

A man wearing a blue jacket, a cap, and sunglasses is holding a large Atlantic sturgeon. The fish is long and slender with a pointed snout and a dark collar around its neck. The background shows a body of water under a clear sky.

# ATLANTIC STURGEON

## ENDANGERED SPECIES

By Russ Allen, Supervising Fisheries Biologist

### **HAVE YOU EVER...**


watched an Atlantic sturgeon spiral out of the water?

### **PERHAPS...**

you discovered one washed up on a beach...

### **OR MAYBE...**

you are among those who have never seen — or even heard of — these ancient aquatic creatures.



*Fisheries biologist Russ Allen releases a tagged juvenile sturgeon during the New Jersey Division of Fish and Wildlife's Delaware Bay Tagging Program.*

This prehistoric fish has now been officially listed as an endangered species. What follows is a brief overview on the new federal Endangered Species Act regulations for Atlantic sturgeon (also potentially river herring and American eel in 2013) and how New Jersey Division of Fish and Wildlife will manage these species while in state waters. Our agency is also initiating a recreational outreach program to better educate anglers about potential interactions with endangered species and also how to maintain compliance with Endangered Species Act provisions. ■

## Atlantic Sturgeon and the Endangered Species Act

Effective April 6, 2012, the National Marine Fisheries Service listed Atlantic sturgeon as endangered within most of its range, including the New York Bight which incorporates New Jersey State waters as well as all adjacent federal waters. For the Atlantic sturgeon listing, the New York Bight includes both the Hudson and Delaware watersheds.

The Endangered Species Act prohibits all "takes" (meaning to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect or an attempt to engage in any such conduct) of Atlantic sturgeon without proper federal permitting. Notice this broad definition of "take."

Although one usually thinks of the Endangered Species Act more severely affecting commercial fisheries — which it does in this case — recreational anglers must also heed this listing.

Immediately upon listing the Atlantic sturgeon, our agency began working with the National Marine Fisheries Service and the U. S. Fish and Wildlife Service to develop a formal *biological opinion* to preserve the functioning of our federally funded research programs (including key striped bass research) that might otherwise be adversely affected by listing sturgeon as endangered. This will allow New Jersey to have a specific number of takes of Atlantic sturgeon and sea turtles through December 2017 since our research surveys are addressed in the biological opinion.

The next priority was to develop a *habitat conservation plan* to cover recreational and commercial fishing activities in state waters. The plan includes information on New Jersey's fisheries and documents known information regarding interactions of endangered species. In addition, the plan describes methods for monitoring these fisheries and developing mitigation options for the future. Fish and Wildlife is close to finalizing our habitat conservation plan and will continue

to work with the National Marine Fisheries Service to determine specific take numbers for the affected fisheries.

## Recreational Fisheries

Some may think that the recreational fishing community would not be concerned about sturgeon or their endangered status. However, the recent listing of Atlantic sturgeon makes it illegal to take *any* Atlantic sturgeon without having the proper take permits from the National Marine Fisheries Service. This means New Jersey must have a habitat conservation plan in place to ensure that any takes of Atlantic sturgeon are properly recorded and summarized for reporting purposes. Fish and Wildlife is currently working with the National Marine Fisheries Service to finalize our habitat conservation plan. Recreational outreach and reporting will likely be important elements of the habitat conservation plan.

Although the majority of recreational takes are in the form of a disturbance (a boat traveling across a sturgeon's path or an incidental catch while striper fishing), some incidents may be lethal such as when a propeller delivers a severe strike or when there is a gut-hooked fish. There are major differences in the type of take and how they are handled by the National Marine Fisheries Service during this permitting process. Obviously, lethal takes may require changes to regulations in a quick and responsive manner.

As of this writing, river herring (alewife and blueback herring) and American eel were also being considered for listing under the Endangered Species Act. These additional listings could bring a new dimension to how Fish and Wildlife deals with endangered or threatened species, especially when this could impact our important fisheries.

