

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

Nacote Creek Law Enforcement
Port Republic, NJ
February 12, 2018

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

Absent were: Councilman: Walter Hughes (Monmouth County)

DEP Representatives: Jeffrey Normant, Bureau of Shellfisheries
Kira Dacanay, Bureau of Shellfisheries
Lloyd Lomelino, Bureau of Shellfisheries
Robert Schuster, Marine Water Monitoring
Brett Nicklow, Marine Law Enforcement

Mr. Normant 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 January 2018: \$ 6,822.87
Shellfisheries Law Enforcement Fund \$ 2,149.00
2. Presentation of January 8, 2018 minutes for approval.

The January 8, 2018 meeting minutes were presented for consideration and approved on a motion by Mr. Johnson and seconded by Mr. Maxwell.

3. Applications for Transfer

LESSEE	APPLICANT	LOT #	SECTION	ACRES	LOCATION	MAP #
Rellie Prickett	Leonard Prickett	302	A	1.97	Stites Sound	6
Rellie Prickett	Leonard Prickett	305	A	2.04	Stites Sound	6
George Mathis & Raymond Crema	Raymond Crema	2205	B	7.08	Dry Bay	24.2
George Mathis & Raymond Crema	Raymond Crema	2227.1	B	3.06	Dry Bay	24.2
Raymond Knott III	W. Scott Card, Jr.	19	D	2.00	BB-Swan Pt.	1

Without discussion all applications for transfer were approved on a motion by Mr. Johnson and seconded by Mr. Maxwell.

4. Applications for Consideration

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Elyssa L. Glenn	1099	A	2.06	Great Sound	5
Sky Glenn	1029	A	2.14	Great Sound	5
Amber Glenn	2550	B	1.81	Scull Bay	27
Douglas Rohmeyer	8	D	2.00	Swan Pt.	1
Casey Pesce	10	D	2.00	Swan Pt.	1

Mr. Normant provided the Council with copies of the above lease application. Mr. Rohmeyer was present at the meeting. Mses. E. Glenn, S. Glenn, A. Glenn, and Mr. Pesce were absent. Pursuant to N.J.A.C. 7.25-24.6, lease applicants shall attend at least one of the two council meetings at which the Council reviews their applications. If the applicant fails to attend at least one of the meetings at which the lease application was discussed, the application shall be cancelled.

5. Applications for Decision

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Aimee Sprague	398	B	2.17	G.B. Big Creek	10

Ms. Sprague was present at the meeting. The application was approved on a motion by Mr. Johnson and seconded by Mr. Maxwell. Mr. Normant informed Ms. Sprague she had 30 days to sign her lease agreement, and pay the lease fee.

6. Old Business:

Leasing Committee Policy Subcommittee

Mr. Normant informed the Council that there would be a Leasing Committee meeting in early March to discuss new lease proposals. Bureau staff will notify committee members when a date is confirmed.

Hard Clam Relay Program

The Bureau of Shellfisheries, Marine Law Enforcement, and Bureau of Marine Water Monitoring (BMWM) staff met on January 31st to discuss the Hard Clam Relay Program. Topics discussed included funding sources, enforcement constraints and industry participation. Mr. Johnson stated that the program was funded by a \$100,000 appropriation which was renewed each year. Mr. Johnson opined that the current rules of the program deters participation and believed the regulations require updating to make the program workable. Mr. Normant said he would continue to discuss with DEP staff.

2018 Vibrio Management Plan

Mr. Schuster informed the Council that the BMWM developed a draft for the 2018 Vibrio Management Plan (VMP). There were no changes to the time and temperature control requirement section of the plan. Mr. Schuster stated that the NJ Department of Health had requested that harvesters notify them of the

landing areas they are using for subtidal oyster aquaculture. Mr. Maxwell asked when the 2018 rules would go into effect. Mr. Schuster stated the BMWB had initiated discussion with industry members to update the VMP but nothing would get approved until the rule is opened for changes. Mr. Maxwell inquired about the protocol relating to harvesting wild oysters with respect to the VMP. Mr. Schuster stated that wild oyster harvesters were limited to the same time and temperature constraints as oysters harvested from leased areas in the VMP. Mr. Maxwell inquired about the implications of a Vibrio infection from the recreational harvest of wild oysters. Mr. Normant stated that the recreational harvest of oysters was for personal consumption only. Mr. Schuster added that the Vibrio Model Ordinance was geared towards the commercial sale of oysters, where the product was going to retail and Vibrio infections that occur by recreational harvest would not be held against the industry.

