

**Aquaculture Advisory Council**  
**January 13, 2023**  
**NJDA Office, Trenton**  
**Meeting Minutes**

**Members Present:** Sec. Douglas Fisher, Mr. Joe Cimino (Comm. Shawn LaTourette), Mr. Loel Muetter (Comm. Judith Persichilli), Dr. Dave Bushek, Dr. Douglas Zemeckis, Mr. Mike De Luca (Dr. Laura Lawson), Ms. Lisa Calvo, Mr. Matt Gregg, Mr. Ned Gaine (Mr. Maury Sheets), Dr. Amanda Wenczel

**Members Absent:** Ms. Melanie Willoughby (Sec. Tahesha Way), Mr. Barney Hollinger, Mr. Steve Fleetwood (Mr. Frank Virgilio), Mr. Bob Rush (Mr. Richard Herb)

**Public in Attendance:** Megan Kelly (NJDEP), Jeff Normant (NJDEP), Virginia Wheatley (NJDOH), Ashely Kerr, Matt Matusky, Bill Avery

Sec Fisher called the meeting to order; a quorum was present.

Approval of the minutes. October minutes & November minutes- motion by N. Gaine; Second by M. Gregg. Sec. Fisher and L. Calvo abstained from October minutes, all remainder in favor. All in favor of November minutes. Both minutes passed. N. Gaine stated that a tally for counted vote be added. Can be added to approved minutes as administrative change.

***Public Comment***

Bill Avery- Minutes posted to website need to have location added. Some have it, most do not. A. Wenczel- recent minutes have a location but will review.

***New Business***

**AAC By-Laws- A. Wenczel**

Review of by-laws and the role of proxies. If there are going to be proxies, should be placed into by-laws. Some meetings are heavy with proxies and notification can be at different times.

N. Gaine- Is this only the public members or those who are ex-officio. A. Wenczel- The proxies for ex-officio are designees and they have the formal seat. This is for DOH and DEP. Sec. Fisher- The issue that can come up with proxies is that they are designated for just that meeting, and they have not been following along or caught up to speed on the Council items. A. Wenczel- Also providing a proxy with meeting materials so that they have everything for the meeting.

N. Gaine- My concern is that these proxies should not lose their ability to vote. These are for the public seats and the industry should always be allowed to vote. D. Bushek- A proxy would always have a vote. N. Gaine- That is not always true. There are Councils where proxies cannot vote, especially in the farm environment. A. Wenczel- From a review of Roberts Rules of Order, a proxy does not have a vote. This Council has always wanted the proxy to have a vote, and so I think this needs to be in the by-laws to stipulate a proxy has a vote.

M. Gregg- What is the process for changing the by-laws. D. Bushek- Article V states how to change it.

Sec. Fisher- What is happening now? There are a number of proxies? A. Wenczel- Yes, we are seeing more proxies. Sec. Fisher- What are we trying to capture or fix? A. Wenczel- Know who is coming to what meeting? What role they are serving when they are voting? Who has been informed of the meeting topics. The October meeting was when it really mattered as there were numerous proxies.

L. Muetter- Should there be notification from the designee or member with the seat saying who is the proxy, which meetings, and giving authorization to vote. I make most meetings, but Virginia will sit in for me when needed, and I give notice. Sec. Fisher- This is sort of expected though, that there would be notice. Not just show up the day of and be a proxy. There is no consequence of not notifying us, but I'm not sure that's a good way to operate.

D. Zemeckis- Some lead time might be helpful should an agenda item dictate me needing to talk to someone about the topic or dictate the proxy for the agenda. It also helps to know if the proxy is for the meeting only or also for follow-up. We should know who we are including in any after meeting discussions.

Sec. Fisher- If I have a seat, I want to be sure I pick a good proxy and make sure they are informed of the discussion items and can vote when needed. That is what is expected. A. Wenczel- It is the noticing and that proxies are able to speak to the agenda items for the role the member fills. It is also need so that I know to whom I am sending meeting follow-up items. There was a proxy form in the past that was used. D. Bushek- Yes, and it was to be provided one week prior to the meeting. A. Wenczel- If we could replicate that process in some way.

N. Gaine- It's civil to have the advanced notice, but things can come up where you need a last minute proxy. I don't want to limit too much so that we can have the public and industry seats filled for all meetings. The Council wants to hear from the farmers. Notify with as much notice as possible but allow for flexibility to have the farmer seats filled.

