the tables outside the Trump Marina Hotel Casino Grand Cayman Ballroom.

Entry forms are available at [www.jcaa.org](http://www.jcaa.org) as well as links to our great sponsors.

**For those not having internet access, call (732-506-6565)** or write to me at the JCAA office. Entry, t-shirt and hat forms will be mailed to you immediately.

A few other dates to note are **April 15<sup>th</sup>, 16<sup>th</sup>, and 17<sup>th</sup>.**

Come visit our booth at the **West Marine Show** in Brick where I will be accepting tournament entry forms and offering helpful hints for landing a doormat (tournament winning) fluke to anyone who asks.

## President's Report

*By Eileen Smith*

The Board of Directors has really been working hard to put together a general meeting that offered as much up-to-date information on all of the species that mattered the most for the up-coming summer season. The February general meeting was attended by many representatives of the member clubs; a positive turnout to meet the new board and myself. We need more clubs to send their representatives so we have their active participation. It was fast-paced, lots of news and a good conversation on the summer flounder issue. If you did not have a chance to come out, I look forward to seeing you in March. Your club's input is important to us and we value your opinions. Get involved.

At the meeting, the clubs voted to support the summer flounder option that is an 18" size limit, a 6 fish bag limit and a season from May 2 to September 30. This would give us the longest season. JCAA delivered this message to the March 15<sup>th</sup> NJ Marine Fisheries Council Summer Flounder Committee Meeting. The Council will vote on April 7 on this year's option. JCAA will have a representative there.

The New Jersey Salt Water Registry bill in NJ was signed by Governor Chris Christie. This is a major asset to the entire state and to the many people who rely on the fishing tourism trade. It is to his credit and all of the legislators that worked hard to make New Jersey first in being concerned for the fishermen of NJ and helping their concerns is part of the growing conversation to improve the fishing

## **JCAA Comments on Draft Addendum XXI to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan**

March 17, 2011

Toni Kerns  
Atlantic States Marine Fisheries Commission  
1050 N. Highland St. Suite 200 A-N  
Arlington, VA 22201

The Jersey Coast Anglers Association represents 75 recreational fishing clubs who fish the waters off New Jersey. Our member clubs have reviewed the draft addendum and provide the following comments.

We support and recommend either Option 2A or Option 3A since they appear to be the same for the following reasons.

The Option, which is not in this document, which should be, is that the Harvest Quota be revisited and increased to a more realistic level consistent with the historical information provided in this document.

First and most importantly the Statement of the Problem has made basic assumptions that must be addressed. The Stock Status on page 4 states, "Based on the June 2010 assessment update, the stock is not over fished and over fishing is not occurring (Shepherd and Nieland 2010). The stock has been considered rebuilt since 2009." Why then is it necessary to even consider this document with its unrealistic low harvest quota?

That said, the harvest level for the last 15 years has varied from a high of 4.3 mlbs in 1997 when there was no harvest limit and a size limit of 9" with the season open all year to a low of 1.2 mlbs in 1998 when the harvest limit was 3.15 mlbs, the size limit was 10" and the season was closed for two weeks in August. In 2000, 2001 and 2002 the harvest exceeded the harvest limit. From 2003 to 2008 the harvest limit varied from 4.13 mlbs to 2.11 mlbs and the harvest never exceeded the limit.

Therefore until 2008 there did not seem to be a problem with either the catch level or the harvest limit at a 12" size limit. So what happened in 2009 and 2010 to cause a perceived problem? The harvest limit was lowered to 1.14 mlbs in 2009, which guaranteed that the harvest limit would be exceeded even with the increase in size to 12.5". In 2010 the

lifestyle we so very much cherish in our state. After talking with a lot of people at the recent shows, there are many people who don't know there is a National Saltwater Angler Registry in effect. At the booths we informed those individuals, but we, as New Jersey saltwater recreational fishermen, need to help get the information out to fellow fishermen.

The Fluke Tournament (June 11, 2011) and the High Roller Raffle (drawing April 26, 2011 at the general meeting in April) are the important events coming up this spring.

