

MINUTES OF THE MEETING
OF THE
ATLANTIC COAST SECTION OF THE SHELL FISHERIES COUNCIL

Nacote Creek Law Enforcement
Port Republic, NJ
March 19, 2007

Present were: Chairman John Maxwell (Atlantic)
Councilman Walter L. Johnson III (Ocean)

Absent was: Councilman Walter Hughes (Monmouth)

State Representatives: James W. Joseph, Bureau of Shellfisheries
Jeffrey C. Normant, Bureau of Shellfisheries
Joseph Myers, Department of Agriculture

Mr. Maxwell called the meeting to order. Mr. Joseph read the State's compliance with Sunshine Law. He announced that the meeting would be recorded.

1. Total Revenue collected for February 2007: \$ 3,440.00
Shellfisheries Law Enforcement Fund: \$ 1,802.00
2. February 21, 2007 Minutes

The minutes of the February 21, 2007 meeting were tabled until the next meeting. Mr. Johnson had not received a copy of the February 21, 2007 minutes in the mail.

3. Applications for New Ground – Decision

<u>APPLICANT</u>	<u>LOT #</u>	<u>SEC.</u>	<u>ACRES</u>	<u>LOCATION</u>	<u>MAP</u>
Christopher McCourt	2229	B	1.19	Dry Bay	24.2

Mr. McCourt was present at this meeting. A biological investigation was not required for the lease application in Dry Bay (per N.J.A.C. 7:25-25.6(c)1). Without further discussion, the lease application of Mr. McCourt was approved on a motion by Mr. Johnson and a second by Mr. Maxwell.

4. Applications for Transfer

<u>LESSEE</u>	<u>APPLICANT</u>	<u>LOT #</u>	<u>SEC</u>	<u>ACRES</u>	<u>LOCATION</u>	<u>MAP</u>
Roland J Leeds	William K. Avery	2723	B	2.05	Shelter Island	28

Without discussion, the lease transfer was approved on a motion by Mr. Johnson and a second by Mr. Maxwell.

5. Old Business

Lease Signage

Mr. Joseph Myers presented several examples of signage to the Council advising boaters to be cautious when operating around shellfish lease areas. The signage has been proposed be posted at marinas and boat ramps. Further discussion on the wording of the signs ensued. The Council stated that the signage should be innocuous so as not to insight user group conflicts.

New Jersey Aquaculture Museum

Mr. Myers stated that the shellfish exhibit at the New Jersey Agriculture Museum was officially open.

Mullica River Bridge Construction Project - Garden State Parkway Widening

Mr. Maxwell inquired on the status of the Mullica River Bridge construction for the Garden State Parkway widening project. Mr. Normant stated that New Jersey Turnpike Authority had just submitted a shellfish and water quality monitoring plan and that he was in the process of reviewing the proposal.

6. New Business

Lease Grounds

Mr. Bill Avery inquired if a biological investigation was necessary if someone applied for a vacated lease in Scull Bay. He stated that no biological was necessary for new leases Dry Bay. Mr. Joseph stated that no biological investigation was required in Dry Bay since historically the results of past investigation were always similar (Note: the regulations were amended many years ago to remove the requirement for biological investigations in this area). Mr. Joseph stated that since there were few outstanding lease applications, there should be no delay in processing new applications. Mr. Normant stated that there were two or three new applications that had come in this winter and he anticipated that the biological investigation should be done within the next month.

Marine Fisheries Regulatory Package

Mr. Maxwell inquired on the Marine Fisheries regulatory package that was going to be voted on at the Marine Fisheries Council meeting in May 2007. Mr. Joseph Rizzo, who is a Marine Fisheries Council member and on the Crab Committee, stated that there was language regarding the filleting of fluke at sea and on the commercial crab pot licenses. The proposal would implement a two-tiered licensing system for commercial crab pot licenses. Further discussion on the matter ensued.

Barneгат Bay Shellfish Restoration Program

Mr. Gef Flimlin stated that the Barneгат Bay Shellfish Restoration program was continuing in 2007. He stated that the program was looking to expand the number of nursery sites. There will be an open house meeting on April 17, 2007.

USDA Rural Development

Mr. Flimlin stated that the USDA Rural Development program was considering the fisheries and aquaculture industries as a rural area because the activity takes place on the waters, which has less than 50,000 people. There would be several meetings regarding this issue. One of the meetings would be held at the Rutgers Cooperative Extension Office on Wednesday, April 11, 2007 at 7:00 pm. They would be discussing their programs and on what programs were available. Mr. Flimlin stated that they had funded the bagged clam marketing study. Mr. Flimlin also stated that there would also be a meeting held in Leonardo, NJ.

Aquaculture Advisory Council Meeting

Mr. Myers announced that the next Aquaculture Advisory Council meeting would be held on April 20, 2007 at the Cape May Technical High School from 10:00 am to 1:00 pm.

USACE Nationwide Permit #48

Mr. George Mathis Jr. provided the Council with a synopsis of the US Army Corp of Engineers (USACE) Nationwide Permit # 48. He requested that this issue be put on the agenda for the next Council meeting.

Mr. Mathis briefly explained that the Nationwide Permit #48 addressed shellfish aquaculture, which the existing Nationwide Permit #4 had not addressed. He stated that Nationwide Permit #48 would require shellfish aquaculturists to report their activities to the USACE and the US Coast Guard. Mr. Mathis stated that the permit provided a great deal of interpretation on how each USACE district implemented or interpreted the permit. Mr. Mathis stated that he would like to discuss Nationwide Permit #48 in more detail after the USACE District 4 (Philadelphia) sets their rules. Mr. Joseph suggested inviting District Manager Sam Reynolds from the USACE to the next meeting to discuss the Permit. Mr. Johnson also suggested inviting Mr. Ed Bonner, who was the USACE representative on this matter. Further discussion on the matter ensued.

There being no further business, the meeting was adjourned on a motion by Mr. Johnson and a second by Mr. Maxwell.

7. Date, time and place of next meeting:

DATE: April 16, 2007
TIME: 7:00 PM
LOCATION: Nacote Creek Law Enforcement Office
360 N. Rt. 9
Port Republic, NJ 08241