

***SPECIAL MEETING OF THE
NEW JERSEY SHELLFISHERIES COUNCIL
- DELAWARE BAY SECTION -***

MINUTES OF FEBRUARY 18, 2008

NJDEP, Division of Fish and Wildlife
Bureau of Shellfisheries
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ADVISORY COUNCIL

Warren Hollinger, Chair, Cumberland Co.
Scott Bailey, Cumberland Co.
Stephen Fleetwood, Cumberland Co.

STATE REPRESENTATIVES

James W. Joseph, Shellfisheries
Russell Babb, Shellfisheries
Craig Tomlin, Shellfisheries

HASKIN SHELLFISH LABORATORY

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

Mr. Hollinger called the meeting to order.

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 January 24, 2008 pursuant to L. 1975 c. 231.

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

1. 2008 Stock Assessment Update

Eric Powell informed the Council that both the Stock Assessment Report and the Executive Summary (111 and 16 pages, respectively) were completed and would be made available to the Council. Dr. Powell explained the findings of the Stock Assessment Review Committee (SARC). The most significant finding was that the abundance in the Bay is low and decreasing on all beds except Shellrock. This increase could be attributed to shell planting in 2005 and 2006. Abundance remains low due to low recruitment for the last seven years and an increase in Dermo. Dermo was at an "epizootic level" during 2007 (the Bay lost nearly twenty percent of its oysters this past year). Spawning stock biomass was increasing on Shellrock and on the low mortality beds but was decreasing in the two bed areas that have supported the main part of the fishery (Ship John & Cohansey). This year's recruitment event was later than normal (late September through early to mid October) and larger than the past seven years and could have a positive effect on abundance. The ratio of spat to adult was in the vicinity of two spat per adult. The size frequency distribution remained skewed towards the larger, older animals. Dermo infection increased Bay-wide. The increase in biomass on Shellrock was largely due to the shell planting program that began in 2005. It was suggested that the Council write letters thanking the Senators and Congressmen for their continued support of the shell planting program. The situation with the medium mortality Bay region was of concern and the management advice from the SARC urged for a conservative use of those beds. The SARC recommended that the Council need not be as conservative with the high mortality beds (due to the potential for high recruitment and the ability to plant shell). The SARC recommended that the Council use either the 40th, 50th, or 60th exploitation percentile for the high mortality beds as well as for Shellrock. The SARC urged the Council to use caution on the lower-medium mortality beds. The SARC recommendation had been to not exceed the 50th exploitation percentile; the SARC urged for the use of the 40th percentile.

2. Intermediate Transplant

It was recommended that the lower percentile exploitation rate be used on the upper-medium beds while all the exploitation rates could be used on the low mortality beds without concern. The SARC recommended that the upper-medium mortality beds and the low-mortality beds be used as source beds for the intermediate transplant program. Given the uncertainty over funding of the shell planting program, it had been suggested that a fiscally conservative approach be used with the monies in the Oyster Resource Development Account (ORDA). A lengthy conversation ensued. Councilman Fleetwood stated that during the SAW it was proposed that a 10,000-bushel limit be implemented for both transplants. Eric Powell stated that the SARC recommended that the transplant from Middle and Upper Middle seed beds be planted below Shellrock and that the transplant from the low mortality region be planted on Ship John and Cohansey. A lengthy conversation ensued. Chairman Hollinger brought up the issue of a transplant from Hope Creek. Dr. Powell stated that the Hope Creek transplant should not be conducted until the full survey had been completed. A lengthy conversation ensued.

3. Direct Market Allocations and Intermediate Transplant Motions

Councilman Fleetwood motioned that there should be an intermediate transplant not to exceed ten workable days in a three week period. It would commence on June 16, 2008. This transplant would not exceed the 50th percentile exploitation rate for both the upper-medium and low mortality beds. Chairman Hollinger seconded the motion. Mr. Joseph stated that those transplants would be planted in the manner suggested by the SARC, low mortality to Ship John/Cohansey, with a 30-day closure and upper-medium mortality to Bennies and Bennies Sand. **Councilman Fleetwood made a motion for the direct market program to harvest no more than the 60th percentile from the high mortality beds, 60th percentile from Shellrock and the 50th percentile from the medium mortality beds, making the industry total allowable catch 76,106 bushels. Councilman Bailey seconded the motion.** The Council discussed the number of tags needed for the 2008 season. The

direct market season would commence on Monday April 7, 2008; harvest would be suspended for a two-week period (proactively closed to avoid any potential problems with the bacterium *Vibrio parahaemolyticus*) from June 16 through June 27, 2008. The harvest season would close on Friday, November 14, 2008. The sign-up period for those interested in participating would be March 3 through March 13, 2008. Tag purchasing provisions set the final date to purchase tags as Thursday, July 10, 2008 (a minimum of 600 tags). A minimum of 200 tags shall be purchased during each tag transaction unless a lesser number is needed to fulfill a quota. It was suggested by Chairman Hollinger that a Bureau of Law Enforcement staff member be present at the next Council meeting to discuss tagging issues. Councilman Fleetwood suggested that the per bushel fee for transplanted bushels be increased. **Chairman Hollinger made a motion to increase the transplant fee to \$2.50 per bushel. Councilman Bailey seconded the motion.** Councilman Fleetwood stated that this fee increase might not be enough money due to increased fuel costs. Mr. Babb reminded the Council that the State of New Jersey has a \$29,000 direct purchase authority cap with any single entity during a fiscal year. At that per bushel rate, a single vendor would only be permitted to transplant up to approximately 11,000 bushels.

4. State Line Item for Rutgers Fall Random Survey

Dr. Powell stated that the line item used by Rutgers stock assessment survey has been set at \$95,000 since 1998. He reminded the Council that they had written President McCormick requesting an additional \$21,000 annually. It was noted that while he responded to the Council's letter, he did not address the funding level. Dr. Powell suggested that the Council communicate with Assemblyman Fisher in an effort to address the requested \$21,000 increase to Rutgers' budget.

5. Consolidation Proposal

Chairman Hollinger asked about the status of the consolidation regulation proposal. Mr. Babb stated that, time permitting, Bureau staff would continue to work on the impact section(s).

6. Adjournment

Chairman Hollinger made motion to adjourn. Councilman Bailey seconded the motion.

The next meeting of the Delaware Bay Section of the New Jersey Shellfisheries Council would be held on Tuesday, March 4, 2008 at 6 pm in the library of the Haskin Shellfish Research Laboratory, Port Norris, New Jersey.