

ASSEMBLY, No. 341

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman SEAN T. KEAN

District 30 (Monmouth and Ocean)

SYNOPSIS

Requires DEP to establish artificial reef plan for commercial and recreational fishing.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning artificial reefs and supplementing Title 23 of
2 the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. Within one year after the date of enactment of this act,
8 the Division of Fish and Wildlife, in the Department of
9 Environmental Protection, shall develop a plan for, and determine
10 the use of, the two artificial reefs within State waters. The plan
11 shall consider the history of the fishing grounds and the commercial
12 and recreational uses of the reef sites.

13 b. The Department of Environmental Protection shall, pursuant
14 to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-
15 1 et seq.), adopt rules and regulations concerning the use and
16 quantity of fish and lobster pots on the artificial reefs within State
17 waters.

18 c. The Department of Environmental Protection may apply to
19 the Mid-Atlantic Fishery Management Council to designate all
20 artificial reefs in federal waters off the State’s coast, constructed
21 under the Division of Fish and Wildlife’s Artificial Reef Program
22 and permitted by the United States Army Corps of Engineers, to
23 duplicate the management program created for the artificial reef
24 sites within State waters pursuant to this act.

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26 2. This act shall take effect immediately.

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STATEMENT

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31 This bill would require the Division of Fish and Wildlife, in the
32 Department of Environmental Protection (DEP), to determine the
33 use of artificial reefs within State waters, within one year after the
34 date of enactment of this bill into law.

35 Under the bill, the division would develop a plan which would
36 take into consideration the history of the fishing grounds and the
37 commercial and recreational uses of the reef sites. The DEP would
38 also establish rules and regulations concerning the use and quantity
39 of fish and lobster pots allowed on the artificial reefs within State
40 waters.

41 Currently, there are 17 artificial reefs off New Jersey’s coast, of
42 which two reefs are within State waters (i.e., within three nautical
43 miles of the State’s coast), and 15 reef sites are in federal waters.
44 The two artificial reefs within State waters require a DEP permit, in
45 addition to a United States Army Corps of Engineers permit, and
46 would be the only two artificial reef sites subject to the provisions
47 of this bill.

1 Under the bill, the DEP may apply to the Mid-Atlantic Fishery
2 Management Council (MAFMC) to designate all artificial reefs in
3 federal waters off the State’s coast, constructed under the division’s
4 Artificial Reef Program and permitted by the U.S. Army Corps of
5 Engineers, to duplicate the management program created for the
6 artificial reef sites within State waters pursuant to this bill. The
7 MAFMC is responsible for the granting of Special Management
8 Zones on artificial reefs in federal waters, which are areas that have
9 special restrictions on fishing gear.