



February 4, 2008

## PBS focuses on fragile shorebird at center of N.J. battle

*By KIRK MOORE  
STAFF WRITER*

A court appeal in Trenton scheduled for Tuesday and the Sunday premiere of a PBS "Nature" television special are the latest salvos in the long battle over New Jersey horseshoe crabs and shorebirds — a fight that will come to a head again in seven days.

A day after WNET-TV (Channel 13) airs "Crash: A Tale of Two Species" at 8 p.m. Feb. 10, the state Marine Fisheries Council will convene at Batsto Village to decide whether it should endorse extending the state's two-year moratorium on harvesting horseshoe crabs for fishing bait. Conservation groups are eager to keep the ban — the only one of its kind on the East Coast — which they say is critical to reviving the failing population of western Atlantic red knot shorebirds.

The fight has gone on for more than a decade. While Delaware Bay crab harvests are rigorously controlled now, biologist Larry Niles says birds that feed on crab eggs every spring still are dwindling. Niles and other researchers who went to the birds' winter haunt at the far end of South America say their counts last month showed the wintering population may have dropped by one-third since early 2007.

"We just came back from Tierra del Fuego, and over the last year and a half we've found a 32 percent decline in red knots," said Niles, chief biologist for the Conserve Wildlife Foundation of New Jersey, and former head of the state Department of Environmental Protection's endangered species program.

For Emmy Award-winning filmmaker Allison Argo, the story of crabs and birds sounded like just the project she was looking for.

"I wanted to find two species to show how we're all interconnected. . . . I had heard about it before, and I was sad to hear it wasn't resolved," said Argo, whose recent works for "Nature" included "Chimpanzees: An Unnatural History" and "The Urban Elephant." A contact with the group Alliance for Zero Extinction led Argo to Mike Parr at the American Bird Conservancy, who tipped her to the horseshoe crab situation in Delaware Bay. As a filmmaker accustomed to charismatic animals, Argo immediately worried that a show based on creatures that look like animated World War II helmets "might be a hard sell."

"Well," Parr told her, "three Nobel Prizes have been awarded for work on the horseshoe crab's vision."

The crabs' value to science and medicine play a central part in Argo's story, and the format of an hour-long program without commercial interruptions "is important because she's able to tell a very complicated story to a national audience," said Margaret O'Gorman, executive director of the Conserve Wildlife Foundation, which underwrites shorebird research and sponsored an advance screening of Argo's film Thursday in Jersey City.

"The fact that New Jersey is going to be on national television in terms of wildlife and conservation is important," O'Gorman said.

Argo and her crew started a year ago in Tierra del Fuego, following the husband-and-wife team of Niles and Amanda Dey, who heads the DEP's shorebird effort. That was followed by three weeks of dusk-to-dawn filming on Delaware Bay during the spring 2007 migration, and finally a trip to far northern Canada, where the biologists conducted a frustrating search for nesting red knots.

In the film, Niles offers one explanation. Red knots that do not get enough crab eggs to eat at Delaware Bay "drop out" over Canada, going down like flamed-out jet fighters short of their destination.

Those latest red knot numbers Niles cited are bound to play into the latest debates over the crabs and their breeding season, which coincides with the arrival of migrating red knots bound for their own nesting grounds in the Arctic.

Commercial fishermen contend the horseshoe crab population has grown enough, and the shorebirds' slide seemed to have bottomed out in the last

few years. That can justify a male crabs-only harvest, fishing advocates say. It is a position watermen staked out with a Delaware court decision that favored them last year. On their side of the bay, Delaware fishermen will be able to take 100,000 males crabs after the birds depart in June.

State Appellate Division judges are scheduled to hear arguments Tuesday in Trenton from the DEP and the Southern New Jersey Watermens Association, fishermen who are seeking to overturn the New Jersey moratorium. They are represented by Stephen M. Ouellette, a Gloucester, Mass., lawyer who specializes in fisheries issues.

One question is whether the court will act on the 2-year-old moratorium, when the New Jersey fisheries council is close to voting on an extension, Ouellette said. "Unfortunately, it's one of the problems with these periodic measures," he said.

The state council itself has split on horseshoe crab restrictions over the years, with its representatives from both the commercial and recreational fishing sectors expressing skepticism over calls for tighter harvest restrictions.

If the council refuses to go along with a moratorium extension, shorebird advocates could take a road they've traveled before: going to the governor's office and asking Gov. Corzine to intervene with an executive order.