With up to \$10,000 in prizes and an awards presentation at the new Golden Nugget, it already looks to be a win-win new season. Trump Marina was sold on February 1<sup>st</sup> and the new owners are welcoming us to their new home.

We have recently put together a pre-written postcard for your convenience for the Pots Off the Reefs initiative. Sign your name, find a stamp, and mail it or go to our website, hit copy and paste, and fill in the blanks. Make your voice heard on this important matter. Just a click and send and you have made your legislator aware of your feeling for Pots off the Reefs.

## **JCAA Position Letter on Draft Addendum VI for Tautog** By Eileen Smith

March 4, 2011

Chris Vonherweidt  
Atlantic States Marine Fisheries Commission  
1050 N. Highland Street  
Suite 200 A-N  
Arlington VA, 22201

RE: Draft Addendum VI to the Interstate FMP for Tautog Public Comment

The Jersey Coast Anglers Association supports Status Quo for Issue 1, Issue 2 and Issue 3. The Jersey Coast Anglers Association supports options C and D of Issue 4.

We ask that ASMFC adopt Status Quo for Issue 1, Issue 2 and Issue 3 and options C and D for Issue 4.

Sincerely,  
Eileen Smith  
President

harvest limit was increased from the 2009 level to 1.83 mlbs. This was still less than the 2008 level of 2.11 mlbs, which was the lowest in the time series since 1996. Not surprisingly the harvest exceeded the harvest limit. The real problem is seemingly the low quota.

One only has to look at the entire picture to see where the problem lies. It is clear that the PROBLEM is in the harvest limit. Anyone who has been on the water fishing for Sea Bass for the last 15 years would have a difficult time reconciling in their minds that the fishery has varied as much as the numbers in this document would indicate. In addition there is no clear trend in the harvest numbers, which come from the MRFSS survey, which was specifically designed to view trends in a fishery. The numbers vary considerably thus supporting that there is a clear problem with the data used to estimate the harvest level.

One would think that since the harvest numbers are taken from a survey designed to show trends then the longest possible time frame must be used to estimate a harvest level. As such Option 2A or Option 3A are the only viable options, which is the state by state regulation based on a 5 year landing average. Using time frames of less than 5 years does not adequately reflect the trends that are occurring in the fishery.

It also does not compute that with a shortened season that the harvest in 2010 should have exceeded the harvest in 2009. Something is wrong with this picture. A root cause analysis should be conducted to ascertain where the problems lie. It is difficult to follow the logic used in this document. Why did the harvest levels and harvest limits remain relatively constant in the 2004 -2006-time frame?

Looking at Table 3 for 2006 to 2008 on page 13 again shows the inaccuracy of the data used in this document. The table shows 0% fish caught in waves 1 and 2 from New Jersey north to Massachusetts. There was an offshore fishery during that time frame. This fact is noted on page 4 of the document under fishery description and yet it is ignored and 0% fish are reported. If Party Boat Logbook data had been even glanced at this data would at least show some fish caught.

There is another misconception in the document. On page 7 it is noted: "The MRFSS data used to set state by state specific conservation equivalent measures produces more variable results

when used on a state-by-state basis. As the coverage area increases the variability of the data decreases; therefore, adopting regional or coast wide approaches will give more credibility to the data." This is illogical. This is a question of sample size. The incorrect assumption is that the sample size has increased; therefore the data is more credible. What is not considered is that increasing the coverage area introduces additional variables such as different weather patterns and fish availability. Therefore the data in each individual area must be examined separately. Combining areas cannot be used as a justification that the variability decreases. What it does show is that the sample size in each individual state is totally inadequate.

Eileen Smith  
President, Jersey Coast Anglers Association

### **Federal Saltwater Registry Options by Joseph Puntasecca, JCAA Vice President**

I would like to start off by thanking Governor Christie for signing bill 1122 on February 22 mandating a FREE saltwater registry be created in NJ. But until the NJ DEP implements the registry and receives approval by NOAA for exempt status those of us here in NJ without a Highly Migratory Species (HMS) permit, valid out of state license from an exempt state, fish only on federally permitted charter or party boats or a valid Federal Saltwater Registry card will need to register for 2011.

