

**Aquaculture Advisory Council
July 23, 2021
Meeting Minutes- Conference Call Meeting**

Members Present: Ms. Monique Purcell (Sec. Douglas Fisher), Mr. Joseph Cimino (Comm. Shawn Latourette), Ms. Melanie Willoughby (Sec. Tahesha Way) [arrived at 10:38am], Ms. Virginia Wheatley (Comm. Judith Persichilli), Dr. Dave Bushek, Dr. Douglas Zemeckis, Mr. Mike De Luca (Dr. Laura Lawson) [arrived at 10:50am], Ms. Lisa Calvo, Mr. Barney Hollinger, Mr. John Maxwell, Mr. Maury Sheets, Ms. Elizabeth Haskin, Mr. Steve Fleetwood (Mr. Frank Virgilio), Dr. Amanda Wenzel.

Members Absent: Mr. Bob Rush (Mr. Richard Herb)

Public in Attendance: Roll call of attendees not taken; names were stated when making comment.

Ms. Purcell called the meeting to order; a quorum was present.

D. Bushek serving as proxy for any votes for Dr. Laura Lawson until Mike De Luca arrived at 10:50am. [Votes included approval of meeting minutes; formation of AAC Marketing Committee.]

Approval of meeting minutes- January 29, 2021. B. Hollinger motion to approve, Second D. Bushek. B. Hollinger questioned a comment by Sec. Fisher regarding finding funding for marketing. Also wondering why NJDA did not look for funding with money coming into the State [Covid relief funds from federal government]. M. Purcell explained NJDA is working on marketing funding, but as all know, Jersey Fresh can only be used on specific items. B. Hollinger wanted statement changed. A. Wenzel clarified statement that Sec. Fisher wants industry if they are getting behind something, it needs to have funding. M. Purcell- The statement was made, and the minutes are a record of statements. All in favor- motion carries.

Approval of meeting minutes- April 30, 2021. M. Sheets motion to approve, Second by B. Hollinger. B. Hollinger requested the Right to Farm Document referenced in the notes be appended to meeting minutes- appended document upon approval. All in favor, with the document appended to the minutes. Motion carries.

Public Comment

Ned Gaine- At last meeting there was a question on animosity towards this Plan [Aquaculture Development Plan Update]. This is not animosity. The industry has buy in and wants our comments and questions addressed. The perceived animosity is frustration that our questions have not been answered. Spoke to industry passion. Take the time to make it a good product, put your name to the product and advise Department. M. Purcell- Thank you for your feedback, appreciate it.

Matt Williams- Asked for meeting recording at last meeting and was told it cannot be provided, OPRA request did provide the recording. M. Purcell clarified that the issue with the request was

the recording. Meeting minutes are different from a recording. Other Councils that are not advisory cannot release minutes let alone a recording until the minutes are approved by the Governor's Offices.

New Business

USDA, ELAP (A. Wenczel)- Update on eligibility for aquatic species as of June 1, 2021. Now includes food finfish and shellfish. Disaster assistance program. Growers need to have pre- and post- inventory. Market prices are assigned by USDA, FSA County Committees. Some County Committees have open election now- through August 2nd. Link in chat:

<https://www.fsa.usda.gov/state-offices/New-Jersey/index>

Formation of AAC Marketing Committee (A. Wenczel)- Discussions on Aquaculture Development Plan had agreement that a Marketing Committee in AAC would benefit industry. Need to decide 1- do you want to form this Committee and 2- who would sit on the committee.

B. Hollinger- In favor of forming the committee and volunteering to serve on the committee. Referenced item from last State Board meeting and Advisory Councils (e.g., Blueberry Advisory Council, Poultry Promotion Council) associated with the Division of Markets [in NJDA]. Wondering how the AAC could become a Council like the others. In discussions with Joe Atchison [Div. Director for Markets], told it is supported via a check-off, a tax per pound. Needs to be within State Regulations. M. Purcell- Those councils are established by Statute a long time ago. Good idea to investigate with Joe.

L. Calvo- Great idea to form a committee, volunteered to sit on committee. NJ Aquaculture Association recently submitted a grant application for a marketing initiative. Waiting to hear back. There is also a new Shellfish Farm Directory- see the NJ Aquaculture Association Website, NJaquaculture.org, brochure of the directory is under the "find" tab. B. Hollinger- Farm Bureau also has a listing of member farms on their website.

