

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

Nacote Creek Law Enforcement
Port Republic, NJ
February 11, 2013

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

Absent was: Vice Chairman: John Maxwell (Atlantic County)

State Representatives: Jeffrey C. Normant, Bureau of Shellfisheries

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 December 2012:	\$ 18,067.85
	Shellfisheries Law Enforcement Fund:	\$ 9,820.00
	 Total Revenue for January 2013:	 \$ 5,561.25
	Shellfisheries Law Enforcement Fund:	\$ 1,884.00

2. Presentation of December 3, 2012 minutes for approval

The minutes of the December 3, 2012 meeting were approved on a motion by Mr. Hughes and a second by Mr. Twist.

3. Annual Election of Chair and Vice-Chair

Mr. Johnson was re-elected as Chairperson and Mr. Maxwell was elected Vice-Chairperson on a motion by Mr. Hughes and a second by Mr. Twist.

4. Applications for Transfer

LESSEE	APPLICANT	LOT #	SECTION	ACRES	LOCATION	MAP #
James Allen III	Dale S. Parsons	1421	B	2.0	Middle Is	6.1
Stanley Markoski	Stanley Markoski & Dawn Markoski	1419	D	2.0	Middle Is	6.1
Steve Mastro Sr. & William Scull	Steven Mastro, Sr. & Donald Scull	2254	B	2.30	Dry Bay	24.2
Fred Kalm	Dale S. Parsons	352	B	4.45	GB-Cape Horn	10
Robert D. Frick	Dale S. Parsons	1431	B	2.00	Middle Is	6.1

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

5. Applications for Consideration

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Joseph Brooke	1034	A	2.00	Great Sound	5
Tyler Roesch	1035	A	2.00	Great Sound	5
George Simmons	1038	A	2.00	Great Sound	5
Charles Esher	1041	A	2.00	Great Sound	5
Leonard Prickett	304	A	2.00	Sites Sound	NA

Mr. Normant provided the Council with copies of the lease applications. Messrs. Esher and Prickett were present. Messrs. Brooke, Roesch and Simmons were not present. Pursuant to leasing regulations, N.J.A.C.7:25-24.6, applicants must attend one of two meetings at which the Council reviews their applications. A decision on the lease applications would be rendered at the next meeting.

6. Applications for Decision

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

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.

7. Vacated Leases

Relay - By Lessee

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Gregory Goff Jr.	2400.8	B	1.50	Great Bay	24
Arthur Messinger	L10	D	1.50	Laurel Harbor	14.1

Regular - By Lessee

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Anthony Myklich	2513	B	2.00	Scull Bay	27

Mr. Normant stated that the above leases were vacated by lessees.

8. Regular - Non-Payment

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP #
Edward Gaine	1090	A	2.20	Great Sound	5
Gregg Gates	2237.2	B	1.21	Dry Bay	24.2
David Goheen	621	B	2.76	LEHB	6/12
Daniel McFarland	2349	B	2.00	Dry Bay	24.2
Evans Robinson	219	A	2.00	Ludlum Bay	1
John Sacco	2542	B	2.00	Scull Bay	27
John Sacco	2551	B	2.00	Scull Bay	27
Michael Stonnell	2275	B	2.15	Dry Bay	24.2
Marc Toussaint	2550	B	2.00	Scull Bay	27

Relay – Non-Payment

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Randal Gant Jr.	L3	D	1.50	Laurel Harbor	14.1

Messrs. Goheen and McFarland were present. Messrs. Robinson and Stonnell were represented by an agent. Messrs. Gaine, Gates, Sacco, Toussaint and Gant were not present.

Mr. Normant reminded the Council that lease renewals begin on October 15 of each year. As per the leasing regulations, N.J.A.C. 7:25-24.8, shellfish leases must be renewed annually by December 31st for the following year. If illness or extenuating circumstances had prevented a lessee from renewing their lease(s) by December 31st, the Council may extend the payment deadline by one month provided the request was made at the January meeting. On a motion by Mr. Hughes and a second by Mr. Twist, the Council granted a 30 day extension to Messrs. Goheen, McFarland, Robinson and Stonnell to renew their leases.

