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

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| Meeting Name | Monthly Meeting of NJ Shellfisheries Council - Delaware Bay Section | | |
| Meeting Date | Tuesday, January 3, 2017 | | |
| 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. | | |
| Richard Malinowski, Salem Co. | | |
| Cape May / Salem Co. – Vacant | | |

Compliance with the Sunshine Law

Notice of this meeting was posted November 14, 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.

Meeting minutes considered for approval

September 2016
November 2016

Councilman Malinowski motioned to approve the September 2016 minutes. Councilman Hollinger seconded the motion. All agreed to table the November 2016 minutes until the next meeting.

Revenue collected for October totaled \$5,849.00 and is summarized as follows:

| License Type | Total | License Type | Total |
|---------------------|--------------|-----------------------|--------------|
| Commercial Crab Pot | \$600.00 | Commercial Shellfish | \$200.00 |
| Nets | \$989.00 | DB Dredge & AC Dredge | \$300.00 |
| Application Fees | \$62.00 | Lease Fees | \$550.00 |
| Menhaden | \$312.00 | Oyster Tags | \$2,532.00 |
| Tonging Tags | \$300.00 | Map Sales | \$4.00 |

Revenue collected for November totaled \$31,517.60 and is summarized as follows:

| License Type | Total | License Type | Total |
|---------------------|------------|-----------------------|-------------|
| Commercial Crab Pot | \$800.00 | Commercial Shellfish | \$500.00 |
| Nets | \$1,509.00 | DB Dredge & AC Dredge | \$700.00 |
| Application Fees | \$78.00 | Lease Fees | \$10,265.02 |
| Menhaden | \$362.00 | Oyster Tags | \$14,417.58 |
| Tonging Tags | \$1,400.00 | Dredge Boat Renewal | \$1,188.00 |
| Dealer/Shucking Hs | 300.00 | | |

Revenue collected for December totaled \$35,859.66 and is summarized as follows:

| License Type | Total | License Type | Total |
|---------------------|------------|-----------------------|------------|
| Commercial Crab Pot | \$5,000.00 | Commercial Shellfish | \$650.00 |
| Nets | \$8,945.00 | DB Dredge & AC Dredge | \$6,900.00 |
| Application Fees | \$424.00 | Lease Fees | \$7,947.24 |
| Menhaden | \$674.00 | Dealer/Shucking House | \$500.00 |
| Oyster/Tonging Tags | \$3,553.42 | Dredge Boat Renewal | \$1,266.00 |

Oyster Resource Development Account (082):

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| 1/3/2017 | | |
| Unexpended | \$857,656.96 | Budget authority less expenditures (<i>total spendable dollars currently in account</i>) |

Old Business

Annual Elections of Chairman

Councilman Fleetwood motioned for Councilman Hollinger to be Chairman. Councilman Malinowski seconded the motion. Councilman Malinowski motioned for Councilman Fleetwood to be Vice Chairman. Councilman Hollinger seconded the motion. All were in favor.

Leased Grounds – Motion to Approve the Leased Ground Extensions

Councilman Fleetwood motioned to approve the leased ground extensions. Councilman Malinowski seconded the motion. All were in favor.

Council Appointments to the Stock Assessment Review Committee (SARC)

Mr. Babb briefly reviewed some policy and procedures for the Council choosing representatives for the SARC. He recommended the Council review the policies at this meeting for revision as necessary. Mr. Babb reminded the Council there are two seats on the SARC available to the industry, a Council specific seat and an industry at large seat. A few policies he put forth for review state that new representatives must be appointed every two years, notices must be sent to all oyster dredge boat license holders asking if they wish to participate, and representative seats must be filled by the November Council meeting of the previous year. Mr. Babb suggested having the two year appointments better match the rest of the SARC seat terms of every three years, and pushing the November meeting deadline for filling SARC seats until the January Council meeting since there are sometimes no November meetings and usually no December meetings. The Council agreed to change the SARC seat terms from every two to every three years. The policy for notifying all oyster dredge boat license holders was to be changed to have the Council notify the Bureau of Shellfisheries to send a letter to all license holders in any given year. Through discussion, it was agreed that Councilman Fleetwood would sit on the SARC making this his third year, and the industry seat was yet to be filled. *Further discussion ensued.*

Mr. Babb stated the Stock Assessment Workshop was scheduled to be February 14 – 15, 2017. Through discussion, it was decided that the SAW report would be done by February 28, 2017 to enable the Bureau to start the tag orders, and have the numbers ready for the Council meeting following the SAW.

Leasing Committee

Mr. Babb continued the meeting reminding the Council that the Leasing Committee must be reestablished to hold a meeting within the next few weeks to create a rule proposal for aquaculture leases in Delaware Bay that are similar to the Atlantic coast rules. So far the Committee consisted of Councilman Hollinger, Councilman Fleetwood, Ned Gaine, Bobby Robbins, and Brian Harman. *Further discussion ensued.*

Red Knot Management Update

Mr. Babb reported that the formation of the stakeholder committee was completed by the agency work group. The stakeholder committee consists of 12 seats. Some paperwork such as resume submission still had to be completed, but the seats were essentially finalized. Mr. Babb informed the Council that the agency work group would have a conference call the following day. They were to schedule a conference call for the stakeholder committee. The intentions of the stakeholder committee's conference call were to get the committee suggestions on whether a science advisory group would be formed, and if so would any of the stakeholders rather be on the science advisory group. *Further discussion ensued.* Through a lengthy discussion, the Council decided they will send an email via the Bureau to the agency work group expressing concerns of the late formation of the Committee. They will also look for some reassurance that no changes would be made to the programmatic biological opinion for 2017, and any significant changes in subsequent years would be made by January.

