**Written comments received by Marine Fisheries regarding proposed terrapin excluder devices for the blue crab fishery – Spring 2023**

Grant Funding for TED’s,

More research into out far offshore turtles are.

only require TEDs inshore

More ghost pot recovery efforts

all recreational pots should have TEDs regardless of where they are set

need a population estimate of turtles per body of water and location of were most dense

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If 2 x6  is to small then 1.75 x4.5 would completely shut the blue crab industry down.

Some of the bigger crabs in the upper bay measure 1 5/8 x 3 3/4. Do we really think that crabs want to try to go into a hole That’s barely bigger than it.

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Jeff as i stated at the meeting we do not catch terrapin up here in the Shrewsbury and navesink rivers and i don’t think we need excluders to put them into our pots we think also that will impact how much money we will lose and we strongly believe in a zone system also would have liked to have seen the study Monmouth university did i don’t agree with what you want to do as i see the terrapin problem below route 70 not up here thanks

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Hello,

These were my comments for the blue crab advisory panel.

Prior to making any determination, conduct a full study in terrapin populations in the DE bay.

Conduct a study to show the economic impact of excluders. The retail and wholesale demand is for large male crabs. Commercial crabbers make their money on these large crabs. The retail sector has little demand for a small or medium crab. Excluders will, without a doubt, impact the crabbers ability to catch those sought after large male crabs.

Mandate all recreational crab pots be sold with excluders. Change the design of the recreational pot to be single chamber similar to DE and MD.

Limit the total soak time for all recreational crab pots to a max of 24 hours.

Don’t make a one size fits all regulation. If it is absolutely necessary to require DE bay pots to have excluders, limit it to a maximum of 100 or even 150 feet from the shoreline. This would be similar to the requirement in the back bays to the size of the creeks or body of water that requires excluders. 100 feet or even 150 feet allows the fisherman to properly “sight” the distance. Terrapins are more likely to be found near shore so this would help.

I believe a combination of tweaks to current rules could have a significant impact on the terrapins mortality without severely impacting the commercial crabbing industry which has far wider economic impacts.

Thank you.

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As we discussed in the Blue Crab Committee meeting, I am vehemently opposed to requiring turtle excluders on crab pots and I can speak on behalf of other crab fishery participants in my area who feel the same. The white sheet that we were provided before the Blue Crab meeting was full of conjecture and half-truths, including a statement claiming that these measures were already in effect in Maryland, Delaware and New York. Measures have been implemented in some of those states for recreational crab fishermen, but not commercial fishermen. There were also stories included about turtle shells being found in an area "near a crab pot" with no proven correlation between the two. Enforcement even offered up at our meeting that there were suspicions that pictures that had been taken of turtle shells in crab pots by local activists may have been staged. I will also add that not a single member of the Crab Committee was in favor of implementing turtle excluders in all traps.

The sheet that is attached to this email is a bit more scientific in nature, but I still refute these results as there is a huge difference between fishing crab pots "scientifically" and "commercially." An experienced blue crab fisherman works very hard in shaping and maintaining funnel sizes and shapes to maximize catch in our traps. We can see the difference when just a few tines are out of place. I can tell you, without question, that there will be a major difference in catch numbers and size of crabs in a pot fished with turtle excluders attached. At our Crab Committee meeting, you had a room full of experienced fishermen who were scared to death that this regulation could put them out of business. I will reiterate that not a single member of the Crab Committee was in favor of this recommendation being passed up to the NJMFC.

When I left the Crab Committee meeting, I was under the impression that some of the suggestions that we brought up might be taken into consideration. I recommended that there be a requirement for all commercial style pots to include a minimum 2 3/16th inch cull ring in the top section of the pot so that things that turtles could be after, including small crabs and fish, are able to escape. I also brought up what I feel is a very important requirement that should go into law right away. All crab pots sold at retail stores need to be equipped with pre-installed biodegradable panels and legal cull rings. This will certainly help enforcement.