Sec. Fisher- Let's leave it like this for now- make every effort to provide advanced notice and add some formality to the process. D. Bushek- Why not establish the process form before? There was a form you submitted about a week before. L. Muetter- I think we can allow for emergency situations. Policy can be generally speaking that advance notice should be provided, but we understand that emergency situations arise.

B. Avery- Couldn't you have a proxy list where it includes people that are willing to serve as a proxy and you just pull them off the list. N. Gaine- I think the form that Dave is mentioning you can list someone that will sit for you if you cannot make it. It's basically an alternate that can sit for the entire term. Sec. Fisher- That would be fine, but here we have different people serving as proxy for different members. It has been very fluid with proxies here. We will start with getting a form ready and allow for emergency situations. If we need to readdress, we will.

D. Zemeckis- For clarification, why are you differentiating between ex-officio and the public? N. Gaine- I would like to have it all considered the same but here there is a designee for the ex-officio seats and a proxy for the others.

N. Gaine questioned the “annual meeting” in the by-laws. After discussion the January meeting is designated as the annual meeting.

#### Role of ATTC

The role of the Aquaculture Technology Transfer Center (ATTC) was brought up in the October meeting and deferred to a future meeting so that more information could be brought forward.

N. Gaine- The Council should review the Act since there was quite a bit put into the Act and the role of the ATTC. The entities comprising the ATTC are listed and some of those have had name changes, some no longer exist. In that regard, I would like to refer this to the legislative committee for a legislative change.

D. Zemeckis- My read of this is it states the Department of Agriculture and then lists all these roles. The different entities listed can be a part of it but for the Department is says shall. The primary authority for all of these is the Department of Agriculture in conjunction with the other agencies. N. Gaine- I don't disagree but there is still more to review. The AIC is the new name, and the ATIC is no longer here. We should clean this up and move things along. These would all be very helpful to industry is the ATTC role can be fulfilled.

A. Wenczel- Part of the discussion in October was the crop insurance role for the ATTC. That is the Department of Agriculture, with the ATTC and Rutgers Cooperative Extension. That role has always been there, those entities have been serving that role. Especially with items such as Sandy and storm losses, my predecessor did quite a bit of work with the recovery assistance. Serving to assist with emergency loans, we serve that role.

A. Wenczel- Monthly market wholesale reports, I think there was one produced. N. Gaine- That one is huge. That is really important for us to know. That is one sector that would really help us to know. A. Wenczel- As far as I am aware, the USDA is not working on that and the other association listed is fairly defunct. That would need to have new entities listed for the roles. N. Gaine- This is where it is listing the Department as the primary role and the ATTC. A. Wenczel- This item does not list the ATTC, it is USDA. N. Gaine- Knowing the wholesale market, monthly or annually, would be good. I was going to bring this up in old business, but to me what I would really like to know is how much imports are coming into the State. How much aquaculture imports are we bringing in? Where are we relative to the imports? Are we losing ground to Virginia to the Chesapeake? Are we gaining ground? It gives us an idea of how we are gaining not just spatially as an industry but economically. Sec. Fisher- How are we going to get at that? N. Gaine- I'm a farmer, I don't know. M. Gregg- What would the mechanism be to gather that data? N. Gaine- We are in a data rich environment now. I don't know exactly how we would get at it. L. Calvo- There were past efforts to get at this data and idea, but those are not in existence anymore. A. Wenczel- My predecessor and Lisa had worked to try to develop some of this market reporting by doing surveys of the growers, but it stopped because the growers were not providing data. We don't have

good in-state numbers let alone imports. I would say the first step is to get better in-state data before we look at the import numbers.

Sec. Fisher- This is typical of agriculture, not giving production numbers. It is an issue of a producer thinking data can point back to their farm, but if it can be shown in a global context, they are ok with it. I would suggest that you may never get that data.

N. Gaine- All I want to do is comply with the Act. If we can't do it, then we need to take it out. J. Cimino- It's state legislation that is kind of tasking with a national reporting. It's a task that they can't actually require. N. Gaine- Yes, but we put that in, we as in the State and we put it in because at that time it was important. I still feel that knowing the wholesale market is important to gaging the industry. If we are trying to grow, we need to have an idea of where we are not only in our production but what is being sold. There is information out there, risk calculators that has the data. It's just a matter of time figuring out how to get the data. We don't even have an idea of how much shellfish is sold in this state.

D. Bushek- This was pursued for several years, a situation and outlook report. It had a maybe 60% return rate. It was farm gate reports. L. Calvo- It was really difficult to do a report when there is not industry participation. A new report out of Virginia Tech may have some national data. There is some ranking, so there may be some data there. They did NJ surveys over the pandemic. Sec. Fisher- There was a compelling reason then to divulge the data because then you could get funding.