Letter from Council

Mr. Babb reviewed with the Council the letter they had sent to Melissa Danko, Executive Director of the Marine Trades Association of NJ, as well as Senator VanDrew, Assemblyman Andrzejczak, and Assemblyman Land regarding a request for assistance in having Nantuxent Creek channel dredged. The letter resulted in letters of support coming from the legislatures to the Marine Trades Association. Councilman Hollinger said that following the letter, he received an email from Kim Wood, Cedarville Deputy Administrator/Deputy Clerk to the Board about what they could do for the Council. He responded with the Council's needs for the project, and that the NJ DOT required an economic analysis of why the Nantuxent channel needs to be dredged. Councilman Hollinger asked if the Board could fund the analysis, to which he received response that they would check with the Cumberland County Improvement Authority (CCIA) and the South Jersey Economic Development District. Mr. Babb asked if this was just for Nantuxent creek, or if it included Maurice River since the Maurice River is already going through the same process. Councilman Hollinger responded that the request was just for Nantuxent, and that the CCIA was in charge of the Maurice River project. Councilman Hollinger said he was waiting to hear back from Ms. Wood to see if any funding sources were found. *Further discussion ensued.*

New Business

Dermo Report

Mr. Bushek updated the Council on the 2016 season. He reported that dermo levels were slightly higher than average, but not outrageous. Water temperatures stayed warmer for longer during the season, and were also above the average temperature. He informed that we would want to see the cold weather push the temperatures down, and more snow fall events to occur for a larger fresh water influx during the spring to lower dermo levels. Mr. Bushek noted that there were a couple good previous seasons that yielded low dermo levels, and levels are now back up to being average or a little above average. Councilman Hollinger asked if there had been any mortality evident. Mr. Bushek responded that mortalities had been a little higher than average, but not bad. Councilman Malinowski asked what size boxes they were finding. Mr. Bushek said they were usually close to market size and a little above. *Further discussion ensued.* Councilman Hollinger asked if there was a good set from last year, and Ms. Alcox responded by saying the data was still being processed but it appears Nantuxent had the best set. *Further discussion ensued.*

Shell Rock Resurvey

Councilman Hollinger asked how the resurvey went. Ms. Alcox replied that all the data is still preliminary, but it appears that they found oysters in areas that did not have oysters based on their records. They were also looking at any potential effects that shell planting projects may have on the oysters. *Further discussion ensued.*

Vibrio Case

Councilman Fleetwood mentioned the Vibrio case that Gary Wolf had brought to everyone's attention at the previous meeting. He complimented the State, Gary Wolf, and Bob Schuster for looking into the Vibrio case and providing ample information showing the case cannot be caused by NJ's fishery. Councilman Fleetwood said he went to Atlanta, GA to the last Interstate Shellfish Sanitation Conference

and presented the information disproving the Vibrio case. He said he was surprised that the status of the State's report was that NJ had a Vibrio case in 2016. He inquired about it, and said the case was thrown out until it was further inspected. He said he was glad someone was present to see the issue that could affect the industry. Councilman Fleetwood noted that the next ISSC meeting would be in Myrtle Beach, SC next Fall, and that the more representation from NJ the better. *Further discussion ensued.*

Division Employee Reorganization

Councilman Hollinger mentioned that David Chanda is no longer the Director of the Division, and is now a special advisor to the Assistant Commissioner. He continued saying that the former Assistant Director, Larry Herrightly, is now the Director, and Dave Golden took his place as Assistant Director.

Atlantic Cape Community College (ACCC) Unmanned Aerial Vehicle (UAV) Use Request

Ned Gaine distributed aerial photos to the Council of the ADZ in Delaware Bay captured by way of a UAV, or drone. He explained that ACCC has been recognized as a NJ qualified college to do licensed drone use on research areas. The FAA only permitted some states to use them for enforcement and research. Since the college had the license, he had been pushing to have oysters listed as one of their research opportunities. He was able to get them out on a test run to show what could be done with this drone application. In order for ACCC to continue research, they require permission from the land owner, the State, to use the drones over the leased area. Since the Council is essentially the landlord for the State through leasing the bottom, Mr. Gaine asked the Council on behalf of ACCC if they could use drones from Bidwell's Creek to Green Creek to continue research that would benefit the Bureau and businesses in the industry including mud cover evaluation; shoal, slough, and sandbar movement; and area utilization to name a few. *Further discussion ensued.* **Councilman Hollinger made a motion to allow ACCC to fly drones over the Bidwell's Creek to Green Creek. Councilman Malinowski seconded the motion.**

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

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| Adjourn | @ | 8:55 PM |
| The next meeting of the Council will be tentatively held on: March 7, 2017 | | |