Memorandum of Support

A.7710-A (Englebright)/S.9419 (Kaminsky)

**Purpose:** To extend the Department of Environmental Conservation's authority to manage crabs until December 31, 2024.

**Statement of Support:** Horseshoe crabs have been called “living fossils,” as they predate dinosaurs by more than 200 million years. They are a keystone species, because they play a critical role in supporting the ecological function of estuaries and serve as a food source for many shorebirds, such as the red knot, migratory birds, turtles, and fish.

For many years, American horseshoe crabs have been harvested as bait for the whelk, eel, and conch fisheries. They also play a vital role in the field of modern medicine. Their copper-based blood rapidly clots in the presence of bacterial toxins, and medical researchers use it to test intravenous drugs, vaccines, and medical devices to ensure that they are free of bacterial contamination.¹ Their blood contains Limulus amebocyte lysate (LAL), a key component in sterility testing that ensures drug and medical device safety for millions of patients each year.² LAL became the standard for detecting endotoxins in the late 1970s, and while a synthetic alternative to LAL was formulated years ago, it has not infiltrated the market sufficiently enough to decrease the industry’s reliance on LAL.

Top threats to horseshoe crabs include habitat loss and overharvesting, and they are currently designated as “Near Threatened.” When numbers of horseshoe crabs decline, it affects populations of other species that rely on them, such as the red knot. This bill would extend DEC’s authority to manage crabs until December 31, 2024. The DEC manages limits on taking crabs, sets minimum and maximum size limits, establishes open and closed seasons, and sets prohibitions on the harvest of crabs during mating periods. Expanding protections of horseshoe crabs pertaining to their maturity and reproductive behaviors will help assure that egg-bearing female crabs are not harvested before they are able to replenish the population.

Jonah crabs will also receive extended protection through the legislation. In the past, they were mostly considered bycatch from the lobster fishery, but they have become an increasingly important fishery in their own right.³ DEC's regulatory authority for Jonah crabs is necessary to ensure that the DEC remains in compliance with the Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission’s “Fishery Management Plan” (FMP) for Jonah crabs. The State's management of transboundary and migratory species must be consistent with any interjurisdictional management plans, interstate, or state-federal. If New York were to fail in making necessary regulatory changes as required by the FMP, it could result in the closure of Jonah crab fishery statewide. The DEC should continue its management of New York’s crab populations, for a variety of both ecological and economic reasons.

The Sierra Club Atlantic Chapter Strongly Urges Your Support of A.7710-A/S.9419

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¹ [https://oceanservice.noaa.gov/facts/horseshoe-crab.html](https://oceanservice.noaa.gov/facts/horseshoe-crab.html)
² [https://www.dec.ny.gov/animals/117465.html](https://www.dec.ny.gov/animals/117465.html)