In conclusion, I feel that the NJDEP is taking a step too far in recommending this move without proper studies and without the support of the Blue Crab Committee. There have been no stock assessments performed on the Diamondback Terrapin and, to become the first blue crab-fishing state to put a blanket requirement for turtle excluders would be a major overreach. I've been fishing Barnegat Bay for over 30 years, my father has crabbed the bay for over 45 years, and we rarely see turtles in our fishing areas. A gentleman on the Crab Committee from Monmouth County claims that he has never seen a turtle in his traps. It is completely unfair to enact this proposed regulation and hurt our business. This will have a major impact on our livelihoods. I beg you to reconsider making this recommendation.

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To NJ DEP Fish and Wildlife,

I am a commercial Fisherman in New Jersey out of the

Delaware bay. The commercial Fishing industry is a dying trade and plays a huge role in

our district. I am hoping you can listen to our concerns on this matter. I am writing this

letter to you today about an issue that not only jeopardizes the future of the commercial

fishing industry but also the livelihood of the fisherman. As you know on Wednesday April

26th New Jersey DEP Fish and Wildlife Bureau Chief, Jeffery Burst informed us that the

DEP proposes to require a terrapin excluder measuring 4.5X 12cm (a device placed at

the end of the funnels or entrances on a crab pot to “attempt “to restrict terrapin from

entering.) to be placed in all funnels of commercial style crab pots. This proposal of this

new regulation will be detrimental to our industry.

The current Regulation for terrapin excluders is for an excluder to measure 5cm (about

1.97 in) tall by 15cm (about 5.91 in) wide to be used in bodies of water or manmade

lagoons smaller than 150 feet wide at mean low tide. This is mostly rivers and creeks

where recreational crabbing/fishing takes place. Recreational fishing/crabbing allows for

the catch of 4 ½ inch crab and up. Whereas Us as commercial fisherman must follow a

separate set of guidelines. For us on the commercial side of the industry to keep a crab it

must measure 4 ¾in and up. I know ¼ of an inch seems minuet to the everyday person

but to us as commercial crabbers its huge in certain times of the year. While crabbing we

sort each crab. Crabs that do not measure (crabs under 4 ¾ in) we throw back into the

water and the ones that do into different bushels on the boat. We start by separating the

males and females. Once that is done, we separate the male crabs down into two

categories #1’s and #2’s. Number 2s measure from 4 ¾in to 5 ½in or 5 ¾.in (Depending

on the time of the season.) Number 1’s measure from 5 ½in or 5 ¾in (depending on time

of season) and up.

Us fisherman in the commercial fishing industry make our living by the yield of our catch

not by a salary or hourly wage. The price we get paid per Bushel is not set by the state of

NJ or federal government but by the market on the east coast. The market is set by what

each state catches and puts into the market. The proposal the DEP is making by

mandating the terrapin excluders on all crab pots would diminish our catch by half or

more. Where we make most of our money is on the catch of the #1 crabs. Even if at the

current regulation size of 5cm (about 1.97 in) tall X 15cm (about 5.91 in) wide it already

would restrict the catch of big #1 male crabs let alone the new size they are proposing at

4.5cm (about 1.77 in) X 12cm (about 4.72 in). It is not only physically impossible for a 5 ½

in number one to fit through the excluder but would also restrict the catch of large number

2 crabs from entrering the pot as well. The loss in our catch would in return be a loss in

pay. A loss in our pay or catch would not only affect us as fisherman but the industry in

whole. From employees on the boats to owners and employees of wholesale and retail

companies. It is bad enough that in this day and age the current economy puts a financial

strain on every fisherman in this state. The price of fuel is high, the costs of repairs and

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I am a commercial crabber from South Jersey. I strongly disagree with the terrapin excluder proposal. Attached I have sent a letter stating concerns and reason why I oppose it. These are not just concerns from myself but from many other commercial crabbers as well. Also attached is a petition signed by just a fraction of the people in this state whose lives would be affected if this proposal were to go through. These are some key things I disagree with in your report :

⁃ Changing the 72 hour tend regulation to 24 hours is unrealistic because of the weather. Sometimes if the wind is strong enough you literally just cannot go to work.