We have heard that the NJ DEP plans to get a system up and running to implement the NJ Saltwater Registry by May, but it will also need to be approved by NOAA for exempt status. To date I have not heard any word on how long it will take to receive approval from NOAA. For some of us the April/May timeframe will suffice, but others may need to register prior to the start of NJ's registry program.

There is an alternative for those anglers who need to register prior to the start of the NJ Saltwater Registry. A few states have non-resident fees that are less than or equal to the Federal Registry fee. Not to mention, I personally would much rather give my money to another state's Marine Fisheries Bureau than to the Federal Government to be used for who knows what instead of bettering our sport,

access for anglers and boaters and marine conservation.

Maine is one example of a state with a free registry program, however it costs only \$2.00 for out of state residents to process their applications on-line with the Maine Department of Marine Resources. Below is a short list of options for those who do not meet the exemption status in 2011 for the Federal Saltwater Registry and links to those state's marine fisheries web sites.

STATE	FEE	LINK
Maine	\$2.00	<a href="http://www.maine.gov/dmr/index.htm">http://www.maine.gov/dmr/index.htm</a>
Massachusetts	\$10.00	<a href="http://www.mass.gov/dfele/dmf/index.html">http://www.mass.gov/dfele/dmf/index.html</a>
Rhode Island	\$10.00	<a href="http://saltwater.ri.gov">http://saltwater.ri.gov</a>
New York	\$15.00	<a href="http://www.dec.ny.gov">http://www.dec.ny.gov</a>
Maryland	\$15.00	<a href="http://dnr.maryland.gov/fisheries">http://dnr.maryland.gov/fisheries</a>
New Hampshire	\$16.00	<a href="http://wildlife.state.nh.us/marine">http://wildlife.state.nh.us/marine</a>

## New Fluke Options Imminent

*By Paul Haertel*

As an advisor on our state's recreational summer flounder committee, I attended the special meeting on 3/15. A slight to moderate majority of those present favored the option with the season running from 5/2-9/30 with a 6 fish bag limit at 18", which is the same option that JCAA overwhelmingly supported. However, our marine fisheries council expressed concern that this option might cause us to exceed our quota which would result in the overage being deducted from next year's quota. A new option was proposed with a season from 5/7-9/25 with an 18" size limit. This new option might include an 8 fish bag limit as the liberalization % is not affected at all by going from 6 to 8 fish. There are probably going to be a couple more new options and some of the ones that were previously approved will be deleted. The council does not want a lot of options as it will be confusing.

Option	Size Limit (inches)	Bag Limit	Open Season	# Days Open	% Liberalization NJ VAS
1	18	8	May 14-Sept 18	128	62
2	18	8	May 7-Sept 25	142	77
3	17.5/18	1/5	May 21-Sept 5	108	81
4	17/18	1/5	May 28-Aug 28	93	81

The regulations for fluke will be set at the public meeting on 4/7 which will be held at 4 pm at the Galloway Public Library located at 306 E. Jimmie Leeds Rd., Galloway Township, N.J. 08205. The council had hoped to have the meeting in more centrally located Toms River as it did last year but unfortunately that location had already been booked by someone else. Regardless of your viewpoint, it is important to go to the meeting and make your opinion known. Remember that when you do so, be specific in stating the season, size limit and bag limit you prefer as the option numbers or letters are going to change.

## Fisheries Management & Legislative Report

*By Thomas Fote*

### Pots Off the Reefs

Reef Rescue asked JCAA, New Jersey Outdoor Alliance and other interested groups to meet and reinvigorate the pots off the reefs campaign. We all agreed that this campaign must move forward immediately. This is an election year and our representatives will be eager for our votes. You will be hearing more from Reef Rescue in the upcoming weeks. The Senate bill is S221 and the Assembly bill is A1152. On Monday, March 21<sup>st</sup>, the full Senate passed bill S221 by a vote of 31 yes and 4 no. The bill must now go before the Assembly. Please respond to any action alerts from Reef Rescue and help us move this bill through the Assembly and to the Governor's desk.