D. Zemeckis- I don't understand the full complexity of the past efforts. In the fisheries world there are criteria associated with permits and license where the data must be provided. Then there are specifications for confidentiality in releasing data, only with the rule of three. J. Cimino- I would think any data would help, so if it was Mid-Atlantic or Northeast it could help. The question is who would be doing to work. Amanda, do you know if the group you mentioned as not active was going to do this work? A. Wenzel- They have not recently been active. I think they were much more active at the time the legislation was passed to do this effort. They were looking to replicate fisheries and farm reporting.

M. Gregg- We are required to report harvest numbers for the BMWM permit, would that work? I would assume other states are required to do this too. That would give us some information. N. Gaine- My point here is to see how we are doing in our own state.

Jeff Normant- Regarding the Commercial Shellfish Aquaculture Permit numbers, they're not even close. People don't report or underreport. The numbers are all rounded off. That's something we need to look at, getting better reporting. Russ and I have talked with Bob Schuster to try to get better numbers. The data is confidential, as Joe said, and reporting is only with Doug's stated rule of three. Nothing can go back to an individual grower. The data is important to know the growth of the industry. How do you know what is being produced and what areas are being utilized to support expanding lease areas? We can't do it. The industry needs to think about this, there is no justification to grow if there aren't numbers to justify it.

Sec. Fisher- I think there is also eligibility for certain funding with tonnage. That's what we are constantly talking about with the Census for the whole farming community. If you just give us the

numbers, you have access to greater benefits and programs. It's not just peculiar to the shellfish industry.

N. Gaine- While those commodities you're discussing in agriculture, they go directly into a system. We are directly competing against imports in our markets. Where are we as New Jersey. If I buy an unbranded oyster, what is the likelihood of that being a New Jersey product? Sec. Fisher- You're not the only sector. Fruits and vegetables suffer the same dilemma with imports, and the increasing number of imports. N. Gaine- We need to know where we are and if we are losing ground. If we are then we go to the next section which is amp up the marketing. We really ramp the efforts to get Jersey Fresh. Sec. Fisher- I thought we were at this meeting, talking about Jersey Fresh; we had that discussion. We are already there. You are fortunate that I can move things quickly in my role and we are moving it. N. Gaine- I want to be able to champion the \$100,000 because we have lost ground. If we know that, I have an easier time to argue for it. If we are doing ok or don't know where we are, I have a harder time arguing for this. Sec. Fisher- You all weren't there before with Jersey Fresh. I think you're all there now. The point is that we have Jersey Seafood, but there is no money. We had it before, not any longer. I cannot tell you how to petition to benefit or support your industry. You all can decide what is best and how to make it happen. My understanding was that there was not universal agreement with Jersey Fresh, but now you are all in agreement with using it.

Sec. Fisher showed example of Jersey Fresh bag/marketing items. He described how he wants to have seafood have the same marketing success as Jersey Fresh has had for other commodities.

L. Calvo- Back to reporting aspect- having a report on the monthly harvest data from the BMWM permit is better than nothing. It can all be viewed knowing that it is underreported. If that can be reported once a year to see monthly harvest numbers and see if there are any trends. That would be helpful. A. Wenczel- Bob Schuster has agreed to provide data at one of the AAC meetings in the calendar year. The monthly for 2022 is provided for the 2023 permits. Still collecting data with 2023 permits. L. Calvo requested it be on the April AAC agenda; A. Wenczel needs to see where BMWM is with data collection.

D. Zemeckis- Harvesters have to report on their permit for BMWM but then the shellfish is sold to a dealer. What do the dealers have to report? M. Gregg- Only production. They only have to report if they are also harvesting. D. Zemeckis- In fisheries, there is a harvest report from the vessel and then a dealer has to fill out a dealer report. Those are then reconciled to make sure they match, or you get a phone call. N. Gaine- We are dealing with this at the ISSC as well. We want to get more information from the dealers but, we have not been able to figure out how to mandate that. That's a critical choke point. D. Zemeckis- That would give you the state data and where the product is going. L. Muetter- That would be FDA. N. Gaine- The industry is pushing for it because we think that is where most of our illnesses are coming from. There is no permit where that data can be collected. I brought this up years ago, and I don't know how or where, but there must be some way or data point where we can understand what is coming into the state. That's a critical information gap. I don't know how we know what is coming in. What is the percentage likelihood that you buy shellfish in New Jersey and it is from New Jersey. We don't know. M. Gregg- That would be tough to get at. A. Wenczel- I don't think anybody is able to get that data. N. Gaine- Just because it's a challenge does not mean we give up. A. Wenczel- No one collects that data. That