D. Bushek added to the chat:

FYI - PDF flyer on where to find NJ grown shellfish from NJAA is here: https://be664700-2cbd-4de0-b2f5-84a058a25a35.filesusr.com/ugd/ee9191_6ce280a7ec91447996a26ec744f0c351.pdf

D. Zemeckis add to the chat:

There's also the New Jersey Seafood Finder web app:

<https://njdep.maps.arcgis.com/apps/Shortlist/index.html?appid=e803ae5172bc451fa410dbe005eb03ee>

D. Zemeckis- Support committee formation, volunteered to sit on committee. Rutgers has a current project looking at consumer preferences and perceptions related to aquaculture. Should the Council also have a clear charge for the committee.

J. Maxwell- Agree with Doug to form a committee but need a clear direction for the committee to move forward. Need it and it is something we have asked for, for a long time. M. Purcell- Certainly can develop a charge as a starting point but can be amended as needed.

D. Bushek- Need clarification if Committee can include representatives outside of the AAC. J. Maxwell- Want to see industry members who are not on the Council on the Committee. Industry members who are involved in marketing every day.

J. Cimino- NJDEP and MFA/BSF support this idea and would like to have a member involved but perhaps not formally on the committee since it's outside of expertise. However we can support and participate.

After brainstorming discussion on industry participation, J. Maxwell suggested that there are representatives from industry that are active with marketing and would be ideal to see if we can get those individuals involved. B. Hollinger suggested someone from ACF that is active in this field; needs confirmation he can participate.

Dale Parsons in chat noted he is interested in the Committee but requested more information on time commitment and expectations of the committee. D. Parsons also noted in the chat, *A great person for the marketing committee would be Joe Myers, former NJ dep of ag aquaculture rep, he maintained a true passion for the industry, also a skilled businessman.*

D. Zemeckis- Could even think outside of NJ with USDA, Agriculture Marketing Service (AMS) or NOAA Office of Aquaculture. May be helpful to get broader perspectives.

M. Purcell- Based on all that a follow-up email would be best to answer some of these items and get more feedback on those who want to participate.

M. Purcell addressed a comment in chat from Ned Gaine: *In new business: Can we get clarification on the passing of S3926 and how it may affect aquaculture? "Authorizes certain offshore wind projects to construct power lines and obtain real property interests; grants BPU authority to supersede certain local governmental powers upon petition from offshore wind project."* Recently spent quite a bit of time on solar bills, utility scale solar. Not as much time on wind power bills. Know that commercial fishing has concerns over wind power bills but have not reviewed enough to speak to potential aquaculture impacts.

M. Purcell addressed a comment in the chat from Ned Gaine: *Checkoff! last quarter the secretary mention this as well. can someone explain a "checkoff?"* A checkoff is where you establish a certain amount from each sale item goes into a set fund. One that most people have heard of is the Beef Checkoff. The Councils that Barney mentioned earlier have the ability to establish checkoffs that go to fund marketing initiatives. N. Gaine, is this a self-imposed tax? Do we charge the amount to ourselves? M. Purcell- it is taken from the consumer at the point of purchase.

J. Cimino- DEP is completely absorbed by wind discussions. The bill mentioned speaks to BPU and authority to overrule municipalities. It does not change DEP's role in any way. Division of Land Resources Protection and Division of Fish and Wildlife will still have full review of any proposed projects as well as federal consistency for projects outside the 3-mile state waters. Entire review process will remain the same regardless of this bill, from the DEP perspective.

Motion to agree that the committee should be formed, discussion after meeting on role, charge, composition. J. Maxwell motion to form committee with details on role later; D. Bushek second. All in favor, motion carries.

Aquaculture Development Plan

A. Wenczel- Check in with AAC in May, after last meeting in April. AAC decided that the ADP Update should move towards a final product which can be voted on at this meeting, the July meeting. Majority of AAC also wanted a response to comments received on the prior drafts from December of 2020 and April of 2021. July 2021 version of the ADP Update is the latest version for discussion. In early June, a response to comments document was sent out to AAC, attendees, and growers.

