

NEW JERSEY SHELLFISHERIES COUNCIL		Delaware Bay Section
<i>Meeting Minutes</i>		

Meeting Name	Monthly Meeting of NJ Shellfisheries Council - Delaware Bay Section		
Meeting Date	Tuesday, September 6, 2016		
Meeting Time	6:00 PM		
Venue	Haskin Shellfish Research Laboratory	City	Bivalve, NJ
Attendees	General Public		

Council	State/Fed Representatives	Haskin Research Lab
Cumberland Co. - Vacant	Russ Babb, DFW Shellfisheries	David Bushek, Director
Steven Fleetwood, Cumberland Co.	Craig Tomlin, DFW Shellfisheries	Kathy Alcox, Field Researcher
Warren Hollinger, Cumberland Co.	Andrew Hassall, DFW Shellfisheries	
Richard Malinowski, Salem Co.	Paul Wesighan, DFW BMWM	
Cape May / Salem Co. – Vacant	Gary Wolf, USFDA	

Compliance with the Sunshine Law

Notice of this meeting was posted August 9, 2016 with the Secretary of State's Office, State House, Trenton, NJ and the Bridgeton Evening News, and Daily Journal pursuant to L. 1975 c. 231.

Mr. Babb started the meeting by asking everyone to give a moment of silence in memory of the late Councilman Scott Bailey.

Minutes from the July 2016 Council meeting are presented for consideration.

Councilman Hollinger motioned to approve the minutes. Councilman Fleetwood seconded the motion.

Revenue collected for July totaled \$24,884.00 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$800	Commercial Shellfish	\$200
Nets	\$464	Recreational Shellfish	\$142
Application Fees	\$74	Juvenile Shellfish	\$2
Menhaden	\$104	Dredge Boat	\$10
Oyster Tags	\$23,088		

Revenue collected for August totaled \$40,972.00 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$500	Oyster Tags	\$39,880
Nets	\$460	Recreational Shellfish	\$70
Application Fees	\$60	Juvenile Shellfish	\$2

Oyster Resource Development Account (082):

Aug 1, 2016		
Unexpended	\$755,558.96	Budget authority less expenditures (<i>total spendable dollars currently in account</i>)

For Council’s Information:

Lease Ground Transactions:

Applications for Council’s Consideration: None

Applications for Council’s Decision: John Lyman (from July ’16 meeting)

SEC.	LOT	ACRES	FEE PER ACRE	TOTAL
1A	ADZ-2	10	\$25.00	\$250.00

Mr. Lyman was present at this meeting to fulfill his requirement to attend either meeting that had his application for consideration or decision. **Councilman Hollinger made a motion to accept the application. Both Councilman Fleetwood and Malinowski seconded the motion.**

Old Business

1. Direct Market Update – C. Tomlin

Mr. Tomlin opened by stating that the only beds that were currently open were Ship John and Cohansey. He reported that about 10,000 of about 35,000 bushels (bu) of oysters were harvested to date off of those beds. Mr. Tomlin compared the CPUE for these beds with the CPUE for Bennies from earlier in the season. The CPUE was very close at about 114 bu per boat per day, and it was only taking about an hour longer for the vessels to harvest their catch.

2. Aquaculture – Red Knot Update – R. Babb

Mr. Babb informed that the federal and state agency working group met at the Cape Shore Lab in the end of August. They discussed the adaptive management process (AMP) cited in the

Programmatic Biological Opinion (PBO), as well as two proposals by Rutgers University. Mr. Bushek explained that the first proposal, requested by Cape May County, was to host a group of experts external to the state and university to view any new available data since the PBO was made, and to evaluate what gaps there may have been in the process, and share what interpretations they may have had on how to proceed with AMP. The second proposal was aided by NJ Sea Grant, which was to invite all interested parties to a large stakeholders meeting to review all of the research conducted since the PBO was made. Councilman Hollinger asked if there were any noticeable trends in the preliminary data. Mr. Bushek replied that there wasn't an answer for that yet, but it would be examined and discussed at the meeting of experts. Mr. Babb mentioned there are two references to the AMP in the PBO, so Mr. Bushek, Ms. Calvo, and himself discussed combining meetings since all efforts are pooling from the same group of people. This would make the process more efficient, and have all voices and advice in the same meetings.

