

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

Nacote Creek Law Enforcement
Port Republic, NJ
September 21, 2009

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

Absent was: Vice Chairman Walter Hughes (Monmouth County)

State Representatives: Jeffrey C. Normant, Bureau of Shellfisheries
Michael Celestino, Bureau of Shellfisheries
Gustavo Calvo, Bureau of Shellfisheries

Mr. Maxwell 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 collected for July 2009: \$1,629.25
Shellfisheries Law Enforcement Fund: \$992.00

Total Revenue collected for August 2009: \$810.65
Shellfisheries Law Enforcement Fund: \$374.00

2. July 20, 2009 Minutes

The minutes of the July 20, 2009 meeting were approved on a motion made by Mr. Johnson and seconded by Mr. Maxwell.

3. Applications for New Ground: Consideration

<u>APPLICANT</u>	<u>LOT #</u>	<u>SECTION</u>	<u>ACRES</u>	<u>LOCATION</u>	<u>MAP#</u>
Joseph M. Brooke	1064	A	2.00	Great Sound	5
John P. Burke	1091	A	2.00	Great Sound	5
Thomas Daffin	1065	A	2.00	Great Sound	5
Edward Gaine	1090	A	2.00	Great Sound	5
Gregory Gates	2237.2	B	1.21	Dry Bay	24.2
Eric Parker	1052	A	2.00	Great Sound	5
James Parker	1068	A	2.00	Great Sound	5
Michael T. Snyder	2746	B	1.40	Shelter Island	28
Rosely Snyder	2571	B	2.00	Scull Bay	27

Mr. Normant provided the Council with copies of the lease applications and biological reports. For reference, Mr. Normant indicated that the Shelter Island lease application under consideration was a parcel vacated about a year ago. The applicants present at the meeting were Messrs. Joseph Brooke, Gregory Gates, Eric Parker, James Parker, Michael Snyder and Ms. Rosely Snyder. The applicants not present at the meeting were Messrs. John Burke, Thomas Daffin and Edward Gaine. Pursuant to leasing regulations, applicants must attend one of two meetings at which the Council would review their applications. A decision on the applications would be rendered at the next meeting.

4. Applications for New Ground: Decision

<u>APPLICANT</u>	<u>LOT #</u>	<u>SECTION</u>	<u>ACRES</u>	<u>LOCATION</u>	<u>MAP#</u>
John Aubin	11	D	2.00	Swan Point	

Mr. Normant noted that Mr. Aubin was present at the last meeting and at this meeting. Mr. Aubin's lease application was approved on a motion by Mr. Johnson and a second by Mr. Maxwell.

5. Old Business

Middle Island Thorofare Leases

Mr. Timothy Hewitt inquired on the status of Middle Island Channel lease survey investigations. Mr. Normant stated that weather permitting, the field sampling should be completed this week. Mr. Normant explained that unfavorable weather, along with mechanical problems with the vessel R/V Jennings, had delayed sampling. Mr. Maxwell inquired if the survey results would be available by the meeting on October 19, 2009. Mr. Normant replied that the Bureau would be working on the results of the survey upon completion of the sampling and the final report would have to be reviewed by the Assistant Commissioner's Office before Council could consider the lease applications.

6. New Business

Atlantic Coast Oyster Harvest Season (Great Bay/Mullica River)

Mr. Normant indicated that the Bureau had sampled the oyster beds at the mouth of the Mullica River and the results indicated that bed conditions could support a limited harvest. Mr. Normant proposed a six-day harvest season beginning on Monday, November 9, 2009 and ending on Saturday, November 14, 2009. Mr. Normant stated that the harvest would be limited to the Fitney Bit and Oyster Bed Point area. Mr. Normant explained that no harvest would be allowed from the Reef Bed. Since the 2006 Reef Bed planting was funded through a grant from NOAA's Fish America Foundation, there was a stipulation in the grant that required the bed to be closed to harvest for a period of five years. Mr. Johnson made a motion to open the area of Fitney Bit and Oyster Bed Point for oyster harvest from November 9, 2009 through November 14, 2009. Mr. Maxwell seconded the motion. The motion was approved by Council.

Bureaus of Law Enforcement and Shellfisheries Dedicated Funds

Mr. Flimlin inquired on the recent news article in The Press of Atlantic City involving the loss of \$850,000 in marine enforcement funds. Mr. Normant confirmed that \$850,000 had been re-directed from the Bureau of Law Enforcement and the Bureau of Shellfisheries dedicated accounts to cover budget short falls within the State General Fund. Mr. Flimlin asked if some of the funds that were re-directed came from the Shellfisheries Law Enforcement Fund. Mr. Normant replied he was not certain which of enforcement funds were re-directed. Mr. Flimlin asked if there was any money taken from the Shellfish Habitat Mitigation Fund. Mr. Normant confirmed that monies were taken from the Shellfish Habitat Mitigation Fund. Mr. Johnson requested information on which Bureau of Law Enforcement and Bureau of Shellfisheries accounts that had funds re-directed by Treasury to the General Fund and the amount of monies taken from those accounts for the next Council meeting. Mr. Normant stated that a meeting of the Executive Committee of the NJ Marine Fisheries Council was going to be held Wednesday, September 23, 2009 to discuss this issue and that the Marine Fisheries Council was going to send a letter to the NJ Department of Treasury requesting the funds that were re-directed be restored to the appropriate accounts.

Aquaculture Advisory Council

Mr. Joseph Myers of NJDA reported that the next meeting of the Aquaculture Advisory Council (AAC) scheduled for October 9, 2009 was likely to be cancelled since there were no pressing issues at this time.

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

7. Date, time and place of next meeting:

DATE: October 19, 2009
TIME: 7:00 PM
LOCATION: Nacote Creek Law Enforcement Office
360 N. Rt. 9
Port Republic, NJ 08241