7. New Business:

Aquaculture Permits

Mr. Schuster stated that all aquaculture permits purchased in 2017 expired on December 31 and must be renewed for 2018.

Presentation of 2015 Hard Clam Stock Assessment of the Navesink and Shrewsbury Rivers

Ms. Dacanay provided the Council a presentation on the 2015 Hard Clam Stock Assessment of the Navesink and Shrewsbury Rivers. A copy of the full report can be found on the Bureau of Shellfisheries webpage at http://www.njfishandwildlife.com/pdf/marine/shellfish_assessment_nr-sr15.pdf.

Mr. Maxwell inquired on when the stock assessment for Great Bay would be completed. Ms. Dacanay was optimistic that all sampling would be finished by spring, and estimated the full report would be completed by fall 2019. Mr. Maxwell inquired about the frequency of the surveys going forward. Mr. Normant stated that the Bureau's objective was to continue the survey moving south towards Cape May. After the southern waterbodies were completed, the Bureau would restart the process in the northern waterbodies and work south. Ms. Dacanay estimated that each waterbody would get reassessed every 5-7-years.

Mr. Dale Parsons asked if sediment samples were collected during the survey. Ms. Dacanay informed him sediment samples were collected, but the data was omitted due to issues during analysis. Mr. Everett stated that subaqueous soils data were available through Natural Resource Conservation Service Soil Survey. Mr. John Schriever inquired if pH levels were recorded during the survey, and if shell ablation were observed. Ms. Dacanay informed him that water quality parameters including pH were collected during the survey and she didn't observe shell ablation at any station.

BOEM OCS Oil and Gas Drilling – 5 Year Plan – Offshore Wind

Ms. Dacanay informed the Council that the Trump Administration has begun the process of developing a new Outer Continental Shelf Oil and Gas Leasing Program (National OCS Program) to replace the current 2017–2022 Program. The 2019-2024 Offshore Oil and Gas Development Plan for the outer continental shelf discusses the viability of the OCS Oil and Gas Leasing Program throughout the entire Atlantic Coast. A Request for Information, was published in the Federal Register on July 3, 2017, with a 45-day comment period that closed on August 17, 2017. The first of three proposals for 2019–2024, the Draft Proposed Program, was released on January 4, 2018. Comments on the DPP or Programmatic EIS should be submitted by March 9. A timeline of the development process can be found on BOEM's website. Both the Mid-Atlantic and New England Fisheries Management Councils have submitted

comment requesting the Mid-Atlantic and North Atlantic Planning Areas are removed from consideration in the development plan. Ms. Dacanay further stated the possibility of offshore wind development plans may be next from BOEM, and would follow the same comment process as the Oil and Gas Plan.

Aquaculture Gear on Lease

Mr. Parsons informed the Council that another lessee had accidentally placed gear on his shellfish lease at Cape Horn, Great Bay. He stated that he had discussed the situation with the owner of the gear in December to remove it from his lease. So far there has been no action, and the gear was still out on his lease. Mr. Maxwell informed him that he should discuss the issue with Marine Enforcement. Officer Nicklow stated that he would talk with his captain about the problem.

USDA National Agricultural Statistical Census

Mr. Ned Gaine stated that the USDA Agricultural Statistical Census, conducted every 5 years, was due in two weeks. The USDA estimated shellfish aquaculture industry's value at 12 million dollars. He informed the Council that the USDA's estimated values were calculated from prior census data which was extrapolated forward, and believed it was an underestimation.

Tidelands Council Nomination

Mr. Gaine informed the Council he was interested in becoming a member of the Tidelands Resource Council, and submitted a letter to this Council requesting a recommendation. Mr. Maxwell asked Mr. Gaine if he had additional support. Mr. Gaine stated he already had the backing of his County's board of agriculture and had scheduled a sit-down meeting with his district's Senator to discuss the matter. A motion was made by Mr. Johnson to have the Council draft and send a letter in support of Mr. Gaine's application to the Tidelands Resource Council.

Natural Resource Conservation Service Working Group Meeting

Mr. Evert informed the Council that the Natural Resource Conservation Service would be holding a working group meeting on March 22nd in Freehold to seek input from stakeholders on their future program efforts.

Derelict Fishing Gear Removal

Mr. Evert stated that he may be able to assist shellfish aquaculturists who have lost significant amounts of gear through a derelict fishing gear removal project. If anyone was interested, they could contact him for more information.

8. Date, time and place of next meeting:

DATE: March 19, 2018
TIME: 7 PM
LOCATION: Law Enforcement Office
360 New York Rd. Rte. 9
Port Republic, NJ 08241