⁃ Recommending a certain distance from shoreline to use excluders will not work. There will be too many discrepancies as to where the actual distance is, especially with the changing shoreline.

⁃ The study says excluders does not affect the catch of crabs but the size being proposed is smaller then what was used in the study.

⁃ Most of these studies are years old and done before projects were established to help save terrapins such as the Margate rescue project and barrier installations which didn’t start until 2019.

Some suggestions I would like to add that would help the terrapin population would be:

⁃ Close Riggins ditch and the others that are open in that area. You say experimental pots caught 67 terrapins in a tidal creek and that would have reduced the population by 42% in 24 days. So imagine the increase in population if you just eliminate crabbing in those ditches since the report says most of the terrapins were found dead on Thompson’s & Moore’s beaches.

⁃ There are such things as turtle saving seminars. I know people who work on clam boats out of Atlantic City and they have to participate in this. So perhaps a good idea would be when crabbers purchase their license they have to watch a video/training on how to revive terrapins. This would be just like the tongers having to watch a training video when they purchase a license every two years.

⁃ Instead of threatening the livelihood of honest hardworking commercial folk perhaps you could focus more on the illegal poaching of terrapins. Those are terrapins that will never return to their natural habitat. Opposed to turtles caught in commercial crab pots they are usually alive and if they are weak most crabbers sit them on the boat and let their breath get stronger before tossing them back.

Please I hope you take the time to read all of my input and take into account the people who would be effected by this change. Thank you

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To whom it may concern,

The proposal to require terrapin excluders in all commercial crab pots is a

major decision that will negatively impact the livelihood of all commercial

crabbers in the state.

Commercial watermen are a dying breed. It is getting harder for us to

make a living. The cost of supplies, gas and bait to go to work are all

continuously going up. Yet the price of our catch is going down. Crabbers rely

on making money by catching number 1’s (big crabs). If we have to put terrapin

excluders in all of our pots that will eliminate the catch of big crabs. If this were

to happen it would put an end to commercial crabbing because nobody would be

able to afford to go to work. Not only would this affect the catch of big crabs but

small crabs as well. Doublers (male crab carrying a female) will no longer be

able to swim into a pot. With these excluders also the funnels will more than

likely clog up with grass and prevent even the crabs that can fit from entering the

pot. Most importantly the crabbing community is concerned with the

unnecessary killing of female crabs. Egg crabs (pregnant female crab) will have

a hard time trying to squeeze into the funnels if we have these excluders. As this

happens eggs will rip off of the female crab which will cause the crab to die and

not to mention the crabs we will lose from destroying the eggs. This will

ultimately cause a major decrease in the blue claw population.

Another reason being for those with a conch permit there would be no

more catching conchs in your crab pots, which is the only legal by catch as it is.

In most areas commercially crabbed, terrapins are not even seen. Many

years ago terrapins were commercially harvested by the thousands. This is no

longer allowed therefore they are already being protected and their population

thriving.

The real concern should be with recreational crabbers. If anyone needs to

do this it should be the non commercial crabbers, they are the true culprits. They

usually set pots in areas where terrapins are present and leave them unattended

for lengthy periods of time. There are several witnesses who have seen

recreational pots sit for weeks at a time.

Also it is known that other states do not require the use of terrapin

excluders in commercial pots. So what do you think this would do for the New

Jersey crab market if we are the only state that does not have big crabs. This

would cause a negative domino effect. Not only would it be an issue for the

license holder but also anyone who works for them. Then trickle down to buyers,

retail associates and even truck drivers. Anyone with careers in the industry will

be at risk of unemployment.

Please take all of this insight into serious consideration. This proposal

would put an end to many livelihoods. The commercial crabbers population and

their families depend on the catch of big crabs. In conclusion please think of all

the people this would negatively impact and do not approve this proposal.

Attached you will find a petition signed by the people who this change would

impact. The signatures are a representation of the concern and disapproval we

have for this proposal.

Thank you,