9. Old Business:

Hurricane Sandy Impacts to Shellfish Industry

Mr. Normant informed the Council that the Bureau had just mailed out a questionnaire to all commercial shellfish license holders and dealers in an effort to assess damage and losses to the shellfish industry as a direct result of Hurricane Sandy. The questionnaire will also be posted on the NJ Division of Fish and Wildlife website: www.njfishandwildlife.com/news/2012/sandy_disaster_info.htm

Lease Transfer – Dry Bay

Mr. Parsons informed the Council that he had attempted to contact Mr. Schriever to try and retrieve his equipment from a shellfish lease that was transferred from Mr. Joseph Brooke to Mr. Schriever. Mr. Parson's had been using the lot prior to the transfer. Mr. Johnson suggested that Mr. Parsons contact Mr. Schriever by certified mail.

Little Egg Harbor Bay Shellfish Closure

Mr. Johnson initiated discussion regarding the ongoing shellfish harvest closure of the southern part of Little Egg Harbor Bay from the effects of Hurricane Sandy. After Hurricane Sandy, water temperatures had plummeted and the clams had not been able to purge even though the water quality had returned to acceptable levels suitable to shellfish harvest. Discussions focused on the types of analysis and tests conducted to determine coli phage levels and the presence of Norwalk virus in the shellfish. The Messrs. Dale Parson and Pete McCarthy questioned the sampling methodology used to open and close waters for

shellfish harvest. Mr. Normant stated that he had talked to Mr. Schuster from the Bureau of Marine Water Monitoring (BMWM) prior to this meeting and that the BMWM was willing to set up an information / discussion meeting with the shellfishermen. Mr. Normant stated that he would contact Mr. Schuster to set up a meeting.

10. New Business:

2012 Mullica River Oyster Seed Bed Sampling

Mr. Normant stated that annual sampling on the Mullica River oyster seedbeds was completed on December 12, 2012. Mr. Normant stated that oyster bed condition had improved overall, on both the French's Point and the upper portion of the Moss Point beds. The lower portions of the Moss Point Bed still had very low bed conditions.

Little Egg Harbor Bay Shellfish Inventory

Mr. Gef Flimlin inquired on the results of the 2011 Little Egg Harbor Bay shellfish inventory. Mr. Normant stated that Mr. Celestino was not available to discuss the results since he was involved with the Delaware Bay Oyster Stock Assessment Workshop this week. Mr. Normant quickly summarized that the estimated hard clam stock did increase over the previous survey conducted in 2001, but still was below the estimated stock found in 1986/87.

Fuel Tank on Marsh in Little Egg Harbor Bay

Mr. Tim Hewitt reported that a 1,200 gallon fuel tank was on the marsh in Little Egg Harbor Bay near Thompson Creek. Mr. Hewitt has a lease near the site. Mr. Normant stated he would look into the issue.

Highlands Clam Depuration Commission

Mr. Flimlin stated that the Borough of Highlands was re-evaluating the lease to the Baymen's Protective Association which expires in 2014. Over a number of years, there had been allegations of theft of product. The Highlands Clam Depuration Commission had written a letter to the BMWM reminding them that the regulations, as written, require the depuration plant to record number of bushels as well as number of clams, however, these rules has not been enforced. Mr. Flimlin stated the Commission requested to reinstated the permit to allow depuration in Special Restricted waters and return the wording of the permit back to the May 1999 language, which stated that the clams need to counted before the clams enter the depuration plant. Commission had not received a response from the BMWM. Mr. Normant stated that he would contact the BMWM.

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

11. Date, time and place of next meeting:

DATE: March 18, 2013
TIME: 7 PM
LOCATION: Law Enforcement Office
360 New York Rd. Rt. 9
Port Republic, NJ 08241