

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

<b>Meeting Name</b>	Monthly Meeting of NJ Shellfisheries Council - Delaware Bay Section		
<b>Meeting Date</b>	January 8, 2013		
<b>Meeting Time</b>	6:00 PM		
<b>Venue</b>	Haskin Shellfish Research Laboratory	<b>City</b>	Bivalve, NJ
<b>Attendees</b>	General Public		

<b>Council</b>	<b>State Representatives</b>	<b>Haskin Research Lab</b>
Scott Bailey, Cumberland Co.	Jason Hearon, DFW Shellfisheries	David Bushek, Director
Steven Fleetwood, Cumberland Co.	Craig Tomlin, DFW Shellfisheries	
Warren Hollinger, Cumberland Co.	Joseph Myers, NJDA	
Richard Malinowski, Salem Co.	Tyler Hausamann, DFW Enforcement	
Cape May / Salem Co. – Vacant		

*Compliance with the Sunshine Law*

Notice of this meeting was posted December 20, 2012 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.

<b>Minutes</b>	
May 1, 2012	Presentation of Minutes
August 7, 2012	Presentation of Minutes
October 2, 2012	Presentation of Minutes

Minutes were presented for consideration; action was held-over to next meeting.

**Revenue collected for September totaled \$ 11,692.00:**

<b>License Type</b>	<b>Total</b>	<b>License Type</b>	<b>Total</b>
Commercial Crab Pot License	\$ 400.00	Net License	\$ 946.00
Application Fees	\$ 50.00	Oyster Tags	\$ 9,936.00
Commercial Shellfish License	\$ 150.00	Otter Trawl	\$ 100.00
Recreational Shellfish License	\$ 10.00	AC Crab Dredge	\$ 100.00

**Revenue collected for October totaled \$ 15,533.00:**

<b>License Type</b>	<b>Total</b>	<b>License Type</b>	<b>Total</b>
Commercial Crab Pot License	\$ 700.00	Oyster Tags	\$ 12,104.00
Delaware Bay Crab Dredge License	\$ 200.00	Net License	\$ 1,592.00
AC Crab Dredge License	\$ 300.00	Application Fees	\$ 50.00
Recreational Shellfish License	\$ 10.00	Lease Fees	\$ 345.00
Dredge Boat Renewal	\$ 30.00	Copy Fees	\$ 2.00
		Tonging Tags	\$ 200.00

**Revenue collected for November totaled \$ 10,199.50:**

<b>License Type</b>	<b>Total</b>	<b>License Type</b>	<b>Total</b>
Commercial Crab Pot License	\$ 400.00	Oyster Tags	\$ 1,368.00
Delaware Bay Crab Dredge License	\$ 500.00	Net License	\$ 1,861.00
Commercial Shellfish License	\$ 300.00	Application Fees	\$ 50.00
Assigned Fees	\$ 1,000.00	Lease Fees	\$ 2,826.50
AC Crab Dredge License	\$ 400.00	Misc Fee	\$ 4.00
Dredge Boat Renewal	\$ 88.00	Tonging Tags	\$ 1,400.00

**Revenue collected for December totaled \$ 40,498.75**

<b>License Type</b>	<b>Total</b>	<b>License Type</b>	<b>Total</b>
Commercial Crab Pot License	\$ 5,400.00	Lease Fees	\$ 13,791.75
Delaware Bay Crab Dredge License	\$ 3,800.00	Net License	\$ 8,021.00
Commercial Shellfish License	\$ 950.00	Application Fees	\$ 438.00
Recreational Shellfish License	\$ 10.00	Dealer/Shucker Lic	\$ 500.00
AC Crab Dredge License	\$ 3,800.00	Tonging Tags	\$ 1,300.00
Dredge Boat Renewal	\$ 2,488.00		

**Oyster Resource Development Account**

<i>January 7, 2013</i>		
<b>Unexpended</b>	\$573,278.09	Total dollars currently in account
<b>Expended</b>	\$ 0	Spent from account during FY'13
<b>Pre-encumbered</b>	\$ 0	Amount previously set-aside for preparation of term contracts (cancelled)
<b>Encumbered</b>	\$136,000.00	Amount obligated to vendors or planned services (e.g., contracting, transplants)
<b>Uncommitted</b>	\$437,278.09	Current free-balance (not obligated/encumbered to specific vendors, etc.)

**1. Old Business:**

*Annual Election of Chairman*

Mr. Fleetwood made a motion to elect Mr. Hollinger as Council Chairman for 2013. Mr. Bailey seconded the motion and the motion passed.

*Motion for Extension of 2013 Leased Grounds*

Mr. Fleetwood made a motion for the extension of the leases grounds for 2013. Mr. Malinowski seconded the motion and the motion passed.

*2012 Lease Non-Renewals*

Mr. Hearon informed the Council that there were no issues this year with non-renewals. He stated that all grounds were renewed.