3. Council Correspondence – R. Babb

- Dedicated Accounts and Staffing Letter to Commissioner Martin

Mr. Babb reiterated from the previous meeting that \$1.1 million was redirected from multiple dedicated accounts of the Bureau to cover short falls in other areas of the Marine Fisheries Administration. Councilman Bailey and Councilman Maxwell of the Atlantic Coast Section met with the Commissioner of NJDEP in June to discuss concerns with the redirection of funding, as well as the staffing issues that persist in the Bureau. Mr. Babb informed he was not present at that meeting, but that he heard good things about it. The result was that upwards of \$800,000 were identified and replaced to the dedicated accounts, which was probably the first time that had been accomplished.

- Delaware Bay Artificial Reef Location Letter to Commissioner Martin

After the successful meeting with the Commissioner regarding the dedicated accounts and staffing issues, and hearing about the Council's letter regarding the proposed artificial reef in Delaware Bay, the Commissioner welcomed Councilman Bailey to call and set up a meeting to discuss the artificial reef instead of sending a letter. Due to the unfortunate passing of Councilman Bailey, Administrator Muffley advised that the Council should send the letter and map that were originally going to be sent by Councilman Bailey. Further discussion ensued.

- Dredging Opportunity Letter to The Maritime Trades Association

Mr. Babb discussed that a letter to request the dredging of Money Island channel could be adapted from the letter that was responsible for the recent Money Island Road repairs. Councilman Fleetwood said he would get the specifics to the Bureau, and Mr. Babb said the letter could be written and sent out once that was done. Councilman Hollinger said he spoke with Rick Brown from DEP Coastal Planning

who called the Department of Transportation. He was told that the channel is considered a state channel, and that an economic analysis of the product coming into Money Island was needed to provide with the letter. Mr. Babb said there is an economist with DEP that he can talk with to see if he could assist, and would look into potential funding sources for the analysis. Further discussion ensued.

4. Shellfish Council Administrative Guidelines – R. Babb

Mr. Babb asked the Council if they had any concerns with the Guidelines. Nobody objected, but it was decided that it would be tabled until the next meeting when they will vote on approving the guidelines.

5. Marine Fisheries Administration Strategic Plan – Reminder for Comments

Mr. Babb asked if the Council had any comments on the Strategic Plan. The Council requested more time to review the document, and that the document be sent out again. Mr. Babb informed it would be discussed at the next Marine Fisheries Council meeting, and would go out for public comment in October 2016. The Administration would like to have it adopted by January 2017. Further discussion ensued.

6. Consolidation Rule – R. Babb

Mr. Babb reported that all public notices have been completed for adoption and promulgation of the rule. It was published in the register on April 4, 2016. All public comments were closed, of which the rule received only two or three comments as of June 4, 2016. He informed that the comments all revolved around the idea that oysters were a public resource, and shouldn't be hoarded by a select few. Written responses to the comments were sent. The rule had a filing deadline of September 9, 2016 with an October 3, 2016 publication. If the filing deadline was not met, the secondary deadline was September 22, 2016 making the publication date October 17, 2016. Further discussion ensued.

New Business

1. Council Reorganization – Chair and Vice Chair

Councilman Fleetwood motioned for Councilman Hollinger to be the Council's Chairman. Councilman Malinowski seconded the motion. Through some discussion, Councilman Hollinger motioned for Councilman Fleetwood to be the Council's Vice Chairman. Councilman Malinowski seconded the motion. Councilman Hollinger asked if there were any names in consideration for filling the vacant Cumberland County and Salem/Cape May County seats on the Council. Mr. Babb informed that there had been names mentioned in the previous few years for the Cape May County seat, but none of those people were started in the legislative process. Mr. Babb continued explaining that the Bureau only sees the names put forth towards the end of the legislative process to give input on the individuals in question. Further discussion ensued. Councilman Hollinger also asked what was happening with the current Council

members' reappointments. Mr. Babb explained that the information the Bureau collected for their reappointments went to the Governor's office, but did not know what their status was at that time. Further discussion ensued.

2. *Vibrio* Illness updates – G. Wolf

Mr. Wolf informed that it was a good summer for the industry since there were only a few sporadic, multiple source illnesses from Vp, of which none were attributed to Delaware Bay. He pointed out that the last few years, New Jersey has seen that June through early July has had the highest levels of Vp, so it didn't directly relate to the heat waves the state had in August. Further discussion ensued. Mr. Wolf commended the industry for doing a good job handling the oysters.