S. Fleetwood- In ISSC, the NSSP uses strikethrough and additions to text. Can see original text and what was changed.

B. Hollinger- (1) Under Leadership, need to look at making changes to the composition of the AAC. Recommend that the Update include this as a recommendation.

(2) Lease recommendations, continue discussions on lease utilization needs to add “with the Shellfish Council”. Recommendation for Shellfish Council to provide AAC update, add that someone from Bureau of Shellfisheries could provide update, since someone is usually at these meetings.

(3) Agriculture Benefits recommendations, review current AMP, add meet requirements of the SADC. M. Purcell- that’s implied as being an AMP.

(4) What is a differential tax program? M. Purcell- Farmland Assessment is a differential tax program.

(5) Explore mentorship with new growers, could be a hurdle with insurance if volunteer. Individual businesses will need to address, but something to consider.

(6) New Items recommendations, add the Marine Fisheries Council as acting authority to both. Consultation with Shellfish Council can be added to macroalgae recommendation.

J. Maxwell- Support Barney’s recommendation to re-evaluate the structure of the AAC. Shellfish Council sections have asked to have a Shellfish Council representative on the AAC.

J. Maxwell- Also comment on Lease recommendations. The utilization and business plan recommendations, at this point our Shellfish Council [Atlantic Section] does not support either of those. Not sure it’s appropriate for AAC to discuss leasing. Not even sure where the recommendation came from. A. Wenczel- Recommendation directly from the efforts of the Shellfish Council. J. Maxwell- We have a leasing committee reviewing this but that does not transfer to the AAC. A. Wenczel- This is not a new item for the ADP & Updates. Reviewed past documents to see what was included. There was even a committee of the AAC that provided recommendations to the Shellfish Council. This recommendation was to reflect the efforts of the Shellfish Council while also retaining the role the AAC has always served.

J. Maxwell- It doesn’t serve the industry to have two administrators. I don’t see the AAC role in this. M. Purcell- Collaboration role on this topic. J. Maxwell- Then we need to have consensus on it, and I don’t think we have that. M. Purcell- Wide-ranging strategies in a Plan and has been

in every Plan. J. Maxwell- If looking at reconstructing the Council, isn't everything on the table? M. Purcell- I agree. It may or may not be necessary [the items in the recommendations] depending on what happens next. If a Shellfish Council member gets a seat on the AAC, these may not be needed. This is trying to set the table for things moving forward.

B. Hollinger- Remove the first two recommendations and leave the last one in. We [Shellfish Council] will come back to you and tell you what we're doing. J. Maxwell- That is basically my point. Shellfish Council is not going to share their authority with us [AAC]. M. Purcell- No, we're not looking for shared authority. A. Wenczel- Not looking for shared authority, just says continue discussions. Soft language that is saying, you [Shellfish Council] started a process, and have the authority to conduct the process, the AAC supports your efforts.

J. Maxwell- My concern, Barney and I have both been through several administrations and the newest one may not be informed of what the last one agreed to or discussed. To avoid any issues, the Shellfish Council remains with the exclusive right to lease and authority over the corresponding regulations under Title 50. My concern is we let this go, what happens in the future.

S. Fleetwood- Agree with John & Barney. I've been on the Shellfish Council for ~30 years, and we have discussed these items over the years, and it's the Shellfish Council's responsibility. It's something that gets brought up in later years and someone thinks we're supposed to be doing leasing in cooperation with someone else. No, we're not. This shouldn't be in there [the Plan Update].

S. Fleetwood- Also comment on recommendation to "Continue to recognize the NJDA as the lead in industry development". Industry is going to do their own developing. I would like a brief explanation of what that is supposed to mean. A. Wenczel- That recommendation is specifically looking at how State agencies work together and expressly within the NJ Aquaculture Development Act is states that the Office of Aquaculture Coordination within the NJDA is the lead for developing the industry. With the efforts of the Shellfish Aquaculture Workgroup [SAWG] this is supporting those efforts and the role of the NJDA, as it is stated in the Act.