would be anyone who is importing any type of shellfish. L. Muetter- It's an impossible number to get because it's going to cost more money to get that information than what you are going to get out of it. That's the problem. There's another aspect to that. Even if the inspectors from the Dept. of Health went out and asked for that information, they [dealers] do not have to give the information. There are no repercussions for not providing the data. Sec. Fisher- I think you've heard it, there is no collection of this data. We don't have those numbers. That is why I always think it is so important from the other side. What you really want is for people to demand the information. The consumer needs to want to know where it's coming from.

N. Gaine- How do you gage your return on investments if you don't know? Sec. Fisher- Everybody deals with that issue. N. Gaine- We need to have some metric of we put this much effort forward and we saw this much back in return. We saw growth or not growth and do we change tact. Sec. Fisher- Your numbers would tell you that. If the industry exposed themselves a little bit and accurately reported numbers than you would know. Nobody wants to do that. What you are saying is what is the other side of the universe, how much is coming in that we are fighting against. It's almost an impossibility to find that out. J. Cimino- In the finfish sector, the harvest reporting is required since the 90s. It is a cost of doing business. You get over it pretty quickly once it's a part of your operation.

Moving onto part "e" of the legislation calling for NJDA, ATTC, and DOH to develop necessary quality control guidelines. L. Muetter- The Department of Health is already doing this based on the model ordinance. I feel that "e" is already being done. A. Wenczel- Moving onto "f" is promotion and marketing. Jersey Seafood came out of this section. There were cooperatives that formed, but none have taken hold.

J. Cimino- For the CARES funding that came through we did engage with a company for marketing. They thought it best to start in the spring. They are slated to run through 2023 but I'm hoping to get an extension. Their work will include advertisement for all of seafood. D. Bushek- There is also the brochure that Lisa was the lead in developing that applies to this as well. L. Calvo- From the New Jersey Aquaculture Association. They also produce the wonderful videos. Sec. Fisher- Anything you want us to put on the Department website that we can broadcast out send over to us. J. Cimino- Part of the work of the Princeton Partners, the advertising agency, is to develop a website for this purpose. They will also be redoing the Seafood Finder website and make a mobile friendly version.

Moving to "g"- joint processing facilities. A. Wenczel- Some activity had occurred with this but nothing recently. Not aware of much interest. D. Zemckis- Was this more for finfish? A. Wenczel- To some extent, but I think it may have also been with surf clams.

Sec. Fisher- Are you looking to open this up or just go through these items? A. Wenczel- Initially the discussion was on the role of one of the partner agencies. Reviewing to see if that role was being fulfilled and if not what should we be doing. N. Gaine- If the goals have changed, if the joint processing facility is not desired, maybe we should take it out. Maybe we should eliminate things that are no longer good ideas or add in items that we now need. So a good example is the joint processing center. Why not remove a requirement on the Department to do something that no one wants. J. Cimino- I'm really curious where that one came from. The only thing I can think of is

catfish because a few years back Senator Wicker made all catfish, including wild harvest, go through USDA processing facilities. It was a switch from FDA and it required an inspection from the USDA. A. Wenczel- This call for joint processing was prior to that. M. Gregg- I wasn't here for this one but I can think of the challenges that we face in central Ocean County are different than in South Jersey. Access to waterfront property is extremely hard to find and sharing space for processing makes more sense. N. Gaine- Then you would want to leave this in here and see some traction on this one. M. Gregg- Yes, outside of this Council I'm always working on waterfront property issues. D. Zemeckis- Depends on the definition of processing. In some cases that's not just fileting and it's also packaging and labeling and distributing. M. Gregg- I think our processing definition is just getting them cold. Sec. Fisher- Ok, sounds like you're alright with leaving it in. D. Zemeckis- There are some operations in Cape May that have both, wild capture seafood and aquaculture. N. Gaine- If we are moving on this, how do we get the Department of Commerce and Economic Development involved? J. Cimino- And why is the DEP involved? M. Gregg- Don't you have a Working Waterfront program? We have DEP people coming to our site to discuss this, we should loop you in. Sec. Fisher- From a government perspective, the more you can narrow down the agencies that are represented, the better off you will be, because the more you have to coordinate the less the opportunity you have to get it done. You're going to go through EDA and the Business Action Center and the Governor's office.

