

**NEW JERSEY SHELL FISHERIES COUNCIL  
- DELAWARE BAY SECTION -**

MINUTES OF FEBRUARY 28, 2007

ADVISORY COUNCIL

Warren Hollinger, Chair,  
Cumberland Co.  
Scott Bailey, Cumberland Co.  
Stephen Fleetwood, Cumberland Co.  
Cape May Co. Seat (Vacant)  
Salem Co. Seat (Vacant)

STATE REPRESENTATIVES

James W. Joseph, Shellfisheries  
Russell Babb, Shellfisheries  
Jason Hearon, Shellfisheries  
Craig James, Law Enforcement

HASKIN SHELLFISH RESEARCH

Eric Powell, Director  
John Kraeuter, Assoc. Director  
David Bushek, Research Professor

*Compliance with Sunshine Law:*

Notice of this meeting was posted with the Secretary of State's Office, State House, Trenton, NJ and the Bridgeton Evening News, The Press, and Daily Journal on February 21, 2007 pursuant to L. 1975 c. 231.

Mr. Joseph informed the Council that this meeting would be recorded.

1. Revenue collected for November 2006, \$9,469.00. This revenue collected is itemized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot License	600.00	Atlantic Coast Crab Dredge	900.00
Commercial Clam License	150.00	Delaware Bay Crab Dredge	500.00
Copy Fees	4.00	Otter Trawl License	478.00
Lease Fees	3,295.00	Tonger License	70.00
Cultch Fees	2,548.00	Application Fees	30.00
Nets	894.00		

2. Revenue collected for December 2006, \$35,219.00. This revenue collected is itemized as follows:

License Type	Total	License Type	Total
Commercial Crab License	5,100.00	Atlantic Coast Crab Dredge	2,900.00
Survey Fees	120.00	Delaware Bay Crab Dredge	2,400.00
Lease Fees	12,533.00	Nets	11,100.00
Area 2 & 3 License	322.00	Application Fees	228.00
Dredge Boat License	516.00		

3. Revenue collected for January 2007, \$10,524.00. This revenue collected is itemized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot License	900.00	Delaware Bay Crab Dredge	1,900.00
Commercial Clam License	150.00	Atlantic Coast Crab Dredge	800.00
Recreational Clam	80.00	Area 1,2 & 3 License	679.00
Juvenile Clam License	4.00	Assignment Fees	6.00
Tonger License	110.00	Lease Fees	30.00
Dredge Boat License	1762.00	Nets	3815.00

Otter Trawl License	124.00	Application Fees	94.00
Map Fees	70.00		

4. Revenue collected for February 2007, \$5,533.00. This revenue collected is itemized as follows:

License Type	Total	License Type	Total
Commercial Crab License	700.00	Atlantic Coast Crab Dredge	800.00
Commercial Clam License	250.00	Delaware Bay Crab Dredge	700.00
Recreational Clam License	30.00	Nets	2,916.00
Tongers License	20.00	Application Fees	110.00
Maps	7.00		

- Oyster Resource Development Account Balance as of February 28, 2007: \$279,828.60 (uncommitted)

5. Council Membership Update

Mr. Jim Joseph stated that Ms. Sittineri was no longer on the Council as the representative from Cape May County. He added that, for the time being, only two members needed to be present to represent a quorum. He stated that a motion would typically be made at this meeting for the annual election of the Chair. **Councilman Fleetwood made a motion to have Councilman Hollinger continue as the Chairman of the Council. Councilman Hollinger seconded the motion and all were in favor.**

6. Leased Ground Transactions

6.1 Leased Ground Transfers

6.1.1 Stewart M. Tweed transferred the following grounds to James Tweed:

SEC.	LOT	ACRES
A	27	37
A	174	63
A	219	178

6.1.2 Barney Hollinger removed himself as a co-lessee of the following grounds, formerly with James P. Allen III and Lewis Shultz:

SEC.	LOT	ACRES
A	3	53
E	52	12

6.1.3 James P. Allen III and Lewis Shultz removed themselves as co-lessees of the following grounds with Barney Hollinger:

SEC	LOT	ACRES
C	44	19
C	16	21
C	150	9
C	176	8
C	190	24
C	193	22

C	293	8
C	302	24
C	532	25
D	358	13
D	439	19
D	542	16
E	343	29

6.1.4 Fred Clark transferred the following grounds to John E Bradford, Jr.:

SEC.	LOT	ACRES
C	55	36

6.1.5 Stephen Balletti (G&B Seafood) transferred the following grounds to Thomas E. McNulty, Jr.:

SEC.	LOT	ACRES
E	39	12
E	273	48

**6.1.6 A motion was made by Councilman Bailey to accept the preceding lease ground transactions and Councilman Fleetwood seconded the motion. All were in favor.**

6.2 Application for New Ground

- Consideration

Name	Charles Clark Sr.	
SEC.	LOT	ACRES
A	19	105

Note: Charles Clark Sr. not in attendance.