Our agency will continue to update anglers, as well as the general public, and to work within the framework of the Endangered Species Act to minimize impacts to New Jersey's angling community.

## Motor Boat Registration and Title Requirements

NJ Motor Vehicle Commission (MVC)

### Registration

Most boats must be registered to operate on New Jersey waterways.

- All titled boats must be registered also.
- **Any boat (including jet skis and non-titled watercraft), mechanically propelled (incl. electric motors), regardless of length, must be registered.**
- Boats greater than 12 feet in length, regardless of propulsion means, must be titled and registered at an MVC office.

Boats and marine equipment which **need not be** registered:

- Those not based in New Jersey or operating here less than 180 consecutive days that are operating under a federally approved numbering system from another state
- Ship's lifeboats
- Non-motorized vessels used exclusively on small lakes and ponds on private property
- Racing vessels with New Jersey State Marine Police permit
- Non-motorized inflatable device, surfboard, racing shell, dinghy, canoe or kayak
- Non-motorized vessel less than 12 feet in length

### Title

For use on New Jersey waterways, all boats more than 12 feet in length must be titled, with the exception of ship's lifeboat, canoe, kayak, inflatable, surfboard, rowing scull, racing shell, tender/dinghy used for direct transportation between a vessel and shore for no other purposes.

### Boat Operator License (MVC)

An operator license is required to operate power vessels on fresh, non-tidal waters such as lakes, creeks and rivers. (Minimum age 16 years; with certain exceptions.)

### For More Information:

**New Jersey Motor Vehicle Commission**  
(888) 486-3339 toll free in NJ or  
(609) 292-6500 from out-of-state  
[www.nj.gov/mvc/](http://www.nj.gov/mvc/)

### Boat Safety Certificate (NJSP)

A boat safety certificate (from an **approved** boat safety course; see NJSP Web site, below) is required to operate a personal watercraft or power vessel, including electric motors, in NJ waters (tidal and non-tidal).

### New Jersey State Police (NJSP)

(609) 882-2000  
[www.njsp.org/maritime](http://www.njsp.org/maritime)



## Implications and Outreach

So what does this mean to the average angler? Probably not much but the implications could be widespread should New Jersey be found out-of-compliance with the provisions of the Endangered Species Act.

For instance, striped bass anglers using clam during the spring run unfortunately catch a few sturgeon in Delaware Bay as they move to their spawning grounds in the Delaware River. Since the Delaware stock is at an extremely low level, any sturgeon mortality is considered as a critical detriment to the survival of the stock.

We are still in consultation with the National Marine Fisheries Service to finalize our habitat conservation plan and determine the number of Atlantic sturgeon takes allowed for the recreational fishery. If New Jersey is allowed a low

number of takes and we exceed that allowance, immediately we must be in consultation with the National Marine Fisheries Service. They may consider, for example, restrictions on using clam as bait or a requirement for circle hooks be discussed as potential future strategies to help mitigate sturgeon takes, if needed. However, no such restrictions would take place without angler input.


While this example of one type of impact and a hypothetical subsequent management action is somewhat exaggerated just to illustrate the process, the results are nonetheless possible.

Let this information serve as Fish and Wildlife's kickoff to a new outreach program for anglers to report interactions with Atlantic sturgeon. Whether the sturgeon is sighted, caught or washed up on a beach, our fisheries biologists want to know.



Dr. Dewayne Fox/Assoc. Prof. Delaware State Univ.

Commercial fishermen Captain Kevin Wark, left, and Mike Lohr show a juvenile sturgeon captured during a Cooperative Research Project.

A new, quick reporting link on our website (NJFishandWildlife.com) allows anglers and non-anglers to keep us informed of American sturgeon takes. Or notify us by calling our office at (609) 748-2020 during normal business hours, especially if a sturgeon has washed up from either an accidental or natural death. This crucial data is essential as we move forward under the provisions of the federal Endangered Species Act. In advance, thank you for your assistance by working together to enhance the angler experience. 

