

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

Meeting Name	Monthly Meeting of NJ Shellfisheries Council - Delaware Bay Section		
Meeting Date	Tuesday, January 5, 2016		
Meeting Time	6:00 PM		
Venue	Haskin Shellfish Research Laboratory	City	Bivalve, NJ
Attendees	General Public		

* Not present

Council	State/Fed Representatives	Haskin Research Lab
Scott Bailey, Cumberland Co.	Russ Babb, DFW Shellfisheries	David Bushek, Director
Steven Fleetwood, Cumberland Co.	Craig Tomlin, DFW Shellfisheries	Kathy Alcox, Field Researcher
Warren Hollinger, Cumberland Co.	Andrew Hassall, DFW Shellfisheries	
Richard Malinowski, Salem Co.*	Tim Raker, DFW Law Enforcement	
Cape May / Salem Co. – Vacant		

Compliance with the Sunshine Law

Notice of this meeting was posted December 4, 2015 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:

October 6, 2015

Chairman Bailey made the motion to approve the minutes and Councilman Hollinger seconded the motion.

Revenue collected for October totaled \$10,406.50 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$ 200.00	Commercial Shellfish	\$ 0.00
Nets	\$ 739.00	Recreational Shellfish	\$ 0.00
Application Fees	\$ 30.00	Non-Resident Shellfish	\$ 0.00
Oyster Tags	\$8,436.00	Lease Fees	\$271.50
AC Crab Dredge	\$ 300.00	Tonging	\$300.00
DB Crab Dredge	\$ 100.00	Dredge Boat Renewal	\$ 30.00

Revenue collected for November totaled \$18,723.00 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$ 700.00	Commercial Shellfish	\$ 202.00
Nets	\$1,912.00	Recreational Shellfish	\$ 10.00
Application Fees	\$ 86.00	(2) Dealer & (1) Shucking House	\$ 300.00
AC Crab Dredge	\$ 900.00	Lease Fees	\$8,967.00
DB Crab Dredge	\$1,700.00	Tonging	\$2,400.00
Menhaden	\$ 154.00	Dredge Boat Renewal	\$1,188.00
Otter Trawl	\$ 204.00		

Revenue collected for December totaled \$34,340.76 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$5,500.00	Commercial Shellfish	\$1,750.00
Nets	\$7,512.00	Recreational Shellfish	\$ 10.00
Application Fees	\$ 431.00	Survey Fees	\$ 120.00
AC Crab Dredge	\$2,800.00	Lease Fees	\$7,897.76
DB Crab Dredge	\$2,700.00	Tonging	\$3,900.00
Menhaden	\$ 156.00	Dredge Boat Renewal	\$1,164.00
Dealer License	\$ 300.00	Oyster Planter	\$ 100.00

Oyster Resource Development Account:

Dec 30, 2015		
Unexpended	\$664,214.19	Budget authority less expenditures (<i>total spendable dollars currently in account</i>)
Expended	\$4,019.32	Total amount spent against the appropriation (<i>spent from account during FY'15</i>)
Pre-Encumbered	\$ 0.00	Total outstanding requisitions processed against the appropriation (<i>Amount previously set-aside for preparation of term contracts - since cancelled</i>)
Encumbered	\$3,980.68	Total outstanding purchase orders processed against the appropriation (<i>Amount obligated to vendors or planned services (e.g., contracting, transplants)</i>)
Uncommitted	\$660,233.51	Amount available for pre-encumbrance, encumbrance, or expenditure (<i>Current free-balance that is not obligated/encumbered to specific vendors, etc.</i>)

For Council's Information:

Lease Ground Transactions:

Louis Armand transferred the following leases totaling 95 acres to Jeffrey Moore on 11/12/15:

<u>Section</u>	<u>Lot #</u>
C	197
C	306
C	475
C	464
D	555

RCK Transport/Robert Kelleher transferred the following leases totaling 391 acres to Samuel & Charles Martin on 12/21/15:

<u>Section</u>	<u>Lot #</u>
E	8
E	23

For Council's Consideration: None

For Council's Decision: None

Oyster Dredge Boat Transactions:

Linda W #29 (15 GRT) transferred from Tim Reeves to Hillard Bloom, consolidated under CJ Peterson #60 (38 GRT).