N. Gaine- So we have as ex-officio for this Council, the Secretary of State, serving as the Chairman of the Economic Growth and Commerce Commission. Is that the same as the Commerce and Economic Development? It might be good to get a representative of that agencies so that they can hear this is what the industry wants.

A. Wenczel- One thing to keep in mind, this is statute. If it says shall explore and it's been done, then it's already done. If it something we want to continue to do, we have the authority to do it. If we don't need to do it, we just leave it there. We can say we completed the section of the statute; we do not need to go in and remove items. N. Gaine- I prefer to get things off the books if we are done with them. A. Wenczel- This would be going to the Legislature to remove an item. N. Gaine- I get that and it may not be a bad idea to reevaluate this. Sec. Fisher- But you would have to open up the whole title. I remember being in the Legislature and them going, well we have to open up the whole title. N. Gaine- We don't seem to have a problem opening up Title 50. Sec. Fisher- This doesn't stop you from doing what you want to do, having this in here. I'm personally not that concerned. L. Muetter- I think it's worth going through this for something you really want. Instead of cleaning up something that is not going to inhibit industry at all. Or, something you can potentially explore with a new idea.

N. Gaine- I find this Council to be in charge of developing aquaculture. Because we have done something in the past doesn't mean we can't continue to develop aquaculture and work on these things. If we've done it, we shouldn't say great, done, it's in the past. It should be a consistent development of aquaculture. L. Muetter- Leaving it there leaves the door open for something new to come up. D. Bushek- You remove it and you now remove the opportunity and directive for the entities on here to take action on it. D. Zemeckis- A few years from now this may be something to explore.

### ***Council Committee Reports***

Marketing Committee- B. Hollinger  
No update.

Legislative Committee- M. Gregg

The Legislative Committee met earlier this week. [see notes from handout] The discussion was around making it more economically feasible to produce seed in New Jersey and to make it easier for the current nurseries to exist. We came up with, what we thought was the path of least resistance was ways to lower electricity bills. We are going to look into legislation that could give aquaculture a farm rate on their energy bills, lowering the number one cost to run a nursery. We will now look to see if there are other state examples of how they reduced energy costs for nurseries.

Other topics included a discussion on some of the motions that were made in the October meeting. There were four motions in that meeting [See page 2 of the handout]. On the handout the motion is listed along with the Committee response, listed in bold text. Some are already underway, and some are on the backburner for the next meeting.

The next meeting we are going to have is a joint meeting with the Marketing Committee to look at Jersey Fresh standards.

Sec. Fisher- (reading from the sheet) “Support for Specialty Crop designation was explored, and the effort was abandoned”. We are talking national Specialty Crops? Why abandon this? M. Gregg- I don’t know. This is from an email that Dale Parsons got from Bob Rheault, the head of the East Coast Shellfish Growers Association. He has been working on this for several years and what he said in an email was that there were too many negatives and they abandoned the effort. That’s all I know. Sec. Fisher- Nationally, there is quite a bit of effort to get shellfish into specialty crop, farm-raised shellfish. I think it’s odd that now they want to abandon it because now is the time when they think there is the most support for this designation. M. Gregg- This was just from a couple of days ago and I don’t have additional information on it. I think the Legislative Committee and this Council will still discuss this. I don’t know all of what you get out of the designation. Sec. Fisher- You get to avail yourself to specialty crop money that each state gets to promote what they call specialty crops. There is a whole thing about specialty crops. It was basically to marginalize what everyone grew outside of the big row crops. When most people hear specialty crop, you think it means something exotic. It’s not. It’s Idaho potatoes; it’s New Jersey blueberries; it’s Florida citrus; it’s California citrus. It’s everything but row crops- cotton, soybeans, wheat. Senator Booker knows this, and I’ve been talking to him a lot about this because he is now on the Ag Committee. What happens is each year we get money in a specialty crop block grant. We then give out grants for education, promotion, and marketing and a chunk to Rutgers for research. We would also like to open up the funding to give out to individual companies and trade associations.

Sec. Fisher- The term is confusing. One of my favorite stories is when Utah called me up and said they don’t have specialty crops. I said yes you do, of course you do. I am the Vice Chair of the Specialty Crop Committee for NASDA. We are having these conversations. What I’m saying is, do not abandon this right now. Years ago, when I heard, they were not going to do the Census of Aquaculture, I called up some of my counterparts in other states and we banded together to ensure



it happened. I'm suggesting to you the same thing. Speak to others in other states and if you all push in your states, you will probably be included in specialty crop block grants.