The Assembly bill has not been posted by Assemblyman Nelson Albano for a vote in the Assembly Agriculture and Natural Resources Committee. Please contact Assemblyman Albano, particularly if you are in his district. 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 and then 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. 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 so you can post it for a full vote in the Assembly. This bill was passed by the full Senate on Monday, March 21<sup>st</sup> 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 CFR 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. 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 and then posted 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>

### **West Marine Talk on April 7th**

On April 7th at 7:30 pm, I will be the featured speaker at West Marine in Brick. The topics will be getting the fish and lobster pots off the artificial reefs, saltwater registry and the process for developing fisheries regulations. West Marine is located at 51 Chambersbridge Road, Brick (732-864-8140).

### **West Marine Spring Event**

JCAA will have a table at West Marine's Spring Event at the Brick store. The Spring Event is open to the public during the weekend of Friday, April 15th, 2011 through Sunday, April 17th, 2011. The event starts at 8:00 am each morning and ends at approximately 6:00 pm. West Marine is anticipating approximately 25 assorted marine vendors with a representation of 4 marinas with approximately 16-20 new boats on hand for visitors to look at as well as board. There will be free hot dogs and refreshments along with some give away prizes.

### **ASMFC Meeting, March 21-24**

By the time you receive this newspaper, I will have attended the ASMFC meeting in Washington, DC. JCAA will discuss the results of this meeting at our General Membership Meeting on March 29. You can go to the ASMFC website and sign up for meeting summaries. We will be considering the addendums on black sea bass and tautog. Both of these addendums will have significant impact on this year's fishing. There should also be heated discussions on menhaden, striped bass, shad and river herring. ASMFC puts out press releases on the day following each meeting and the summaries are available quickly. The addendums and management plans are all posted on the webpage. There is no reason not to stay informed.

### **EPA Proposes Regulating Toxins at B.L. England in Upper Township and other Coal-Fired Power Plants**

Press staff and wire reports,  
Press of Atlantic City, 3/17/2011

HOUSTON - The U.S. Environmental Protection Agency proposed rules Wednesday that would for the first time regulate toxic air emissions from B.L. England in Upper Township and other coal-fired power plants in the nation, including limiting mercury, lead, arsenic and acid gas pollution.

Environmental and medical groups praised the move, which came in response to a court-ordered deadline, saying the new regulations will remove toxins from the air that contribute to respiratory illnesses, birth defects and developmental problems in children.

Some industry groups criticized the measure and accused the EPA of inflating the benefits and arguing it would cost billions of dollars annually to comply.

Currently, there are no limits on how much mercury or other toxic pollutants can be released from a power plant's smoke stacks — which emit some 386,000 tons of toxic air pollution annually, by far the largest industrial source of such pollution in the United States. The new rules would require power plants to install technologies that would limit the emissions.

The Sierra Club petitioned the EPA in February to hold New Jersey to a 2006 consent agreement after the plant's owner, RC Cape May,

asked for more time to make pollution upgrades to the plant, which has three boilers – two that burn coal and a third that burns oil only when energy demand is at its peak.

The plant has to install a \$50 million pollution control called Selective Catalytic Reduction on one of its two coal-fired boilers to capture nitrogen oxide by the end of next year. And it must install a particulate scrubber by 2013. The company in 2008 announced a plan to invest more than \$200 million in upgrades at the power plant.

The EPA said the regulations proposed Wednesday would reduce mercury emissions from these power plants by 91 percent. The rules would also further limit other pollutants, including particulate matter, such as dust, dirt and other fragments associated with a variety of respiratory ailments.

This standard “will save lives, prevent illnesses and promote vital economic opportunities across the country,” said EPA Administrator Lisa P. Jackson, who invited second-graders to attend the event in Washington, D.C., where she signed the proposal.

Reaching into her own history, Jackson described how her son — an asthmatic — spent his first Christmas in the hospital “literally fighting to breathe.” “With the help of existing technologies, we will be able to take reasonable steps that will provide dramatic protections to our children and loved ones, preventing premature deaths, heart attacks and asthma attacks.”