M. Purcell- This is really helpful that Council members are coming forward with their concerns, especially after the discussion earlier on the potential animosity towards the Plan. It helps to understand these concerns. The authority of the Shellfish Council is established in statute. I think the collaboration between these two Councils is a benefit, but it's not to take any authority from the Shellfish Council. That authority is imbedded in statute and regulations. And it's not the intention to take any authority from Shellfish Council, nor to take authority from any entities; it's looking for collaboration.

S. Fleetwood- This is all good, we want all the help we can get. We appreciate what is trying to be done. There are a few things where I feel the document overstepped a bit. We have worked hard to get where we are at. M. Purcell- As we said, these items were included in the past, but if they are striking a chord, then they should be discussed. S Fleetwood- We may have only touched on these items, but we needed to more fully address. M. Purcell- Ok, how can we

resolve. B. Hollinger- Remove first two and leave the last recommendation [in the leasing section]. J. Maxwell- I agree.

J. Cimino- The way that Amanda explained her interpretation the first recommendation is something I agree with. I am that third generation of agency staff that John mentioned. It's incredibly tough, and our staff have all been trying to work on this [lease utilization]. I worked on this in Virginia and there are no easy answers. If another group, that being the AAC, wants to discuss and has ideas on it. Recommendations to the Council, maybe there would need to be wording that they are recommendations that are at the discretion of the [Shellfish] Council to consider. B. Hollinger- The last recommendation can cover that; we can send the minutes of what we discuss in the leasing committee meetings. J. Maxwell- Currently reviewing lease utilization in those Committees, so that would work.

M. Purcell- Suggested change to recommendation one to say, "continue discussions with the Shellfish Council..." B. Hollinger- number 3 [recommendation] solves all that.

L. Calvo- Through development at the subcommittee level, there was no intention to take authority from the Council. It was clearly recognized that the Shellfish Council has the authority. The actions were developed by the Shellfisheries Bureau who work very closely with the leasing committee. The intent was to recognize that work was being done around utilization. This language is actually softer than a previous version. I'm sorry it feels threatening. In the discussions, in the Committee, there was always an appreciation that the authority remained with the Council. S. Fleetwood- We have worked hard on this, but we keep coming back to who is going to take away leases that are not being worked. Need to first answer who is going to take the leases away.

N. Gaine- No comment on leasing but noted comments in the chat to circle back to previous item regarding Council composition.

M. Williams- To those who are farmers on this Council, are you ok with losing leases because you are not using them right now? That's a tough question. I don't know how anyone could support that. M. Purcell asked for clarification. M. Williams- For the use-it-or-lose it, if you are supporting it as a member of this Council, you could lose leases, how would you feel about supporting your leases being taken away. No one uses every portion of all of their leases all the time. M. Purcell- Just thinking how to reframe the language of the recommendation. Maybe we do get rid of those first two. M. Williams- The "continued discussion" is what is confusing since this Council has not discussed but the Shellfish Councils have leasing committees that are discussing it. Concerning with growers who helped write the Plan support this recommendation and this could impact those growers if they do not use all of the lease. M. Purcell- Right so the real issue is utilization. As Joe pointed out this is not just a struggle for New Jersey. We all agree that there is an issue using leases to the greatest extent practicable so do we frame it, as a recommendation, in a way that people do not feel threatened by it. Is there a way to write recommendation one with better language? I think we all recognize that lease utilization is an issue and should be in the Plan. M. Williams- Trying to get farmers' opinions on this, we have heard opinion from Shellfish Council. S. Fleetwood- I have grounds that right now I am not using but would have given my right arm to get 30 plus years ago. Now have hundreds of acres

that I was not using and have cages on for aquaculture. If I did not get them in the past, I doubt I would have been able to get them now. Now always using all grounds; things change. The problem is people who are not even in the industry that are holding onto grounds. M. Williams-Agree. Clammers plant seed, then once harvest, let lease go for a year. What I am getting at is whether the farmers on this Council can approve this.

M. Purcell- Do we get rid of recommendations 1 & 2, and keep 3? We need to keep lease utilization in the Plan. We need to have updates on utilization and the progress on the issue, not just an update on number of leases. Recommendation 3 could now say periodic update on leasing and lease utilization, is that a solution? J. Maxwell- Lease committees can provide an update to the AAC. M. Purcell- Yes, that can be how it works, but keep it broadly leasing and lease utilization. B. Hollinger- also include the Bureau [of Shellfisheries].