M. De Luca- You mentioned that part of the funding goes to Rutgers for research. How are the priorities set for which research gets funded? Sec. Fisher- Applications are provided and the State Board of Agriculture review the applications and they vote on them. In other states, where there is no Board of Agriculture, a DEP or Agriculture Commissioner or Secretary makes that decision.

N. Gaine- So this would need a bill to put us into specialty crops federally? Sec. Fisher- I'm just describing the effort that would be needed. The USDA determines how it would work. N. Gaine- Are we asking growers in other states to put pressure on the USDA? Sec. Fisher- On their Congressional representatives. That they want their industry to be considered Specialty Crops. N. Gaine- And then they take it to the USDA? I'm trying to understand the process. Sec. Fisher- I am not going to talk to things I don't fully know. Congress is the one that puts on the pressure. L. Calvo- Will it go into the Farm Bill? Sec. Fisher- Yes, it's in the Farm Bill. L. Calvo- Senator Booker who is on the Ag Committee, will work with the Committee to insert it into the next Farm Bill. Sec. Fisher- Which is right now. N. Gaine- Should we as a Council write a letter now, to Senator Booker? Get us started before we start asking other states to do the same. Or do we send this back to the Committee?

M. Gregg- I have no idea why there is opposition to this. All I have is an email saying, tell me why you want this, then I can tell you why it may not work. From what I have researched, it's the same as what Sec. Fisher said, there is more money. Bill (Avery) can you tell us why the ECSGA is not pursuing this? Bill Avery- I think it was the State of Connecticut that was pushing for Specialty Crop, and I only have a vague remembrance of it, but I think it was an uphill battle or something. I don't exactly know. D. Zemeckis- Is it that they foresee roadblocks and resistance from other commodities groups that would be fight for the available funds?

B. Avery- I was looking through the grants sections of the Farm Bill and you said Rutgers gets money. All state institutions get that money and none of it gets to the private sector. Sec. Fisher- It is not allowed to go to the private sector, right now. That's one of the current discussions on the program. Right now, it's only for research and marketing. Marketing not as an individual but marketing as in "Jersey Fresh". Most of Jersey Fresh money now is from the specialty crop block grant.

A. Wenzel- From the email that Dale provided, it appears that Bob Rheault's past efforts were more focused on insurance and less on the marketing aspects. I think we are discussing this from a different perspective. He also noted issues because it would be livestock, but did not say what the issues are.

**N. Gaine- Mr. Secretary I move to authorize the Legislative Committee reach out to the Congressman to raise this issue with Specialty Crop.** Sec. Fisher- We have a letter we have been working on, but who is sending the letter? Me? So, **authorize me, if you want, to send this letter.** N. Gaine- **So moved.** Sec. Fisher- **Saying that this Council believes aquaculture should be considered as Specialty Crops in the next farm bill.** M. Gregg- Are we saying aquaculture or shellfish specifically? Sec. Fisher- It's aquaculture nationally. A. Wenzel- It is more than

shellfish. A. Kerr- Is that why it is livestock nationally, because it is fish? D. Bushek- Oysters and clams are livestock. N. Gaine- This is an aquaculture Council, so I say we stick with aquaculture. **M. Gregg- Second.** D. Zemeckis- So to clarify, what are the requirements to be a specialty crop? Just not be a row crop? A. Wenczel- You are in the Farm Bill as a Specialty Crop. D. Zemeckis- They just put it in there with no additional requirements? Sec. Fisher- There are some specifics in the Bill when the commodity is included. [Some discussion on livestock but general idea was that more information would be needed and not a concern to address right now.]

Discussion on whether the motion is to direct the Legislative Committee to write a letter or the Secretary on behalf of the Council. Based on timing and agreement to move forward, decision was to have Secretary act on behalf of the Council.

Roll Call Vote:

Sec. Douglas Fisher- Yes

Mr. Joe Cimino (Comm. Shawn LaTourette)- Yes

Mr. Loel Muetter (Comm. Judith Persichilli)- Yes

Dr. Dave Bushek- Yes

Dr. Douglas Zemeckis- Yes

Mr. Mike De Luca (Dr. Laura Lawson)- Yes

Ms. Lisa Calvo- Yes

Mr. Matt Gregg- Yes

Mr. Ned Gaine (Mr. Maury Sheets)- Yes

All in favor, motion passes.

B. Avery- The East Coast Shellfish Growers Association is doing their Walk the Hill event this April 18<sup>th</sup> [date was unclear from recording] if anyone is interested in going. M. Gregg notified the group that he is going.