The court order gave the EPA until November to make the rules official. Jackson said companies would then have three years to comply, and some could be given an extra year. Such rules would have the greatest impact on Texas, which is home to more coal-fired power plants than any other state. Texas has at least 19 coal-fired plants and 10 more in various stages of permitting and construction. The Environmental Defense Fund says seven of the top 25 mercury-emitting power plants are in the Lone Star State, four of those are in the Top 10.

The Texas Commission on Environmental Quality, which regulates air emissions from the state’s coal-fired power plants, said it already regulates mercury from new plants, in a case-by-case strategy that requires pollution control technologies based on the type of coal being used by the facility.

Some coals burn cleaner than others. These regulations do not apply to existing facilities.

Jeff Holmstead, who served as the EPA’s top air official from 2000 to 2005 and now heads the Environmental Strategy Group at the Bracewell & Giuliani law firm in Washington, D.C., said the new rules are inefficient, costly and provide few benefits to the environment or public health. “It seems to be just another way to attack coal and coal-fired power,” Holmstead said.

The EPA said it would cost nearly \$11 billion a year for industry to comply with the new rule, prompting Holmstead to define it as “by far the most expensive rule that EPA has ever done.”

The agency, joined by medical groups including the American Lung Association and the American Academy of Pediatrics, estimated that the value of health benefits associated with reduced exposure to fine particles could be from \$59 billion to \$140 billion by 2016. The EPA estimates it could save 17,000 lives a year and generate 31,000 short-term construction jobs and 9,000 long-term utility jobs.

“Dirty air makes children sick, that’s the long and short of it,” said Marion Burton, president of the American Academy of Pediatrics. “If you think it’s expensive to install a scrubber, you should see how much it costs to treat a child born with a birth defect that was preventable.”

Studies show exposure to mercury increases the risk of birth defects as well as developmental problems in small children.

Jackson said the EPA’s models found installing the technologies could increase energy rates by about \$3 to \$4 a month, though it could be less depending on fuel costs. For example, she said, a New Jersey provider that already installed pollution-cutting technologies recently reduced its rates.

A report by the Electric Reliability Coordinating Council, a coalition of power companies, argued the toxic air regulation is only one of several rules slated to go into effect in or around 2015 — rules that could cost industry about \$100 billion. The council says studies have found that for every \$1 billion spent on upgrades and compliance, 16,000 jobs will be put at risk.

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## **Fracking – Friend or Foe**

Below is part of an article that appeared in the New York Times on fracking. As you know, fracking is a technique for extracting natural gas from shale. I have seen the movie “Gasland.” From these two sources, I have developed serious questions about this process. We know we need more sources for energy that are produced within the United States. However, we need to make sure the production process doesn’t cause more long-term harm than the short-term benefits. If these methods are not safe, then we must insist the gas companies develop safer forms of extraction. It always raises red flags for me when Congress exempts companies from EPA regulations. It makes me wonder what they are hiding. This exemption for fracking was passed during the previous administration and the present administration must take a hard look at the process. The full article is available at the New York Times webpage or send me an email.

### **Regulation Lax as Gas Wells’ Tainted Water Hits Rivers**

by Ian Urbina,  
New York Times 2/26/2011

The American landscape is dotted with hundreds of thousands of new wells and drilling rigs, as the country scrambles to tap into this century’s gold rush — for natural gas.

The gas has always been there, of course, trapped deep underground in countless tiny bubbles, like frozen spills of seltzer water between thin layers of shale rock. But drilling companies have only in recent years developed techniques to unlock the enormous reserves, thought to be enough to supply the country with gas for heating buildings, generating electricity and powering vehicles for up to a hundred years.

So energy companies are clamoring to drill. And they are getting rare support from their usual sparring partners. Environmentalists say using natural gas will help slow climate change because it burns more cleanly than coal and oil. Lawmakers hail the gas as a source of jobs. They also see it as a way to wean the United States from its dependency on other countries for oil.

