

MINUTES OF THE MEETING
OF THE
ATLANTIC COAST SECTION OF THE NEW JERSEY SHELLFISHERIES COUNCIL

Nacote Creek Law Enforcement
Port Republic, NJ
December 3, 2012

Present were: Chairman: Walter L. Johnson III (Ocean County)
 Vice Chairman: John Maxwell (Atlantic County)
 Councilman: Walter Hughes (Monmouth County)
 Councilman: Oliver Twist III (Cape May County)

State Representatives: Jeffrey C. Normant, Bureau of Shellfisheries
 Kira Dacanay, Bureau of Shellfisheries
 Michael Celestino, Marine Fisheries Administration

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

1.	Total Revenue for October 2012:	\$ 832.95
	Shellfisheries Law Enforcement Fund:	\$ 400.00
	 Total Revenue for November 2012:	 \$ 4,573.70
	Shellfisheries Law Enforcement Fund:	\$ 1,800.00

2. Presentation of October 15, 2012 minutes for approval

The minutes of the October 15, 2012 meeting were approved on a motion by Mr. Hughes and a second by Mr. Twist.

3. Applications for Transfer

LESSEE	APPLICANT	LOT #	SECTION	ACRES	LOCATION	MAP #
Richard Beckley Sr /Richard Beckley Jr	William Avery	2069	B	2.07	Absecon Bay	22
Richard Beckley Sr /Richard Beckley Jr	William Avery	2070	B	2.03	Absecon Bay	22
Matthew Puskas, Jr.	Keith Heinrichs	133	B	2.0	GB-Graveling Pt.	1
Richard Hartman/ Brian Kowalski	Brian Kowalski	2276	B	1.62	Dry Bay	24.2
James Parker III	Eric Parker	1087	A	2.00	Great Sound	5

Without discussion, the lease transfers were approved on a motion by Mr. Twist and seconded by Mr. Maxwell.

4. Applications for Consideration

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Michael Camp	220	A	2.00	Ludlum Bay	1
Thomas McAnney	47	B	1.19	GB-Graveling Pt.	1

Mr. Normant provided the Council with copies of the lease applications. Both applicants were present at this meeting. Pursuant to leasing regulations, applicants must attend one of two meetings at which the Council would review their applications. A decision will be rendered by Council at the next meeting.

5. Applications for Decision

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Raymond Seyler	2509	B	2.00	Scull Bay	27
Robert Mayer	2342	B	1.97	Dry Bay	24.2

Both applicants were present at the last meeting. The lease applications were approved on a motion by Mr. Hughes and a second by Mr. Twist.

6. Old Business:

Barnegat Bay Shellfish Restoration and Enhancement

Mr. Normant reported that a total of 290,000 hard clam seed was planted in Barnegat Bay off Gulf Point. The Bureau had planned to plant approximately one million seed off Gulf Point and in the Sedge Island Conservation Zone this fall, however, due to the impacts caused by Hurricane Sandy on Barnegat Bay and local shellfish hatcheries, the Bureau would not be able to complete this falls planting.

Mullica River Oyster Season

Mr. William Avery inquired if there was going to be a fall oyster harvest season in the Mullica River. Mr. Normant stated that there would not be a fall oyster harvest season. The Bureau had not been able to sample the Mullica oyster beds due to the Hurricane. Last fall's sampling results indicated poor oyster bed conditions. Mr. Normant stated that they would be sampling the beds when they conduct the annual Mullica River oyster seed beds assessment.

7. New Business:

Hurricane Sandy Impacts to Shellfish Industry

Mr. Normant proved Council with a brief overview of federal assistance programs that may be available to shellfishermen/aquaculturists in the way of low interest loans from the USDA Farm Service Agency or the U.S. Small Business Administration. These programs were discussed at a meeting on November 29th at a meeting between NJ shellfish hatchery operators and policy officers from the Governor's Office.

