

*Meeting of the*  
DELAWARE BAY SECTION of the NJ SHELL FISHERIES COUNCIL  
April 3, 2007

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ROLL CALL: Chairman Warren Hollinger  
Councilman Scott Bailey  
Councilman Stephen Fleetwood

STATE REPRESENTATIVES: James W. Joseph, Bureau of Shellfisheries  
Russell Babb, Bureau of Shellfisheries  
Jason Hearon, Bureau of Shellfisheries  
Craig Tomlin, Bureau of Shellfisheries  
Jeremy Trembley, Bureau of Law Enforcement  
Robert Connell, Bureau of Marine Water Monitoring

HASKIN SHELLFISH RESEARCH LAB: Dr. Eric Powell, Director  
Dr. John Kraeuter, Assoc. Director  
Dr. David Bushek, Research Professor

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*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 March 21, 2007 pursuant to L. 1975 c. 231.

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

The Council meeting minutes from July and November 2006 and February 2007 were presented for consideration. Due to inadequate review time a decision on those minutes will be held-over until the next meeting.

1. Revenue collected for March 2007, \$7,139.00. This revenue collected is itemized as follows:

<b>License Type</b>	<b>Total</b>	<b>License Type</b>	<b>Total</b>
Commercial Crab Pot License	1,500.00	Nets	3,897.00
Commercial Clam License	250.00	Atlantic Coast Crab Dredge	300.00
Recreational Clam License	210.00	Delaware Bay Crab Dredge	200.00
Non Resident Clam License	20.00	Tonger License	50.00
Juvenile Clam License	2.00	Application Fees	140.00
Dredge Boat License	570.00		

- Oyster Resource Development Account balance as of April 2, 2007: \$279,944.60 (uncommitted)

2. Vessel Transactions

For Council's information, John W. King Jr. transferred the oyster dredge vessel *Lindbergh* and oyster dredge vessel license No. 10 to Bivalve Packing Company, Incorporated.

For Council's information, John R. Bateman transferred the oyster dredge vessel *Brandy Lee Bateman* and oyster dredge vessel license No. 15 to Reeves Brothers, Shell Rock LLC.

3. Leased Ground Transactions

### 3.1 Application for New Ground

- Consideration - None
- Decision

Name: Charles Clark Sr.

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Note: Charles Clark Sr. was not in attendance at either meeting where this ground application had been considered. Consequently, his application for new ground was denied. Mr. Clark would be notified of the Council's decision.

## 4. Old Business

### 4.1 2007 Direct Market Program Update: Individual Quotas and Control Dates

Mr. Babb stated that a total of 76 oyster vessels had been signed up for the 2007 Direct Market Harvest Program. He reminded those in attendance that this level of participation resulted in a 1,040-bushel allocation per vessel. In accordance with the Council's February motion, Mr. Babb reminded those in attendance that the last day to buy their minimum tag requirement (i.e., 600 tags) would be July 16, 2007. Mr. Babb stated that the tags were available for purchase Monday through Friday.

### 4.2 Dermo Update

Mr. Bushek provided the Council with a Dermo monitoring update (report attached). He reported that disease prevalence remained high. However, he added that recorded water temperatures were at the lowest since 1999 (for this time of year). He stated that these below average water temperatures could be beneficial in holding down

Dermo levels during the spring and early summer.

#### 4.3 *Vibrio parahaemolyticus* Update

Mr. Connell gave a *Vibrio parahaemolyticus* update stating that he had attended a workshop that was held by the U.S. Food and Drug Administration (FDA) and Interstate Shellfish Sanitation Conference (ISSC). He stated that the workshop aimed to identify ways to reduce illness caused by the pathogenic form of *Vibrio parahaemolyticus*. Mr. Connell warned that if individual states did not have a plan in place to reduce illnesses caused by *Vibrio parahaemolyticus*, the FDA would issue a health advisory to avoid eating raw molluscan shellfish harvested from that state. He reported that the FDA would also be conducting market surveys, testing for *Vibrio parahaemolyticus*. If levels were found to be unacceptable, the FDA would have to stop harvest. A lengthy discussion ensued.

#### 4.4 Maurice River Tongers Bed

There was a general discussion regarding the transplant program for the tongers' bed at the mouth of the Maurice River. Mr. Babb and Mr. Hearon both expressed concern with the idea of taking more seed oysters from the Maurice River without first finalizing the ongoing survey. A lengthy discussion ensued regarding possible ways to augment oyster stocks in the tongers' area. Mr. Joseph stated that two boatloads of oysters could be taken from the seed beds and planted in the tongers' area. A lengthy discussion ensued regarding landing fees and a possible timetable for an adoption of the pending regulatory changes to N.J.A.C. 7:25A (oyster management regulations).

#### 4.5 Aquaculture Signage

The issue of aquaculture signage had been raised. Chairman Hollinger stated that the issue had been previously discussed without a decision. The objective of the signage program would be to inform the public of what shellfish aquaculture areas looked like and how to avoid them. He opined that that this was a more pressing problem on the Atlantic Coast, rather than Delaware Bay. At this time, the Council decided not to pursue signage in Delaware Bay.

#### 4.6 Aquaculture Development Zones (ADZs)

Mr. Joseph stated that the Department continued to work on a more detailed lease agreement for the potential Delaware Bay ADZs (4 total, 1 intertidal site at East Point, 2 subtidal sites and 1 intertidal site at Pierce's Point). has been a push to write new expanded lease documents that would allow the leasing of the 55acre area near East Point as well as the two deep-water sites in the bay. Then the issue of consolidation came up and conversation ensued.

#### 4.7 Nation Wide Permit (NWP)

Dr. Kraeuter stated that everyone involved in commercial aquaculture would be placed under the new NWP. He then stated that all persons involved in commercial aquaculture would need to submit a report to the Army Corps Of Engineers (ACOE). Lengthy conversation ensued by all. Mr. Joseph stated that a representative from the ACOE would be at the next Atlantic Coast Shellfisheries Council Meeting. Then it was suggested that the Council send a letter inviting a representative of the ACOE to the next Council meeting to explain the new NWP.

### 5. New Business

#### 5.1 Project PORTS

Lisa Calvo from the Haskins Shellfish Research Lab stated that she would like to inform the Council about project PORTS (Promoting Oyster Restoration Through School). She stated that this is a project for school children from kindergarten to 12<sup>th</sup> grade. She stated that PORTS would like to do a small-scale restoration project that involved planting 5000 bushel of shell and 500-1000shell bags. Mrs. Calvo also stated that the area would probably only be 1-2 acres off the fisheries grid and be closed for 5 years. Many concerns were addressed by Mrs. Calvo and the Bureau of Shellfisheries staff. Mr. Hearon stated that this project would be used to set a precedent for future

proposed projects. The Council decided that they would give the project there blessing.

## 5.2 Ethics Packet

Chairman Hollinger stated that the ethics packets are available for signature. He also report that the shell planting program received 2 million dollars. Chairman Hollinger then announced that the commercial crab pot licenses would be available for sale amongst individuals.

## 5.3 Landing Areas for Oysters

Mr. Stephen Crane asked what it would take to make Mad Horse Creek a landing site for oysters. Mr. Babb informed him that the way it was handled in the past was by sending a letter to enforcement to see if they would allow it. Mr. Crane was then given contact information for the proper authorities.

## 5.4 Adjournment

There was a motion to adjourn but the tape had inadvertently ended.

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The next meeting of the Delaware Bay Section of the New Jersey Shell Fisheries Council will be held on May 1, 2007 at 6:00 P.M. in the Haskin Shellfish Research Laboratory library.