But the relatively new drilling method — known as high-volume horizontal hydraulic fracturing, or hydrofracking — carries significant

environmental risks. It involves injecting huge amounts of water, mixed with sand and chemicals, at high pressures to break up rock formations and release the gas.

With hydrofracking, a well can produce over a million gallons of wastewater that is often laced with highly corrosive salts, carcinogens like benzene and radioactive elements like radium, all of which can occur naturally thousands of feet underground. Other carcinogenic materials can be added to the wastewater by the chemicals used in the hydrofracking itself.

While the existence of the toxic wastes has been reported, thousands of internal documents obtained by The New York Times from the Environmental Protection Agency, state regulators and drillers show that the dangers to the environment and health are greater than previously understood.

The documents reveal that the wastewater, which is sometimes hauled to sewage plants not designed to treat it and then discharged into rivers that supply drinking water, contains radioactivity at levels higher than previously known, and far higher than the level that federal regulators say is safe for these treatment plants to handle.

Other documents and interviews show that many E.P.A. scientists are alarmed, warning that the drilling waste is a threat to drinking water in Pennsylvania. Their concern is based partly on a 2009 study, never made public, written by an E.P.A. consultant who concluded that some sewage treatment plants were incapable of removing certain drilling waste contaminants and were probably violating the law.

The Times also found never-reported studies by the E.P.A. and a confidential study by the drilling industry that all concluded that radioactivity in drilling waste cannot be fully diluted in rivers and other waterways.

But the E.P.A. has not intervened. In fact, federal and state regulators are allowing most sewage treatment plants that accept drilling waste not to test for radioactivity. And most drinking-water intake plants downstream from those sewage treatment plants in Pennsylvania, with the blessing of regulators, have not tested for radioactivity since before 2006, even though the drilling boom began in 2008.

In other words, there is no way of guaranteeing that the drinking water taken in by all these plants is safe.

## **Governor Christie Signs Bill to Create Free Saltwater Fish Registry**

Immediate Release, 2/22/2011,  
Contact: Lawrence Ragonese (609) 292-2994

TRENTON - Governor Christie signed a bill into law today that creates a free State saltwater fishing registry in New Jersey, one that will comply with federal requirements and will not financially impact the State's saltwater anglers.

The creation of a State registry will allow New Jersey anglers to avoid a \$15 saltwater registration fee imposed by the federal government as of Jan. 1.

"Fishing from our shores has been and should remain free to our residents. Some simple pleasures in life should not be subject to a new unfunded federal mandate," said Governor Christie.

Creation of a free State registry was lauded by the New Jersey Outdoor Alliance which worked closely with the Governor's Office and the DEP on this issue.

"We realize the DEP has profound responsibilities to protect public health, safety and the environment, all with increasingly limited room for budgetary maneuvers," said Anthony Mauro, chairman of the New Jersey Outdoor Alliance. "So we applaud DEP Commissioner Bob Martin for working to implement this bill in the most efficient means possible within his agency's current budget." Saltwater fishing is an important economic engine for New Jersey, providing 38,000 jobs and a \$1.2 billion annual boost to the state's economy, noted Commissioner Martin.

"The DEP recognizes the importance of protecting and managing our marine resources for the benefit of the environment, hundreds of thousands of anglers who enjoy this resource, to our multi-billion dollar tourism industry, and the thousands of jobs related to saltwater fishing," said Commissioner Martin, who thanked the New Jersey Outdoor Alliance for its efforts.

"We will work to get this new registry on line as soon as possible," Commissioner Martin added. Beginning on Jan. 1, the National Oceanic and Atmospheric Administration required saltwater anglers in states like New Jersey without a state saltwater fishing registry or saltwater fishing license to pay \$15 to register with that agency. The registry requirement is part of an effort to improve the

quality of data used in fisheries management, according to NOAA.

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## **The new MRFSS or as it is now called MRIP**

*By Tom Siciliano*

Will the new method of estimating the recreational angling catch provide numbers that make sense and will they lead to more reasonable regulations? That is the question that has been on my mind for years.

The good news is that something is being done to improve the surveys of recreational anglers. The bad news is that it is taking entirely too long.

