

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

Nacote Creek Law Enforcement
Port Republic, NJ
August 17, 2015

Present were: Chairman: Walter L. Johnson III (Ocean County)
Vice Chairman: John Maxwell (Atlantic County)
Councilman: *Vacant* (Burlington County)
Councilman: *Vacant* (Cape May County)

Absent was: Councilman: Walter Hughes (Monmouth County)

DEP Representative: Russell Babb, Bureau of Shellfisheries

Mr. Babb read the State's compliance with the Sunshine Law and announced that the meeting would be recorded. Notice was filed with the Secretary of State Office and newspapers designated by the Department.

1. Total Revenue for July 2015 \$ 951.00
Shellfisheries Law Enforcement Fund \$ 808.00
2. Presentation of July 20, 2015 minutes for approval.

The minutes of the July 20, 2015 meeting were presented for consideration and approved on a motion by Mr. Maxwell, which was seconded by Mr. Johnson.

3. Applications for Transfer

LESSEE	APPLICANT	LOT #	SECTION	ACRES	LOCATION	MAP #
Michael Snyder	Jonathan Wade	303	A	2.00	Stites Sound	6
Michael Snyder	Jonathan Wade	306	A	2.00	Stites Sound	6
William Barnish	William M. Mayer	2018	B	1.47	Obes Thorofare	3

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

4. Applications for Decision

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Scott Lennox	869	B	1.53	Rose Cove Creek	
Thomas E. Glenn	1017	A	2.00	Great Sound	5
Paul Felder	1018	A	2.00	Great Sound	5
John Daffin	1019	A	2.00	Great Sound	5
Gary Williams	1020	A	2.00	Great Sound	5
Gary Courtney	1435	B	2.00	Middle Is.	6.1
Brent Buzby	1436	B	2.00	Middle Is.	6.1
Peter McCarthy	1437	B	2.00	Middle Is.	6.1
Michael McCarthy	1438	B	2.00	Middle Is.	6.1
Dale S. Parsons	1439	B	2.00	Middle Is.	6.1
Thomas Marks	1440	B	2.00	Middle Is.	6.1
Joseph Topping	1441	B	2.00	Middle Is.	6.1
Steve Baugh	1442	B	2.00	Middle Is.	6.1

Messrs. Buzby and Marks were present at this meeting. Messrs. Lennox, Glenn, Felder, Daffin, Williams, Courtney, P. McCarthy, M. McCarthy, Parsons, Topping and Baugh were present at the prior meeting.

The lease applications were unanimously approved on a motion by Mr. Maxwell and a second by Mr. Johnson. Mr. Babb stated that the applicants had 30 days to sign their lease agreements.

5. Old Business:

Hydrographic Survey

Mr. Babb stated that the hydrographic surveys for shellfish leases in Great Sound were completed. Mr. Babb discussed that a Bureau staff member who has been instrumental in conducting the hydrographic surveys might be leaving, which could affect hydrographic surveys being conducted in the near future.

Proposed Traditional Lease Area (Barnegat Bay)

Mr. Lennox inquired when he could apply for a lease in Barnegat Bay. Mr. Babb stated that leases would be available after the biological survey and layout for the proposed lease area were completed and approved by the Council.

Atlantic Coast Leasing Policy

Mr. Daffin inquired about the status of the April 9, 2015, temporary suspension of new shellfish lease applications. Mr. Babb discussed that the Council's Leasing Committees "Policy Subcommittee" would reconvene in October 2015. Mr. Babb stated that the shellfish aquaculture regulatory and policy development were considered one of the Bureau's highest priorities last spring. Mr. Babb discussed that when the red knot became listed as threatened with the US Fish and Wildlife Service (USFWS) the Bureau's priorities were forced to shift. If USFWS finds the Bureau, the ADZ permit holder, noncompliant, they could potentially shut down the entire ADZ next year. Mr. Babb discussed the main concern being addressed was disturbance to red knots. The Bureau was essentially in negotiations with USFWS to determine access conditions for shellfish structural aquaculture leases in the Delaware Bay.

Mr. Parsons inquired about data that has been collected with regards to red knots and shellfish structural aquaculture. Mr. Babb stated that most of the data has been gathered from the Endangered and Nongame Species Program (ENSP). Mr. Babb discussed that other entities, including Rutgers University, were reviewing the data as well. Mr. Babb stated that the Bureau and ENSP contributed \$30,000 to a monitoring study that was conducted in 2015 by an independent group.

A Council meeting attendee inquired if there was a way to streamline the permitting process to allow individuals to apply for permits before obtaining a specific shellfish lease. Mr. Babb stated that since the required permits are tied to a specific lease, an applicant would have to have a lease in order to apply for permits, which in this case, would not be possible until the moratorium for shellfish leases was lifted. Mr. Babb stated that the Bureau would strive to present the draft policy document by February 2016. The main tenets and objectives have been largely agreed upon by the Council's Leasing Committees "Policy Subcommittee". Mr. Babb discussed that when the draft was finalized, the document would be sent back to the full Committee and ultimately to the Shellfisheries Council for their input. Mr. Babb stated that the policy document would also be reviewed internally by the Department. Once the Leasing Policy was approved by Council, the lease application suspension would be lifted. This document would provide a clear direction and predictability for shellfish aquaculturists who wish to acquire shellfish leases. Mr. Maxwell stated that the Leasing Policy should be completed sometime early next year to allow individuals to obtain a lease in 2016.

Mr. Johnson inquired if Mr. Daffin would be interested in attending the Council's Leasing Committees "Policy Subcommittee" meetings. Mr. Daffin stated he would like to participate.

6. New Business:

Draft Administrative Guidelines for NJ Shellfisheries Council

Mr. Babb asked the Council members to review the draft Administrative Guidelines for NJ Shellfisheries Council document. Mr. Johnson requested that a copy of the document be mailed to Mr. Hughes.

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

7. Date, time and place of next meeting:
DATE: September 21, 2015
TIME: 7 PM
LOCATION: Law Enforcement Office
360 New York Rd. Rte. 9
Port Republic, NJ 08241