3. Dermo Update – D. Bushek

Mr. Bushek reported that the water temperature was about eight degrees F above the average, and the salinity looked normal. Even though the temperature was high, he reported that dermo was tracking like an average year and was not expecting anything unusual to come. Dermo started off slow in the early season, but was currently at the average level. Mr. Bushek continued saying the average size of oysters were large, as the oystermen had been reporting. The Council asked if there had been any set found. Ms. Alcox responded that there had been decent set at Cape Shore. There would also be sampling done later in September when the oysters could be inspected for any new set. Further discussion ensued. Councilman Hollinger asked if the average number of oysters/bu was known. Ms. Alcox said the average bushel size had not been reviewed, but was about 264 oysters/bu for the previous Stock Assessment Workshop (SAW). This information would remain unknown until the dockside and random sampling data were reviewed. The Council voiced concern about the large size of the oysters throughout the bay, and that the random sampling may not be accurately representing what is in the bay. Further discussion ensued. Ms. Alcox suggested that the Haskin Lab could do an observer experiment, and place people on board the harvest vessels to collect data. It was agreed that this experiment could be brought up at the next SAW to see if it should and could be set up for the following summer. Further discussion ensued. During discussion, it was mentioned that the SAW would be scheduled for the week of February 13, 2017.

4. Leasing Committee

Mr. Babb informed the Council that the Delaware Bay Section needs a leasing committee. The Bureau was focused on the Atlantic Coast Section because they had a bigger need with more issues around lease expansion. He enlightened that the Atlantic Coast had a leasing policy in place with the Council, and it helped give direction in the leasing process. It was especially helpful when someone went into the office to ask questions, and were able to find the answers in the written policy to guide them. It was viewed as very helpful and successful to have the leasing policies in place. Further discussion ensued. Mr. Babb continued saying that the Delaware Bay Section would need the Committee to look at the regulations in place on the Delaware Bay coast. He notified that the Bureau held a few off site, all day meeting sessions to look through the regulations. The thought was to adopt the Atlantic Coast policy because it was very in line with

the leasing policy that was underway. The policy would have revised lease structures and policies that were currently agreed upon. It would be presented to the Leasing Committee to approve, and then would be presented to the Council. The Bureau would like to have the process of adopting the policy underway next year.

5. Tongers Line Data

Councilman Hollinger asked Mr. Wesighan if there was any news on the data for moving the Tongers Line by the mouth of the Maurice River since the topic could come up at the Council meetings approaching Tonging season. Mr. Wesighan said the sampling required to make a decision had been underway, but he did not know what the data looked like. He informed that the Bureau of Marine Water Monitoring was preparing for their annual review at the beginning of October, which involved putting together reports for each area of the coastline. When Mr. Wesighan started to process the Delaware Bay data, he said he would put all of that information into a review for the Council.

6. Rutgers University Meeting in Maryland – D. Bushek

Mr. Bushek reported that he went to Maryland to attend a meeting about the oyster with their state agency representatives. They wanted to discuss how the New Jersey industry was sustained and managed to better their practices. The state agency members invited him to another meeting in October, and Mr. Bushek explained that they would like to invite some New Jersey industry members to convince their industry members that it is worthwhile to work with the state agencies. Mr. Bushek also mentioned that he may be asking for a letter of support in the near future to submit proposals to the Saltonstall-Kennedy Grant Program, which looks through submitted project proposals and chooses which to fund. He mentioned that Rutgers submitted a proposal a few years ago to study the economic impact of the shell planting efforts in Delaware Bay. This proposal was to be resubmitted, along with a proposal to study the economic impact of the intermediate transplant program. Mr. Bushek indicated another proposal to conduct a pilot scale project to study revitalizing production on leases using aquaculture methods that involve cages on a large scale, which was to start October 1, 2016. The project would study how to make leases that are currently occupied productive in methods that are similar to intertidal aquaculture, but using large scale cages in subtidal aquaculture. Further discussion ensued.

Councilman Malinowski motioned to adjourn the meeting. Councilman Hollinger seconded the motion.

Adjourn	@	7:10 PM
The next meeting of the Council will be tentatively held on: October 4, 2016		