The people involved at the federal and state levels seem to understand the problems with the MRFSS and they are trying to correct them. What is needed is more transparency and outreach to the recreational community to demonstrate that improvements are, in fact, being made and that those improvements will eventually lead to regulations that are more favorable to recreational anglers. There is very little substantive information available on [www.countmyfish.noaa.gov](http://www.countmyfish.noaa.gov) but you should keep watching it to see what improvements are being made.

In August of 2007 I attended a workshop whose purpose was to review how to improve the Marine Recreational Fishing Statistics Survey under the new name Marine Recreational Information Program. It has been almost four years and the only "improvement" that is obvious to recreational anglers is the formation of the Federal Registry, which was a year late in implementation. I am not sure how much improvement there has been with the use of this phone book but any improvement is better than none. In 2010 there were 700,000 anglers who signed up for this free registry. How many people will sign up for the \$15 Federal registry especially when there is no enforcement? Thanks to many recreational fishing groups New Jersey has their own free registry but it is not yet operational. This will save anglers in New Jersey that money.

There are improvements which are being made in counting the number of fish caught recreationally but they are not very visible to anglers. Adjustments are being made in the sampling and a comparison will be conducted of the new system with the old system. It is understandable that both the old and the new systems will have to be conducted for a few years so they can be compared. One thing that is encouraging is that flexibility is being considered on a regional basis.

The states of Oregon and Washington have realized the shortcomings of MRFSS and are spending \$1.5 million and \$3 million respectively to conduct their own angler surveys. They are able to challenge the MRFSS numbers with their own data. If New Jersey would invest that kind of money we could see some substantial improvements.

One of my frustrations and that of many others is the fact that the party and charter boat logbooks which have been required for years are not being used. There is a fantastic amount of valuable information in those logbooks that is being ignored. Why? Many reasons are given such as no funding but none pass the common-sense test. This data is easily verifiable and should be used to its full extent. In fact, there is no excuse not to use this information. To ignore this data can be compared to ignoring a consumer complaint that the brakes of your car are not working properly. How many complaints of brake malfunctions would it take before a car company would start a thorough investigation and fix the problem? The logbook data is, in fact, a census and a clear indication of what is happening on a daily basis along the coast. Even if it were only used to compare the variability of areas along the coast it would be important.

In the meantime each angler in New Jersey can help to improve the data available by providing their catch information now. Just as in Oregon and Washington the state of New Jersey can provide data and challenge the MRFSS data and you can help them.

You have the ability to self report the results of each of your fishing trips. All you have to do is go to the NJ DEP website and find the Marine Survey or go to <http://www.njfishandwildlife.com/marinesurvey08.htm>. This survey, which has been on line since 2008, has not been used by the anglers of New Jersey to its full extent. If you do not avail yourself of this opportunity then please don't complain to me about

the regulations. Using it will help our New Jersey representatives to argue that the MRFSS numbers are not correct and here are our real numbers.

In addition, the JCAA will again this year conduct a survey during our fluke tournament. Please make the effort to complete this catch vs. effort survey. It only takes a few minutes and you should be completing your own fishing log anyway. Last year participation dropped slightly. I would like to see 90% participation in the survey this year. No excuses.

I will be happy to assist any tournament who would like to conduct their own survey by providing my personal assistance with setting up a customized survey and doing the tabulation of the results. Just give me a call at 732-267-6451 or email me at [toms6363@comcast.net](mailto:toms6363@comcast.net).

It remains to be seen how good the data from the new system will be. In the meantime for those of you who know of or have been to the Rose Theater in London will understand Shakespeare's quote "a Rose by any other name would smell just as sweet."

## **NEW JERSEY OUTDOOR ALLIANCE REPORT**

*By John Toth*

On behalf of the JCAA, I attended a February 28<sup>th</sup> meeting of the New Jersey Outdoor Alliance (NJOA) and the following issues were discussed.

Mr. Tim Cussen, former Bureau Chief Law Enforcement Officer, attended the meeting and informed Council members of personnel changes and possible new administrative changes to the Division of Fish & Wildlife that in his opinion were not in the best interests of the Division. Council members listened to his concerns and will monitor these developments so that the Division is not hampered in its mission to protect the fish and wildlife of our state.

