

MINUTES OF THE MEETING
OF THE
ATLANTIC COAST SECTION OF THE NJ SHELLFISHERIES COUNCIL

Nacote Creek Law Enforcement
Port Republic, NJ
February 9, 2009

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

State Representatives: James W. Joseph, Bureau of Shellfisheries
Jeffrey C. Normant, Bureau of Shellfisheries
Michael Celestino, Bureau of Shellfisheries
Robert Connell, Bureau of Marine Water Monitoring

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.

Note: The recording of the meeting was not audible; therefore the minutes were translated using notes by Bureau staff.

1. Total Revenue collected for January 2009: \$3,684.25
Shellfisheries Law Enforcement Fund: \$3,316.00

2. November 17, 2008 and January 12, 2009 Minutes

The minutes of the November 17, 2008 and January 12, 2009 meeting were approved on a motion by Mr. Johnson and a second by Mr. Hughes.

3. Applications for New Ground – Decision

<u>LESSEE</u>	<u>LOT #</u>	<u>SEC</u>	<u>ACRES</u>	<u>LOCATION</u>	<u>MAP</u>
William Storms	130	B	2.28	GB-Graveling Point	1

Mr. Storms was present at this meeting. Mr. Storms' lease application was approved on a motion by Mr. Johnson and a second by Mr. Hughes.

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>
Ronald Voorhis Jr.	Dale S. Parsons	387	B	10.69	GB-Cape Horn	10

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

5. Old Business

Financial Disclosure and Ethics Spreadsheets for Council Members

Mr. Maxwell inquired about several aspects of the financial disclosure forms and new ethics spreadsheet, which Shellfish Council Members are required to complete. Mr. Joseph informed the Council of the process. Mr. Johnson stated that reporting was now to be completed via the Internet, but he does not have the means to complete it online. Mr. Joseph stated that the Bureau would help him with the online reporting. The Council's reporting requirement would be due on May 15th.

Leasing Committee

Mr. Maxwell initiated discussion on setting up the Council's Leasing Committee. Mr. Joseph stated that the Bureau would send out a letter to all Atlantic Coast shellfish leaseholders to solicit lessees that may be interested in serving on the Leasing Committee. Mr. Joseph also stated that he would add in the letter that interested lessees should be able to commit to a series of meetings and must respond by February 23, 2009. Mr. Joseph recommended that the Council select a broad representation of those lessees that wish to serve on the Committee and that the Council limit the participants to around ten individuals. After the response deadline, the Council would then select the representatives. Mr. Joseph suggested that the meeting should only be open to those invited on the Committee to allow the committee members to focus on leasing issues of interest. Mr. Maxwell suggested the first meeting be held on March 9, 2009. Mr. Maxwell stated that the Committee would discuss Aquaculture Development Zones at the first meeting.

Garden State Parkway Widening Project-Mullica River Bridge

Mr. Maxwell inquired if there was any new information on the proposed construction of a second Mullica River Bridge for the Garden State Parkway Widening Project. Mr. Normant stated that there was no new information.

6. New Business

Vibrio Control Measures

Mr. Maxwell initiated discussion on the Delaware Bay Section of the NJ Shellfisheries Council's Vibrio parahaemolyticus (Vp) Control Measures Committee that took place in December 2008 and its effect on oyster harvest. The Vp Committee dealt with harvest control measures in Delaware Bay. Mr. Maxwell stated he would like to discuss some of these measures for Atlantic Coast oyster harvest at the next meeting. Mr. Connell stated that the Council could make recommendations to the NJ Department of Health and Senior Services, which develops the Vp control plan. Mr. Connell stated that despite the control measures implemented, such as shading and limiting harvest times to earlier in the day, there were still illnesses associated with Vp. However, these illnesses associated with New Jersey oysters all occurred out of state. It was found that these illnesses were from poor temperature control during product transport. The oysters that were being shipped out of state were not properly cooled down prior to transport. It was recommended that the product be properly cooled down the day of harvest to appropriate temperature and transported the next day. Mr. Connell also mentioned that some Delaware Bay oysters were planted in Great Bay and that there have been some cases of intentional mis-labeling of oysters from other states with NJ shipping tags.

Shellfish Waters Classification Changes for 2009

Mr. Connell announced that there have been changes in the shellfish waters classification in three areas. He stated that since the process to make regulatory changes typically takes more than a year and that some waters need to be closed immediately, the Commissioner issued a temporary order closing of these areas to shellfish harvest. The three areas affected were 120 acres in the Navesink River near Red Bank (from Special Restricted to Prohibited), Branchport Creek in the Shrewsbury River (from Special Restricted to Prohibited) and 23 acres of Tuckerton Creek (from Special Restricted to Prohibited). Mr. Connell also stated that due to staff reductions, the Bureau of Marine Water Monitoring would no longer be sampling waters that were classified as Prohibited. However, he did state that if there were an interest in opening a Prohibited area, they would consider sampling that area. He also mentioned that it would take at least three years of sampling to determine if an area would be suitable to upgrade its water classification.

While viewing copies of the updated shellfish water classification charts, it was noticed that Jenny's Creek was classified as Special Restricted. The general consensus was it was thought that Jenny's Creek was classified as Approved. Mr. Normant and Mr. Connell stated that they would look into the discrepancy.

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

7. Date, time and place of next meeting:

DATE: March 16, 2009
TIME: 7:00 PM
LOCATION: Nacote Creek Law Enforcement Office
360 N. Rt. 9
Port Republic, NJ 08241