#### ADP Recommendation Status Chart- A. Wenczel

The chart contains all the recommendations from the 2021 Update to the ADP. It lists authority, which is the authority to act on the recommendation. There are notes on the recommendations and then an update from the October meeting, the last AAC meeting.

N. Gaine- What is the FANRE authority? A. Wenczel- Food, Agriculture, and Natural Resources Education. It is the overarching name for what was or is FFA.

Sec. Fisher referenced the printed version of the 2021 ADP Update. Copies were available at the meeting and from the NJDA.

Sec. Fisher- We just addressed the specialty crop recommendation. I am hopeful that you can keep chunking out some of these recommendations, start to check off these items. Look at which items are in agreement, and we can start to complete now. As you move forward in these meetings, it would be helpful to know where there is cohesion from the industry so we as Departments can quickly coalesce around the topics.

M. De Luca- When you develop a strategic plan like this, one of the things you need to include is accountability. You have all these action items. I assume that at each quarterly meeting, there can be a check in to see what has been accomplished since the last meeting. Try to foster some responsiveness and accountability. It can be via email to lessen the workload burden.

M. Gregg- For the Legislative Committee, our priority is to go through the Plan and stay within the Plan. Work on each section of the Plan that requires Legislative action. I assume that the Marketing Committee is doing the same. M. De Luca- My comment is aimed more at the agencies that are not typically represented at these meetings but are mentioned in the Plan.

D. Bushek- In the research section it says no action across the board, but I think these should all be changed to on-going. Next week on January 18<sup>th</sup> there will be a symposium to address the first item. Actually that symposium will cover all of these. The last item the spatial plan was just completed and is now live. A. Wenczel clarified that the Plan text describes spatial planning different than the aquaculture siting tool but if the Council wishes to see it as the same, then it is complete. D. Bushek- The tool is at least a step in completion of that task, a significant tool. N. Gaine- I disagree that this is not complete because then the spatial plan would not be in research but somewhere else. The research part of the comprehensive spatial plan is what was accomplished. Anything more is management or policy.

M. De Luca- Can list as on-going the recommendation calling for expansion of the State research capacity and facilities. We just finished completion of a new genetics breeding center at the AIC. We had one at the Cape Shore, but this location provides us access to higher salinity water.

N. Gaine- Now that we have reviewed these, we should note that the Hatchery/Nursery section has no action on the recommendations. We should prioritize these to have some action on these items. D. Zemeckis- The Legislative Committee has worked some on those. D. Bushek- For the middle one, the RSSBP shellfish seed certification has been active for two years and the website is up now.

D. Zemeckis- How do you want us to provide updates for future meetings? A. Wenczel- That's what Mike was also getting at. We need to have updates a few weeks before the meeting.

Sec. Fisher- Are there other Councils that should have this document? M. Gregg- If you go to the Leasing section, we are asking the Shellfish Councils for a report of lease utilization/leasing. I would like to have a discussion on the, what I am seeing, culture clash between the new people in the industry and those who have been here. Would it make sense to send a copy of the document to both Shellfish Councils or their chairs. Keep them abreast of the minutes and our actions. Try to keep a dialog. J. Normant- Marine Fisheries Council should have a copy too. M. Gregg- I would hate to go through all this work and check off all these items and then the final step is undone because someone says they were not involved in the process. Sec. Fisher- That's what I was saying earlier. There is no way to get everyone into agreement but consensus on items would be great. It's about alignment of the industry priorities. M. Gregg- It's a great tool and you can cite the tool as you do the work.

M. De Luca asked if the 2021 Update to the ADP was online, which it is. He stated it would help to have a broader reach for the research community.

Sec. Fisher asked about the 120 state level representatives in the Legislature having a copy. That was agreed to with actions to provide copies after the meeting.