M. Purcell- Removing recommendation 1 & 2 and editing the text of recommendation 3. B. Hollinger made the motion to amend the plan to incorporate these changes; J. Maxwell second.

N. Gaine- This sounds exactly like a leasing committee meeting. Same discussions at those meetings and this gets at some of the concerns, are we going to have these discussions here and at those meetings. Massive overlap between groups but there are several members of the leasing committee not here in this meeting who would also express opinions on these items. M. Purcell- not looking to intervene in the process. Acknowledging lease utilization is an issue, an issue that the Shellfish Council is looking to address. Not looking to have our own utilization discussions.

Repeating motion- Under the Leasing recommendations (page 4 and page 26), remove recommendation 1, remove recommendation 2, and add to recommendation 3 “Bureau of Shellfisheries Member” and “lease utilization” to the update being provided to the AAC. All in Favor- motion passes.

N. Gaine- Request that someone from the Council motion to change the composition of the Council, and a healthy discussion on how the composition should look. M. Purcell- Thought it was already within the Plan. A. Wenzel- There has been no agreement on what to put forward as a recommendation in the Plan, it has been discussed but nothing agreed upon for inclusion in the Plan. Also waiting for Shellfish Council to return with their input on being a member. M. Purcell- That’s right, I asked if we add that as a recommendation in a previous meeting and we did not have a response. This is a good addition, where should it go? B. Hollinger- Identified on Page 3 where the recommendation could be included, in the Leadership Section. Also know that Atlantic Coast section has met to say they want a seat, but the Delaware Bay side has not. M. Purcell- This is just a Plan to say we should review the composition; we don’t need to include what that would look like. The actual members will be discussed next, as per the recommendation. N. Gaine- We should be discussing the people we have on the Council. In the chat, people asking for more industry representation. Not just [Shellfish] Council industry representation. M. Purcell- Understood. Discussion does not happen now, we are trying to finalize a plan. We need to add the recommendation. N. Gaine- The recommendation is to put two Shellfish Councilmen on. B. Hollinger- No it’s not. It is to look at the whole makeup of the Council and make recommendations for change. N. Gaine- Agree with that, but you are

reiterating what was posed in the past, and that was a letter from Shellfish Council specific to Shellfish Council. If we are changing this to a whole conversation on this, that is an important change. I agree we should do that but let's not confuse the two. Previous motion by Barney that was tabled, waiting to hear back from the Councils which was specific to the Councils. Now we're broadening out that discussion. M. Purcell- Final correction on this item. What we are going to put into the Plan is regarding the composition of the entire Council. The Shellfish Council is a subset of that discussion. All that is going into the Plan is the recommendation that the composition of the AAC needs to be reevaluated. We are not going to get into the detail of what is added or removed. Added to the Plan as an action item that needs to happen. N. Gaine- Need to see that recommendation added for us to buy into this again. It has not been in past drafts. M. Purcell- Agree. I remember chairing the meeting asking about composition of the Council and no one said anything. This is something we want in here. We will add the recommendation that we will review and possibly recommend changes regarding the composition of the AAC. That will be under the Leadership Recommendations.

B. Hollinger made motion to agree to the addition of a recommendation in the Plan under the Leadership Section stating that the composition of the AAC will be reviewed and recommendations for change may be made based on that review. M. Sheets second. L. Calvo- add to the recommendation that it will focus on the ways to add industry representation. There is a strong want for more industry representation, would be good to highlight that within the recommendation. M. Purcell- that can be added.

D. Bushek clarifying discussion. Is the AAC composition defined in statute? M. Purcell- Yes. D. Bushek- Then any changes recommended would require a change to the Aquaculture Development Act. Not that it should stop this, I agree with the recommendation. Also, the listing of AAC members only shows 13, I think we have 2 empty seats. Those are industry seats, so maybe listing those as seats that can currently be filled by industry. That would be six seats for industry, which would be almost half of the Council. M. Purcell- We can capture all of this by the broad recommendation in the Plan to reevaluate Council composition, and then all of this can be discussed under that recommendation. D. Bushek- Cumberland County Community College was mentioned and I think Doug Zemeckis filled that seat, Gef Flimlin took that over when CCCC no longer had a program. Not sure if that was a statutory change. M. Purcell- No, that was filled by trying to find an equivalent role to what CCCC served on the AAC. Change was made as a policy decision of the Council, not done statutorily. Obviously, the changes we have been talking about here would be statutory changes.