For additional information on Atlantic sturgeon, please visit [www.state.nj.us/dep/fgw/pdf/2005/digmar16-27.pdf](http://www.state.nj.us/dep/fgw/pdf/2005/digmar16-27.pdf)

**Captain Kevin Wark displays a large Atlantic sturgeon captured in the Atlantic Ocean for research.**





# It's Nice to Know Some Things Haven't Changed



*Trustworthy Towing* **STILL ONLY \$149**

**Red is ready 24/7 when you need assistance on the water.**

Our captains are licensed, trustworthy and all around nice guys. With over 600 boats in 300 ports, we're only a quick call away. Just show your BoatU.S. Membership card for payment on the water.

- ▶ Battery Jumps
- ▶ Fuel Delivery
- ▶ Soft Ungroundings
- ▶ 24/7 Dispatch Service
- ▶ Over 500,000 Members
- ▶ 25 Member Benefits

**FREE**  
BoatU.S.  
Towing App!



Boat Owners Association of The United States has the largest towboat fleet, ready to serve you with over 300 ports nationwide. Call or go online now to join!

1-800-888-4869

**Tow  BoatU.S.**

BoatUS.com/towing

Unlimited towing details and exclusions can be found online at BoatUS.com/towing or by calling.



# GOVERNOR'S SURF FISHING TOURNAMENT

By Karen Leskie, Senior Biologist

Get Outside and Enjoy a Day of Fishing with Family and Friends

The 22<sup>nd</sup> Annual Governor's Surf Fishing Tournament will be held Sunday, Oct. 6, 2013. Once again anglers from New Jersey and neighboring states will descend upon the beaches of Island Beach State Park in hopes of catching the longest fish of the day. The tournament aims to encourage youngsters and adults to learn more about surf fishing while taking advantage of a great family activity. Funds raised by the tournament go toward marine resource conservation and education.

Despite a rainy forecast, 550 anglers enjoyed a rain-free morning of fishing where more than 130 fish were caught in the bluefish, kingfish and blackfish categories. New Jersey Lieutenant Governor Kim Guadagno and Department of Environmental Protection Commissioner Bob Martin were on site to greet tournament participants and take part in the awards ceremony. A total of 19 prizes were awarded in categories for children, teen and adults. However, the grand

prize winner went to Bill Sheppard of Seaside Park, NJ with a 20 $\frac{3}{4}$ " bluefish. Mr. Sheppard received two rod-and-reel combinations, a \$100 gift card to Orvis (courtesy of World Fishing Network), a plaque, and will have his name engraved on the Governor's Cup, which is permanently on display at Island Beach State Park.

Since its inception in 1991, the tournament has generated more than \$130,000 for various marine education and restoration efforts, construction of access ramps for disabled saltwater anglers, surf fishing instruction programs and equipment, specialized wheel chairs that provide beach access to the disabled and elderly, plus the purchase of the first mobile automatic heart defibrillator for use at Island Beach State Park.

For more information about the Governor's Surf Fishing Tournament or to receive a registration form, visit [NJFishandWildlife.com/gsft.htm](http://NJFishandWildlife.com/gsft.htm) or call (609) 748-4347. 

**New Jersey Division of Fish and Wildlife** (along with our co-sponsors: New Jersey Division of Parks and Forestry, New Jersey State Federation of Sportsmen's Clubs, Jersey Coast Anglers Association and New Jersey Beach Buggy Association) would like to thank the following organizations for contributing to the success of the 21<sup>st</sup> Annual Governor's Surf Fishing Tournament in 2012:

- Canyon Gear
- Grumpy's Bait & Tackle
- Legal Limits Company
- Manns Bait Company
- O Mustad & Son, Inc.
- Sportsman's Center
- Surf Rocket
- World Fishing Network



In the Governor's Surf Fishing Tournament winner's circle: (Front row, left to right) — NJ State Federation of Sportsmen's Clubs President Frank Virgilio, Lt. Governor Kim Guadagno, tournament winner Bill Sheppard and DEP Commissioner Bob Martin. Back row (left to right) — JCAA President Joseph Puntasecca and Tim Burden, NJ Beach Buggy Association.