Mr. Normant provided a brief overview of New Jersey's Fisheries Disaster Declaration that was declared by the U.S. Secretary of Commerce on November 16th under the Magnuson- Stevens Fisheries Conservation and Management Act and Interjurisdictional Fisheries Act. Shellfish and aquaculture were included under this declaration. Mr. Normant stated that New Jersey was in a 60 day evaluation period. A team of National Marine Fisheries Service representatives were conducting interviews and surveys to assess the impact. Mr. Normant also stated that while a Fisheries Disaster declaration was instituted, currently, there has been no money appropriated by Congress.

Mr. Normant stated the Bureau has been collecting e-mail contact information from leaseholders as they come into the office to renew their leases. The Bureau hopes to be able to send out a questionnaire via e-mail to leaseholders in January to evaluate Sandy's impact their operations.

Mr. Gef Flimlin stated that he had talked to Mr. Bob Shuster from the Bureau of Marine Water Monitoring (BMWM) regarding shellfish growing water closures. One of the main issues to re-opening some of the waters in the Navesink and Shrewsbury rivers for shellfish harvest was the quick drop in water temperature (31° F drop within a month). Because of the low water temperatures, the clams were not purging. Some of the samples in the Shrewsbury had coli phage levels just below the shellfish harvest threshold (50 PFU/100

grams), but some of the counts in the Navesink River were still high. The BMWM will continue to sample the rivers.

Mr. Walt Hughes asked the Council to send a letter to the Middlesex Sewerage Authority to try and expedite bringing of the sewerage plant back on line to full capacity. Currently, the temporary pumps have not been able to handle the sewerage and storm drain water that the facility treats. This has resulted in raw sewerage being discharged into Raritan Bay, thereby preventing the waters from being upgraded to allow harvest. Mr. Hughes made a motion to send a letter from the Council to the Middlesex Sewerage Authority. The motion was seconded by Mr. Twist and unanimously approved by Council.

Lease Renewals

Mr. Maxwell made a motion to extend the deadline for renewing shellfish leases to January 31st due to the economic hardship that resulted from the impacts of Hurricane Sandy. Mr. Twist seconded the motion and the motion was unanimously approved by Council. Mr. Normant stated that he would look into the matter, however he cited that the Leasing of Atlantic Coast Bottom for Aquaculture regulations require all leases to be renewed by December 31st of each year, as per N.J.A.C. 7:25-24.8. Lessees that fail to renew their leases by December 31st can attend the January meeting and request a 30 day extension if they had extenuating circumstances that prevented them from renewing their leases on time.

Lease Transfer

Mr. Dale S. Parsons claimed that he had some clams and equipment on a lot in Dry Bay that was leased by Mr. Joe Brooke. Mr. Parsons was using the lot with verbal permission from Mr. Brooke since November 2010. Mr. Brooke had transferred the lot to Mr. John Schriever in August 2012. Mr. Parsons stated that he was not aware the transfer had taken place until recently. He stated that he had checked his equipment and clams and they were not on the lease. Mr. Parsons stated that he would like to get his equipment back. Mr. Johnson stated that this was a personal matter and suggested that Mr. Parsons discuss this matter with Mr. Schriever. Mr. Schriever was upset that Mr. Parsons had accessed his lease without permission. Mr. Johnson stated that this would be an enforcement issue. He suggested that both parties try to work it out. Mr. Maxwell stated that as per the leasing regulations, individuals other than the leaseholder need to obtain a permission slip from the leaseholder. Mr. Normant stated copies of the permission slip go to enforcement, the leaseholder and the individual using the lease. The individual must also carry the permission slip on them when accessing the lease.

The meeting was adjourned on a motion by Mr. Twist and a second by Mr. Hughes.

8. Date, time and place of next meeting:

DATE: January 14, 2013
TIME: 7 PM
LOCATION: Law Enforcement Office
360 New York Rd. Rt. 9
Port Republic, NJ 08241