Motion (see bold text above on AAC composition recommendation)- All in favor, motion passed.

D. Zemeckis- Reading through the executive summary that is new to this draft, I was not expecting to see all the recommendations from throughout the document to be reiterated here. Some of the recommendations taken out of context do not have their supporting materials as to why these are issues or why the recommendations are included. Not sure the audience will properly grasp the issues if they only read the executive summary. M. Purcell- I hear your comment. The purpose of the executive summary is to hand to legislators who will not read the rest. It is to have the most important items there for quick read and get the main items. D.

Zemeckis- it is included later in the document, but the intended audience could also be in the executive summary.

Noting the time M. Purcell shifted agenda items to ensure the AAC could give ample time to honor Mr. Walter Canzonier who passed away last month. There was a moment of silence, then A. Wenczel read a resolution into the record (attached as separate document to the meeting minutes). D. Bushek- Walt was a tremendous advocate for the industry and what this Council is trying to do. Adding to the comments from John Kraeuter... "There's a very large number of individuals that will know a lot less about shellfish, shellfish research, and how to help others because they did not get to know Walt." For those who did know Walt, please share what you learned with others. S. Fleetwood- Walt was a wealth of knowledge. He helped me a lot. When I was younger, I would get him to write my letters for me and I would have to say, "Walt, Please don't put the great big words in there, most people don't understand them!" Won't ever be anyone that wears a paper bag on their head like Walt did.

Back to ADP Update discussion. Matt Gregg- Wondering if anyone has checked on the status of vacancies on this Council. A. Wenczel- one of the vacancies is due to the passing of Walt and so that was just last month. The other vacancy we have not heard updates from in a while. That is a Speaker of the Assembly appointment. M. Gregg- is it typical for the Council to ask for the status? M. Purcell- we have a legislative liaison that checks on the status of all councils and committees that are associated with the Department of Agriculture. There have been a few people who petitioned for those seats. Our liaison tracks that, and we have not heard. We can circle back on that with him.

D. Bushek- Based on Matt's comments, in the document where it lists the members as industry representatives each are appointed by specific entities. Maybe those should be listed to identify who has appointed members. A. Wenczel- That can be added.

M. Gregg- Is there any update on Right to Farm? A. Wenczel- We have not received any updates. Some of the discussion needs to stem from industry and what protections they are looking for so we can better figure out how the program can fit the industry needs. M. Purcell- We first addressed this at the last meeting. We went over the requirements and Farmland Assessment components. It's an action item we need to continue to work on.

M. Williams- You mentioned earlier efforts are underway for Council composition, what are those efforts? M. Purcell- The Shellfish Council letters, that's all. M. Williams- For Right to Farm, is this a whole new program, with the current program out the window; or are we still trying to fit within the current program? A. Wenczel- Currently eligible within the current program. Based on conversations, to better serve the industry, it may need to be a statutory amendment to the Right to Farm Program. Build the program for the industry needs. M. Williams- We do not fit well? A. Wenczel- The program is based on terrestrial farming and farms that are all within one space. So, yes, the shellfish industry is not fitting well within that model. M. Williams- Building a new program? A. Wenczel- Yes, within the framework of what the right to farm program serves. We would like to do that. M. Williams- Should we be listing what we want? M. Purcell- Yes, but that is a discussion for another meeting. The industry does currently have some protections. We need to see where the limits are on the current program to

devise something better for this industry. M. Williams- Should that go into this document? M. Purcell- That charge, to review the program, is already in the Plan.