7. Vessel Transaction

For Council’s information, Lewis B. Shultz Jr. transferred the Oyster Dredge Boat *Mabel Hollinger* and Oyster Dredge Boat License # 56 to Mr. Gary Robbins.

For Council’s information, Stephen Balletti has transferred the Oyster Dredge Boat *Miss Shannon* and Oyster Dredge Boat License # 51 to Thomas E. McNulty Jr.

8. Old Business – None

## 9. New Business

### 9.1 Approval for 2007 Lease Extensions

**Councilman Hollinger made a motion to accept all of the 2007 leased ground extensions. Councilman Fleetwood seconded the motion. All members were in favor.**

### 9.2 2007 Stock Assessment Report Summary

Dr. Powell presented the results of the 2007 Stock Assessment Workshop. He noted that 64 percent of the seed bed's oysters were located on the medium mortality beds. He also stated that for the seventh consecutive year there has been a low recruitment event throughout the Bay. Dr. Powell stated that the shell planting program had helped to increase the low recruitment rates on certain areas of the Bay. Dr. Powell finished by warning of the possibility of a Dermo epizootic and stated that the quota should be no greater than 80,000 bushels.

### 9.3 2007 Industry Harvest Allocation

**Councilman Fleetwood made a motion for the following harvest allocations: 18,595 bushels available from the Shell Rock seed bed, 25,093 bushels from the high mortality seed beds and 35,335 from the Ship John, Cohansey and Sea Breeze seed beds. He added that there would be an intermediate transplant during the two week *Vibrio parahaemolyticus* harvest closure. This intermediate transplant would move oysters from the Upper Middle and Middle seedbeds to Shell Rock. The transplant will last the entire two weeks unless the recommended amount of animals is moved prior to the end of the two-week closure. This transplant would transplant a volume of oysters not to exceed the 60<sup>th</sup> exploitation percentile (up to ~4.3 million oysters), which is anticipated (dependent on fishing and culling efficiency) to approximate 30 to 35,000 bushels of seed.** Dr. Powell noted that the HSRL has had a great deal of difficulty in estimating the volumes necessary to complete targeted transplants. In the past, this has lead to seed objectives being met prior to the anticipated bushel volumes (conversions). This has lead to the closure of the transplant programs earlier than anticipated. Dr. Powell stated that this method could not be changed as the samples (data) are collected, analyzed and updated on a daily basis.

**Councilman Fleetwood added that he would like to reassess the transplanted grids (planned 2007 Middle to Shell Rock transplant) in August-September. He stated that if recent mortality and Dermo infection intensities**

**were tracking high, as anticipated, then the transplant grids would remain closed to harvest. He further added that if those levels were below anticipated, then a discussion should ensue regarding the possible reopening of Shell Rock prior to the close of the 2007 season. Councilman Hollinger seconded the motion. All were in favor**

### 9.4 2007 Direct Market Season Control Dates

**Chairman Hollinger made a motion for the Council to accept the following recommendations for control dates for the 2007 oyster season: the direct market harvest season shall commence on April 9, 2007 and shall close on November 16, 2007. Oyster dredge boat license holders who intend to participate in the 2007 program to harvest oysters from the natural seed beds would be required to indicate their interest (in person) by the close of business on Monday, March 26, 2007. He noted that if a participant did not sign up by March 26, 2007, they would be not be eligible to participate in the 2007 direct market harvest program. Mr. Babb stated that he would expect the "Statement of Understanding and Agreement to Terms for the 2007 Oyster Harvest Season" to be available for signature beginning March 28, 2007 (once individual quotas were calculated). He added that he believed that tags required for the oyster harvest season would be available for purchase beginning April 2, 2007. Councilman Hollinger additionally recommended the proactive suspension of the oyster harvest program from June 18 through June 29, 2007. This period coincided with the time periods during which previous illnesses were reported. The recommended intermediate transplant would coincide with this closure. Councilman Hollinger motioned that industry participants be required to purchase 600 tags of their allocation by July 16, 2007. Those industry members who purchase less than 600 tags of their allocation by July 16, 2007 would not be eligible to purchase any additional tags. All remitted quota would be equally distributed among all remaining eligible participants. Councilman Hollinger motioned to set the minimum tag purchase allotment at 200 tags unless a lesser quantity is needed to fulfill a quota. Councilman Bailey seconded this motion. All members were in favor.** Discussion ensued regarding consolidation, the shellplanting program for 2007 and the shellfish office move.

### 9.5 Enforcement Report

Conservation Officer Craig James stated that there were three citations issued to tongers for harvesting oysters in unapproved waters within the Maurice River tongers' bed.

He stated that if convicted these individuals would lose their shellfish licenses for three years.

#### 9.6 Adjournment

The motion to adjourn was in audible.

The next meeting of the Delaware Bay Section of the New Jersey Shell Fisheries Council will be held on April 3, 2007 at 6:00 P.M. in the Haskin Shellfish Research Laboratory library.