Sec. Fisher also stressed that there needs to be support from the industry but especially the Councilmembers for the Plan- the Council represents the industry; because otherwise, there is no need to distribute. L. Calvo- Reiterate what Matt was saying in that there is a cultural difference in the industry where there are some issues where we may never reach consensus. Will we reach a point where we say a majority wants this and we move forward. Or are you suggesting that we need consensus on everything to move items? There seems to be some question as to who has authority or right to move legislation forward. A majority of our Association [NJ Aquaculture Association] wants to move something forward, but then the Shellfish Council steps forward and says that they weren't involved, and they are the ones that make policy. I'm looking for clarification on who can bring something forward. Sec. Fisher- You know that answer- every individual has the right to bring something forward. N. Gaine- Are you asking if this Council has the right? D. Bushek- She's just seeking clarification. What I heard the Secretary say was alignment and communication. If this Council wants to move something forward, we do our best to make sure there is alignment among the other entities. They have the opportunity to express where they do not agree with our efforts. M. Gregg- We have learned a lot with the three bills we have moved this past year. Some of us made the incorrect assumption that having the two chairs of the Shellfish Councils on this Council meant that they were communicating with those Councils. We can argue all day whether that counts as communicating with those Councils, but it doesn't really get us anywhere. J. Normant- Let me give a quick history of the Shellfisheries Council and their role. The Council has the role of creating policy for the betterment of the shellfish resource. They have some statutory authority. Shellfish Council would have the lead role when legislation would come down. The reason that Title 50 is not that great is we would have legislators sit in the audience at a Council meeting and write a bill. The statutory authority traditionally had the coordinating and getting the industry together to come to a consensus and propose legislation and make changes to Title 50. In 2008 when there were changes to Title 50, there were a lot of changes. That was when the NJDA, Rutgers, DOH came into play. There was a ton of debate and eventually consensus was reached, and the Council approved it and sent it to the legislators. So you have to get a consensus from the Councils or else they push back on it. N. Gaine- Jeff is talking specifically to Title 50. The Shellfish Council and Title 50, Shellfisheries. It's not anything to do with agriculture. I think that is where this lies; Shellfish Council and Title 50 tend to dovetail. J. Normant- There are two Shellfish Council chairs that sit on this Council but they may not agree with it and they go back to their Shellfish Councils with that information. N. Gaine- Their seats are not as Shellfish Council chair. Barney is a member of a farm organization, or one of those roles.

Sec. Fisher- That's what I termed institutional ego. You sometimes have to play to that. It's a matter of accounting for that, aligning with the entities and trying for consensus where you can. You did that here with the Jersey Fresh. So, we will get this out there [referencing the 2021 Update to the ADP] to the legislators and the others we have mentioned.

J. Cimino- Under new opportunities, there is mention for potential of federal aquaculture. I disagree with the authority lying with the Marine Fisheries Council. Since it is in federal waters, the authority would be the DEP for federal consistency. A. Wenczel- It is only calling for AAC to be considered a stakeholder. It is not the planning or siting itself. J. Cimino- I think there may be a NOAA plan. It may be worth the AAC reaching out to NOAA. If we can do something remote, they may be willing to join and give a presentation. They recently presented to the Mid-Atlantic Council. D. Zemeckis- They have been playing an increasing role in aquaculture, so they may be an untapped resource or collaborator. M. De Luca- Along with the Sea Grant program, of course, which has a focus on fisheries and aquaculture research so maybe they can be identified a couple of places in here too.

#### Shellfish Council Updates

J. Normant- John Maxwell has resigned from the Council and retired from the industry. Walter L. Johnson, III is the new Chairman of the Atlantic Coast section and George Mathis is the Vice-Chair.

#### Red Knot- Aquaculture Update

No Update.

#### ***Councilmember Comments***

M. De Luca- Seed order deadline for the AIC is February 1<sup>st</sup>. We are beginning to optimize culture methods for ribbed mussels in response to increased demand by the restoration community and some modest funding from the City of New York. They are interested in placing ribbed mussels downstream of some wastewater treatment plants. I also mentioned earlier that we have a new shellfish breeding center at the AIC. That allows us to work on a broader suite of culture candidates because we have access to higher salinity water. Finally, we have the inaugural shellfish research symposium next week at the Cousteau Center in Tuckerton. This is jointly sponsored by the NJ Aquaculture Association with Matt Gregg as our keynote speaker. There are 18 lightning talks to update on research from Rutgers and DEP actions. In breakout session we will look to obtain future research priorities from the industry.

M. Gregg- Does anyone know when the NJDEP bird meeting [bird deterrent/mitigation on floating gear] is going to occur. A. Wenczel- They are looking at February. Right now, they are finishing up permitting since they are needed at the beginning of the year.

Discussion on microalgae and macroalgae and how it is a new potential niche for the state with very few in the industry. D. Zemeckis updated on the research project that he and Gal [? Name] are working on to determine candidate species.

D. Bushek- [rssbp.org] The web address for the Regional Shellfish Seed Biosecurity Program. Also provide notice on the oyster stock assessment in February; in-person is invite only, check HSRL website for virtual listening option.

***Old Business-*** None.

***Public Comment-*** None.

Meeting adjourned.