D. Zemeckis- Between the April meeting, and now, there was an email to the Council for additional review and comments. I understand it that I and only one other Councilmember commented. My remaining comments are only on the new items, so the New Opportunities section [not new to this draft]. This Update was to focus on molluscan shellfish aquaculture and in the new opportunities section there is mention of macroalgae and offshore aquaculture but no mention of finfish aquaculture nor freshwater culture. If we are going to open the door to these, why are we not including others. M. Purcell- We do want to broaden, but are there items you want to add to this? D. Zemeckis- I thought there were guardrails to focus this on molluscan shellfish. The 2011 version includes finfish and freshwater. If we are going to include open it up to more on finfish at the very least. A. Wenczel- The new opportunities section has been in all drafts. No one has suggested other items to add to that section in past reviews. Regarding finfish in marine waters of the State, there is no cohesive agreement or opinion on how this should or could occur, so without substantive comment from a Councilmember and what is wanted for inclusion in this section, there was nothing that could be added. There are no representatives on the Council or in the Committee who work in freshwater system. Without that expertise and given the length of time to develop this Draft Plan, freshwater recommendations were not appropriate for this Update. It does mention that freshwater species will be included in future draft plan Updates. Marine finfish needs more discussion by this Council before anything would move forward on that topic. Topic should be discussed, and there may be future recommendations, it just would not have been right time to include in this plan Update.

B. Hollinger- motion for AAC to adopt the July 2021 version of the 2021 Update to the ADP, with the changes discussed today included. M. Sheets- second. D. Zemckis in opposition, wanting to see the track changes of the items recommended today prior to voting to approve. All other AAC members voted to approve/in favor of the motion. Motion passed.

M. Purcell- Thank you all for your efforts and comments. Especially thank you for today's discussion. We got to some real points that may have been hurdles in understanding some of these items.

Councilmember Comments
[none]

Old Business

M. Purcell- Right to farm is old business, which we will address at another meeting.

Aquaculture-Red Knot Stakeholder Committee- M. De Luca
No meeting since last AAC meeting.

Public Comment

N. Gaine- Now that the Plan has passed can we expect an update on AAC and NJDA progress on the items in the plan? Throughout there are several items that list the AAC and NJDA to act on

and I feel it pertinent to make it a standing order that we go through them until resolved. M. Purcell- Sure, can be added.

Meeting adjourned.

**Pertinent comments provided in the "chat" window during the meeting are included here. The chat is not moderated during the meeting to provide responses beyond acknowledging comments received.*

dale (Guest)

I agree with steve fleetwood on his comment about changes and edits to the plan

"Matt Gregg " (Guest)

Agree with Steve Fleetwood. Always point out the changes in a living document(s) please!

dale (Guest)

I agree with Barney to review AAC council memberships

Douglas Zemeckis

I also agree with Steve's comment about improving the tracking of changes to the ADP. The documents that Amanda mentioned provided some guidance and general comments on how comments were previously addressed, but that guidance could have been more detailed and there have already been two or three updated ADP drafts since the April 2021 draft.

"Ned Gaine" (Guest)

Reconstruct the council needs to be a recommendation currently it is not.

dale (Guest)

I agree with Ned, council reconstruction should be a recommendation

"Matt Gregg " (Guest)

Public Comment: Industry should outnumber the amount of regulators on this Council. The lead should be Industry. This council should be reconstructed.

dale (Guest)

I agree with matt gregg, industry should represent the majority of the AAC council

Chris Carroll (Guest)

Please consider altering makeup of council to have more industry members

dale (Guest)

There are a few lease holders who shouldn't hold leases. However it is up to the council to approve or deny a lease application. The larger question may be if the shellfish bureau may or may not renew a lease, based on TOTAL production by the farmer.

"Matt Williams (Guest)"

Thanks Steve Fleetwood for actually answering

Cimino, Joseph [DEP]

Agree with Ned. Matt I respect the question but felt this wasn't the place. I am happy to talk and give you my opinion as well. DEP doesn't want any legitimate farmer to lose a lease. There are other issues.

(Guest)

Identifying total production by the farmer is difficult, however the department of health does maintain harvest records and could provide data regarding lease production/utilization

dale (Guest)

Department of health should provide harvest records to shellfisheries & water monitoring

Wheatley, Virginia [DOH]

The DOH does not maintain harvest records. We collect some harvest info during vibrio season, but do not collect that info year round.

dale (Guest)

I agree with lisa calvo to prioritize industry member to council

"Ned Gaine" (Guest)

public at large is not industry

dale (Guest)

Virginia, collecting harvest records would be valuable to industry, in many ways
I'd like to go on record to state I have people complaining about the smell of my recycled shell, and its becoming a problem