Photos: Jamie Darrow/NJ Div. Fish and Wildlife

DAIWA • ST. CROIX • ABU GARCIA • QUANTUM • COSTA DEL MAR • JINKAI • SPRO BUCKTAILS • MOMOI • VAN STAAL • SHIMANO

SUPER STRIKE • BERKLEY GULP • GRUNDENS • AQUASKINS • GAMAKATSU

ORVIS • PENN • POWER PRO • NORTHBAR • BOMBER • SCI ANGLER • HOPKINS

Since 1909  
**E FINGER**  
YOUR SPORT, ONE STORE

Serving New Jersey  
for over 100 years!



**NJ's LARGEST Sporting Goods Store**

**YOUR FISHING TACKLE DESTINATION**

Fresh & Saltwater Tackle – Friendly & Knowledgeable Staff!  
513 West Union Ave. Bound Brook, NJ (732) 356-0604

HUNTING • FISHING • CAMPING • ATHLETIC EQUIPMENT • ARCHERY • KAYAKS • BICYCLES • GOLF • OUTDOOR & ATHLETIC CLOTHING  
FOOTWEAR • TEAM, SCHOOL & CORPORATE SALES • BOY SCOUT UNIFORMS

Hours: Monday–Friday 9:30–9:00, Saturday 9:00–5:30, Sunday 10:00–5:00 AMEX VISA M/C DEBIT  
Directions: 2 blocks east of I-287, exit 13A from I-287N, exit 13 from I-287S. 3 Blocks So. of Rt. 22 at the Thompson Ave. exit. 1/4 Mile east of the Bridgewater Promenade on Rt. 28.

TRILENE • TSUNAMI • LAMIGLAS • MAUI JIM • LEATHERMAN • SIMMS • AVET • G. LOOMIS • GIBBS • PRO-LINE • SEEKER • STORM

## LIVE BAIT

Shiners • Fatheads • Worms  
Plus Frozen Bait

## FULL SERVICE FLY SHOP

One of the Largest Fly Tying  
Selections in the State

## NJ & PA

Hunting and Fishing Licenses  
STATE & FEDERAL DUCK STAMPS

- EXPERT REEL REPAIR
- SPECIAL ORDERS
- MARYLAND STYLE CRAB TRAPS
- LARGE SELECTION OF CUSTOM SURF PLUGS

Enter our FREE Fluke Contest  
SIGN UP for our Rewards Program

Visit us at

[www.efingersports.com](http://www.efingersports.com)



Public Service  
Announcement  
**TEST**

From the office of [takemefishing.org](http://takemefishing.org).

# Do you need a fishing license and boat registration?

Please take a few moments to consider each of the questions below. Take your time. Let it come naturally.



### DIRECTIONS

1. Use No. 2 pencil.
2. Do NOT use a No. 1 pencil.
3. We don't know why. Just don't.

**1**

**Is this your idea of fishing with friends?**

- A Yes, I am a 1,200-pound brown bear, and these are my friends.
- B Yes, I stand at the edge of the falls and catch fish with my mouth.
- C No.



**2**

**Are you your own boat?**

- A Yes, and please stop staring at my stern.
- B No, I'm my own airplane.
- C No.



**3**

**Do you want this in your favorite lake?**

- A Yes. Landfills are soooo cliché.
- B Sure, who doesn't love dipping their toes into a pool of swirling sewage?
- C No.



**ANSWERS:**

**CONGRATULATIONS!** You definitely need to be licensed and registered. Because funds generated from your fishing license and boat registration go toward conserving our waterways and providing better fishing and boating for generations to come.

Find out how to **do your part** at:



[TAKEMEFISHING.org](http://TAKEMEFISHING.org)

NO. 153710

NO. 153710

NO. 153710