**NJ Marine Fisheries Council**

**Blue Crab Committee**

The Blue Crab Committee met on February 23, 2023, to discuss DEP recommendations to reduce diamondback terrapin (DBT) bycatch in New Jersey’s commercial and recreational blue crab fishery. In attendance were committee members, advisors, and staff from the Bureau of Marine Fisheries, Endangered and Nongame Species Program (ENSP), and Law Enforcement.

Staff provided background that management of DBT shifted from Marine Fisheries to ENSP in 2016, and the change in authority provides additional protection under the Endangered and Nongame Species Conservation Act (NJSA 23:2A). ENSP in consultation with the Endangered and Nongame Species Advisory Committee (ENSAC), developed a white paper that describes terrapin biology, population status, threats to native populations, and recommendations on ways to reduce anthropogenic mortality. Because of potential impacts to blue crab fisheries from these recommendations, the Marine Fisheries Council was provided opportunity for input before implementation.

ENSP staff provided a summary of the white paper, including the statutory authority, life history that leads to low productivity, natural and man-made threats, and the recommendations. It was noted that the original list of recommendations in the white paper had been pared down to only two based on internal discussions among ENSP, Marine Fisheries, and Law Enforcement. These recommendations are requiring terrapin excluder devices (TED) in all crab pots, commercial and recreational, regardless of where they are set, and changing the dimensions of the TED to be consistent with neighboring states.

Many advisors commented that the bulk of DBT bycatch occurs in the recreational fishery. Commercial harvesters tend their pots more regularly, know how to set pots so they aren’t lost, attempt to recover lost pots, and set pots in areas with fewer terrapins. Advisors commented that recreational crabbers often leave their pots untended for extended periods, generally in areas close to shore where DBT abundance is higher, and are more likely to lose pots which continue to ghost fish.

Advisors also expressed resistance to implementing new regulations to protect DBT when there is no full population assessment or any indication that the population is declining or at low abundance. Staff responded that taking of endangered or nongame species is prohibited under the act regardless of population status, and that “take” is defined broadly to include both intentional and unintentional capture. Advisors’ concerns, however, are that no TED will restrict all DBT from getting into a pot, but they do reduce harvest of legal sized crabs, particularly large crabs.

One advisor indicated that extensive coastal development in Monmouth County has eliminated most DBT habitat, so bycatch is not an issue in the region. There was some discussion about splitting the state into zones with different regulations by zone, depending on need. Other suggestions were to require TEDs in all areas out to a certain distance from shore, requiring cull rings in pots to allow escapement of small animals to minimize ghost pots from re-baiting themselves, and requiring recreational pots be a different size or shape from commercial pots so we know the source of ghost pots.

Staff commented that terrapins get a lot of public attention. Industry’s concerns with requiring TEDs are understood, but the agency is required by law to protect terrapins. There is a concern that if we can’t enact protections through regulation, then something could get implemented through legislation, which is less transparent and harder to change.

The committee recommendation was to distribute a survey to industry members to provide concerns with the recommended changes and then hold a subsequent committee meeting to discuss alternatives.