



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DIVISION OF FISH AND WILDLIFE

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July 2, 2013

ATTENTION: ATLANTIC MENHADEN COMMERCIAL FISHERY PARTICIPANTS

Recently signed legislation - A4036/S2726 – has established new licensing and monitoring requirements for New Jersey's commercial menhaden fishery. The purpose of this letter is to inform all potential commercial menhaden fishery participants about these new requirements and provide details as to what will be needed for participants to engage in this fishery. Please visit the New Jersey legislative website – www.njleg.state.nj.us – to obtain a copy of the complete legislative bill(s) regarding this issue.

Background

This legislation was adopted due to the recent approval and implementation of the Atlantic States Marine Fisheries Commission's (ASMFC) Amendment 2 to the Interstate Fishery Management Plan for Atlantic Menhaden. All Atlantic coastal states are required to implement all of the provisions included under the plan. As part of this Amendment, New Jersey was allocated 11.19% of the newly established total coastwide quota. In 2013, this equates to an allocation for New Jersey's commercial Atlantic menhaden fishery of 18,924.42 MT, equivalent to approximately 41.728 million pounds.

The New Jersey Marine Fisheries Administration (Administration) is responsible for the implementation and monitoring of this commercial menhaden quota. All Atlantic menhaden landed commercially since January 1, 2013 will be applied to the 2013 annual quota, so it is important to expedite the basis of the quota monitoring system as soon as possible and not exceed the State's commercial quota since any overages will have to be deducted from next year's quota on a pound for pound basis.

Who Needs a License to Participate in the Commercial Menhaden Fishery?

In order to effectively monitor commercial menhaden landings in New Jersey and implement the quota, a number of new licenses have been established. There are three new licenses that, depending upon one's participation in the menhaden fishery, may need to be obtained (Note: these licenses do account for the already existing limited entry menhaden purse seine fishing vessel license which will still be required).

1. **New Jersey Menhaden Landing License** – required if landing for the purpose of sale more than 100 pounds of menhaden at any time.
2. **New Jersey Menhaden Dealers License** – required if buying or selling menhaden, as the first point of contact (ex. buying directly from an appropriately licensed commercial fishermen).
3. **Menhaden Purse Seine Fishing Vessel Operators License** – required if the Menhaden Purse Seine Fishing Vessel License owner is not the operator of the licensed purse seine vessel (i.e. issued to an operator/captain if person is not the owner of the Menhaden Purse Seine Fishing Vessel License).

What are the Specifics of the New Jersey Menhaden Landing License?

A vessel or individual that lands more than 100 pounds of menhaden at any time for the purpose of sale or barter shall be in possession of a New Jersey Menhaden Landing License to participate in the directed fishery for menhaden under the newly implemented quota. The landing license shall be issued in the name of the vessel and the owner of the vessel and for the specific gear type(s) used to qualify for the license. If no vessel is utilized in the harvest and landing of menhaden, the individual shall be licensed.

The cost of the New Jersey Menhaden Landing License is as follows:

- Landing License assigned to purse seine - \$150 residents; \$750 non-residents
- Landing License assigned to all other gears - \$50 residents; \$250 non-residents

The owner of a New Jersey Menhaden Landing License will be required to submit monthly reports. All reports will be submitted electronically (paper reports will not be accepted) using a method approved by the Department. Administration staff will provide further information and hold training sessions on electronic reporting once eligible landing license participants are determined.

How do I Establish Eligibility for a New Jersey Menhaden Landing License?

The New Jersey Menhaden Landing License is a limited entry fishery license and will be assigned to a specific gear. To be eligible for a **New Jersey Menhaden Landing License**, the vessel's owner or an individual shall meet the following criteria:

1. For a vessel to land menhaden taken by **purse seine**, the vessel shall have landed in New Jersey at least 500,000 pounds of menhaden taken by purse seine during one year between 2009 and 2012, inclusive. Only the purse seine carry vessels in this limited entry program will be required to obtain a New Jersey Menhaden Landing License (i.e. purse seine catch and/or set vessels if not landing menhaden do not need a Landing License).
2. For a vessel to land menhaden taken by **pound net**, the vessel shall have landed in New Jersey at least 100,000 pounds of menhaden taken by pound net during one year between 2009 and 2012, inclusive.
3. For a vessel to land menhaden taken by **gill net**, the vessel shall have landed in New Jersey at least 10,000 pounds of menhaden taken by gill net during one year between 2009 and 2012, inclusive.

4. For a vessel to land menhaden taken by **trawl**, the vessel shall have landed in New Jersey at least 200 pounds of menhaden taken by trawl during one year between 2009 and 2012, inclusive.
5. For a vessel to land menhaden taken by **bait net**, the vessel or individual shall have possessed a New Jersey Bait Net License, pursuant to N.J.S.A. 23:5-24.2, during one year between 2009 and 2012, inclusive.

The Administration requests all potential applicants send via first class mail copies, not originals, of their menhaden landings by gear type during the 2009-2012 period by gear type to:

Atlantic Menhaden Quota Monitoring Program

Nacote Creek Research Station

P.O. Box 418

Port Republic, NJ 08241

Eligible landings records include official documentation such as federal Vessel Trip Reports, SAFIS dealer reports, State monthly landing reports and verifiable dealer landing/weigh out slips (see attached Limited Entry Information Form). This documentation should be legible, easily verifiable and recorded on a formal letterhead receipt form. Those applicants wishing to obtain a Landing License issued to a bait net need to provide a copy of New Jersey Bait Net License issued in any year from 2009 – 2012, inclusive. Falsification of landings records will result in a denial of licensure and may be subject to a penalty, including, but not limited to, immediate license revocation or suspension. Again, do not send original records since these documents received will not be returned to you.