Separate and apart from the testimony of Mr. Cussen, concern was also raised about the reduced funding for the Division of Fish & Wildlife. The Division is getting an appropriation of \$600,000 when it used to receive \$1.7 million. This reduced funding will not help the Division in back-filling positions of staff that retire and it may adversely affect other operations of the Division. The NJOA agreed to issue an Action Alert advising its

## **Youth Education Report**

*By Greg Kucharewski*

### **JCAA FISH IDENTIFICATION**

A great time was had by all the attendees at the Newark Bait and Flycasting Club Kids' Fishing Night. Forty-six children learned about fish identification and received "Hooked On Fishing Not On Drugs" goody bags from the JCAA Youth Education Committee. The Newark Bait and Flycasting members set up several learning stations for the youngsters and answered all their questions about fishing. This was the first time that the JCAA Youth Education committee tested out a new fish identification game for children called "Name That Fish." We read questions from large cards that gave clues about saltwater and freshwater fish. Example: 1. I have many rows of teeth and lose lots of them just swimming around the ocean. 2. People are afraid of me....especially if they see my dorsal fin cutting the water. 3..They made a movie about me. What kind of shark am I? Answer: Great White Shark "JAWS"

Many thanks go to Eileen Smith, JCAA President and Paul Smith, Former Shore Surf Club President for assisting with all the activities for the children. The Jersey Coast Anglers Association's Youth Education Committee has supported this event for approximately ten years and it was good to see some of the youngsters from past Kids Fishing Night helping out.

### **SIGN UP FOR TACKLE EDUCATORS PROGRAM**

The Future Fisherman Foundation's Tackle for Educators program was developed for industry partners to provide educators with high-quality equipment at prices below retail. These vendors support Future Fisherman Foundation's mission to get more youth introduced to educational angling programs so they develop a love of the sport and respect for our natural resources. The Tackle for Educators page on the Foundation's website includes recommendations on start-up equipment to help program managers outfit a new or existing fishing program. The discounts in equipment will help educators stretch their dollars so they can offer additional programs, new trainings and more resources to their community. For more information about the program and to download a New Account Form, visit [www.futurefisherman.org](http://www.futurefisherman.org).

membership how the lack of funding negatively impacts the Division and it will also include the names of the legislators anglers should contact to lobby for increased funding for the Division. The Division should receive at minimum about \$3 million for their budget. Other states along the eastern seaboard like North Carolina receive around \$19 million to operate their fisheries.

The Pots off the Reef issue emerged and it generated considerable discussion among Council members. Pete Grimbilas, who has been spearheading the movement to remove the traps off the reefs, indicated that this is an election year and the legislators are campaigning to be elected. Pete advised Council members that anglers have to pressure their respective legislators to post the Pots off the Reefs bill in their respective chambers for a vote and pass it. The Senate bill is S-221 and its companion bill in the Assembly is A-1152. Pete Grimbilas has offered to visit fishing clubs to explain the issue about removing the pots off the reefs and how to go about getting your legislators to support this effort. Pete can be reached at (973) 454-0315. Also, when anglers visit the various events and club meetings they are encouraged to sign the Pots off the Reefs petitions. These petitions will be brought to meetings set up by Pete Grimbilas when he meets with various legislators, especially in District # 1 that has not been supportive of the Pots off the Reefs legislation to date.

### **Special Pots off the Reefs Meeting – February 26<sup>th</sup>**

Pete Grimbilas, the driving force for removing Pots off the Reefs legislation, called a special meeting of interested parties with an agenda that only included a discussion on how to get the pots off the reefs. This meeting was held at the Shark Anglers Building in Herbertsville. Pete led the discussion and the meeting attendees agreed to work together to get this bill passed and signed by the Governor before the summer recess. More updates on the progress of these meetings will be forthcoming. A big thank you goes to the NJ Shark Anglers Club for hosting the meeting and providing refreshments for the attendees.

**Share Your Fun  
Take Someone New Fishing**