*Reminder – 2013 Oyster Stock Assessment Workshop (February 11-13, 2013)*

Mr. Hearon reminded the Council that the 2013 Oyster Stock Assessment Workshop was scheduled for February 11<sup>th</sup> through the 13<sup>th</sup>. This was reaffirmed by Dr. Bushek who added that Mr. Patrick Banks (Louisiana), Mr. Steve Fegley (North Carolina), and Ms. Juli Harding (South Carolina) would be in attendance. Mr. Hollinger stated that this was the last year he or Mr. Riggan would attend the workshop during this three year rotation. He added that new attendees would be picked next year.

*Aquaculture Development Zone Update*

Mr. Tomlin presented the Council with recent photographs of the Aquaculture Development Zone. He stated that 10 of the 12 available shallow water leases were currently being leased and two leases were currently being offered to potential applicants. Mr. Tomlin added that there were about twelve people interested in leasing and that leases were being offered as they became available.

Mr. Tomlin informed the Council that no one had yet finalized an offshore lease (ADZ 2-3) although there had been a lot of interest. He added that Mr. Mark Zitter was in the process of finalizing an offshore lease and would become the first offshore leaseholder.

Mr. Tomlin updated the Council on the current percent usage of the Aquaculture Development Zone leases. He stated that lease 1 had approximately 75% coverage, lease 2 had 10% coverage and all other leases had 10% to 15% coverage. He added that all leases were currently employing only the rack and bag system. He reminded the Council that if the leasee actively utilized the lease for two years then the leasee would be the first person offered the corresponding offshore lease.

*Consolidations – Administrative Consent Order (ACO)*

Mr. Hearon reminded the Council that the ACOs were only good for two years from the original date that the ACO was filed, and that paperwork would be sent out to licensees notifying them that a renewal was necessary. Mr. Hearon reassured the Council that the consolidation progress was not “dead”, but that he had not had any update on where the regulatory update to the administrative code currently sat. Mr. Hearon stated that if the new regulation were to be enacted it would be more restrictive than the current regulations. Mr. Hearon said that the ACO was used to provide enough time for the new rules to go into regulation, but that no progress had been made toward that through the state regulatory system.

*Direct Market Harvest*

Mr. Tomlin reported that all but 700 bushels of the 2012 direct market quota had been harvested. Mr. Hearon added that all vessels that signed up, except one, had harvested.

**2. New Business:**

*Shellrock Issue*

Mr. Hearon stated that he had been approached by an industry member to see what affect the delay of Shellrock might have had on the beds, in an attempt to possibly not have the 2012 Shellrock opening replicated in future seasons. He reminded the Council that the opening of Shellrock had been delayed the previous season due to high *Vibrio* levels. Dr. Bushek informed the Council that the Shellrock and Cohansey beds experienced higher than normal mortality rates during 2012 season.

*State Law L. 2011, c.167*

Mr. Hearon reported that the Council has been and would continue to be in compliance with State Law L. 2011, c. 167, which requires the posting and maintenance of Council minutes on a website in a timely fashion.

*Senate Bill No. 2376*

Mr. Hearon informed the Council that the State Senate was currently entertaining a bill that would repeal P.L. 2008, c.1, which established a moratorium on the taking, landing, and possession of horseshoe crabs in the state. Further discussion ensued.

*Reaction to Superstorm Sandy*

Mr. Fleetwood felt that there was poor representation of state politicians and an overall lack of concern pertaining to Delaware Bay fisheries in the wake of Sandy. Dr. Bushek responded by saying that there was a meeting at the administration building in Cape May Courthouse and a second meeting at Cumberland County College. He stated that politicians were not aware that fisheries along the Atlantic coast were impacted prior to that meeting in Cape May Courthouse. Dr. Bushek then notified the Council that there was an upcoming meeting in Manahawkin concerning available aid resources.

Mr. Hearon added that Mr. Babb had been preparing an extensive proposal that included the Delaware Bay oyster fishery, but did not have any additional information on the proposal at the time. Dr. Bushek said that he had reported that the largest impact to the oyster fishery had been the closure due to water quality. Dr. Bushek also advised the Council that damage to boats, facilities, and roads should be reported.

Mr. Myers stated that he was preparing a report concerning the storm’s impact on aquaculture. He added that there had been a previously planned meeting about implementing the aquaculture plan update, which had taken place, with the addition of a discussion on emergency management.

Mr. Fleetwood added that there should be a meeting about future protocol concerning post emergency water quality testing. Further discussion ensued.

*Economic Development Administration (EDA) Grant*

Dr. Bushek reported that the EDA grant, in response to Hurricane Irene and Tropical Storm Lee, continued to stay in the review stage. He added that the council could contact Senator Frank Lautenberg's office in an attempt to expedite the process.

<b>Adjourn</b>	@ <b>6:42 PM</b>		
The next meeting of the Council will be tentatively held on:		<b>TBD</b> March 5, 2013	In the library of the Haskin Shellfish Laboratory