Administration staff will review all landings data and/or license information and determine if an applicant has qualified to obtain a Landing License. All applicants will be notified if eligible or not. If eligible, applicants will be given further instruction on how to obtain the New Jersey Landing License. **Applicants for a New Jersey Menhaden Landing License must complete and submit an application provided by the Department no later than December 31, 2013** (Note: all eligible applicants will need to obtain 2013 licenses, even if application is received on December 31). Any applications received after this date will not be eligible for a New Jersey Menhaden Landing License. Once issued, the New Jersey Menhaden Landing License is valid for the calendar year for which it is issued and it must be renewed annually. Failure to renew the New Jersey Menhaden Landing License will result in forfeiture of the license.

A vessel or individual that does not qualify for a New Jersey Menhaden Landing License shall be permitted to land not more than 100 pounds of menhaden at any time on any trip or day provided the amount of menhaden landed shall not exceed 10 percent, by weight, of the total weight of all species landed and sold. Also, these landings must be sold to an entity in possession of a New Jersey Menhaden Dealer License.

All menhaden landed in New Jersey for sale or barter must be sold to an entity in possession of a **New Jersey Menhaden Dealer License**.

What are the Specifics of the New Jersey Menhaden Dealer License?

A New Jersey Menhaden Dealer License shall be required for any entity that wishes to purchase or sell menhaden, as the first point of sale, in New Jersey. For example, an entity is required to obtain a New Jersey Menhaden Dealers License if they purchase menhaden directly from a licensed commercial fishermen, unless said fishermen is also a licensed Menhaden Dealer. If an entity purchases menhaden second hand through another dealer, for example, a Dealer License is not required. If a licensed menhaden fisherman is also selling his or her catch to a non-permitted individual or business (i.e. also acting as a dealer), that individual would be required to obtain **BOTH** a landing license and a dealer license to effectively monitor the quota.

There are no eligibility requirements to become a New Jersey menhaden dealer. The New Jersey Menhaden Dealer License is valid for the calendar year for which it is issued.

The cost of the New Jersey Menhaden Dealer License is as follows: \$100 for residents; \$250 for non-residents. Applications to acquire a New Jersey Menhaden Dealer License can be obtained either online at <http://www.njfishandwildlife.com/comquotas.htm> or by calling the Marine Fisheries Administration at 609-748-2020.

Any owner of a New Jersey Menhaden Dealer License shall be required to submit weekly sale reports. All reports must be submitted electronically using the Standard Atlantic Fisheries Information System (SAFIS) dealer report. Administration staff will work with all licensed menhaden dealers to establish a SAFIS dealer account and will hold training sessions on how to report in the near future.

Next Steps

Administration staff are also completing a legislative summary that outlines many of the details created in the legislation. Information on seasons, quota allocation, fishing closures, etc. will be covered in the summary document and will be provided upon receiving the various licenses and will also be available on-line at the Division of Fish and Wildlife's website at www.njfishandwildlife.com

What should you do now? If you are required to obtain a New Jersey Menhaden Landing License, begin compiling your eligibility requirement paperwork now and submit the information to the address provided in the appropriate section above (see attached Limited Entry Information Form). If you plan to obtain a New Jersey Menhaden Dealer License, obtain and complete an application and follow the instructions on the application to obtain the license. Lastly, if you have, or are, a captain/operator of a purse seine vessel and you need to obtain a Menhaden Purse Seine Fishing Vessel Operators License (\$50 for residents or \$75 for non-residents), complete the appropriate sections of the application.

Should you have any questions about New Jersey's commercial menhaden licensing and monitoring program that are starting up during the 2013 season, do not hesitate to call 609-748-2020 and we will help you through this management transition period.

NJ Menhaden Limited Entry Landing License

Information Form

Please complete and include with supporting landings documentation.

Name _____ Phone Number _____ Gear Type _____

Vessel Name _____ Vessel Doc. Or State Reg. _____

For at least one year from 2009 – 2012 inclusive list the landing information requested:

Year	Total Pounds Landed in NJ	Type of Record(s) Submitted	Name of Dealer/Buyer
2009			
2010			
2011			
2012			

Eligible landings records include official documentation such as federal Vessel Trip Reports, SAFIS dealer reports, State monthly landing reports and verifiable dealer landing/weight out slips. This documentation should be legible, easily verifiable and recorded on a formal letterhead receipt form.

Those applicants wishing to obtain a Landing License issued to a bait net need to provide a copy of New Jersey Bait Net License issued in any year from 2009 – 2012, inclusive.

Falsification of landings records will result in a denial of licensure and may be subject to a penalty, including, but not limited to, immediate license revocation or suspension.

Mail this form and supporting documentation to:

Atlantic Menhaden Quota Monitoring Program

Nacote Creek Research Station

P.O. Box 418

Port Republic, NJ 08241

Approved: Y__ ; N__ (staff only)