Old Business:

Direct Market Harvest Program Closed - November 20, 2015

Mr. Tomlin informed those in attendance that 76 licenses on 20 Direct Market Harvest vessels harvested just over 87,000 bushels for the 2015 season with a catch per unit effort of approximately 97 bushels per vessel, per day. He elaborated by stating the total harvested bushels per region were approximately 29,000 bushels for Shell Rock, 30,000 bushels for the medium mortality region, and 27,000 bushels for the high mortality region.

Red Knot and Aquaculture Update

Mr. Babb gave a brief update on the red knot and aquaculture issue from the perspective of the Bureau of Shellfisheries. He informed the Council that the Bureau was continuing to work on the Biological Assessment (BA) with other agencies and were currently waiting for the Endangered and Nongame Species environmental baseline section as well as an effects analysis. Mr. Babb stated that a conference call was scheduled with the U.S. Fish and Wildlife Service to attempt to shorten the required submission timeline for the total review and permitting process. Mr. Babb explained that the assessment overall was significantly behind schedule, by as much as 6 weeks, but he added that the Bureau's intent was to submit the BA by January 15, 2016. Further discussion ensued.

Council Administrative Guidelines

Mr. Babb once again reminded the Council to send any comments and/or questions/concerns to him regarding the Administrative Guidelines that the Bureau developed in the late fall 2015. He stated that he would await further comments and if received would be placed into the document. Mr. Babb stated that he would like to get the document on the Council's docket for approval by the Spring.

Shellfish Growing Water Classification Rule (N.J.A.C. 7:12)

Mr. Babb reminded everyone about the 198 page rule proposal and he provided a web link to the new rule. He added that comments would be accepted through January 15. Mr. Babb said that since this is not the Bureau of Shellfisheries' rule, that any specific questions could be answered at a later time after inquiring to the rule writers (Bureau of Marine Water Monitoring). Further discussion ensued.

Amidst the discussion, Councilman Fleetwood made a motion to make a rule change to allow oyster harvest on leased grounds on Sundays. Councilman Hollinger seconded the motion. Further discussion ensued. Chairman Bailey recommended that the Council write a letter opposing the 18 year old age restriction for working on an aquaculture lease. Through further discussion and a suggestion by Mr. Babb, this letter was expanded to also include all concerns the Council found in the N.J.A.C. 7:12 rule proposal that they opposed. In addition, Councilman Fleetwood made a motion to send a letter to the rule writers to inform that the Council would not support any rules that exceed the requirements of the Interstate Shellfish Sanitation Conference Model Ordinance (ISSC MO) guidelines. Two letters would be sent regarding this rule: 1) general letter that Council opposed any exceedance of the ISSC MO and 2) more specific concerns regarding the rule. The Bureau requested that Councilman Hollinger be responsible for collating industry concerns and forwarding to the Bureau to draft letter.

Since the meeting was on the topic of Council correspondence, Mr. Babb informed the Council that he still had to complete the federal oyster support letter that would be sent out to the US Army Corps of Engineers. As requested at a previous meeting, Mr. Babb provided the Council with a draft letter on the staffing issue at the Bureau of Shellfisheries Delaware Bay Office. He asked that edits be forwarded to him as soon as possible. As requested, the letter covers the staffing issue at the Bureau, as well capturing the Council's concerns regarding the aquaculture development workload and how it will impact other Bureaus operations and existing programs. The Council stated that the Bureau either needs more people to deal with workload, or have the workload distributed elsewhere to other units.

Mr. Babb reminded the Council that there was a request for a representative from the Endangered and Nongame Species Advisory Committee (ENSAC) to attend one of the Council meetings. He then asked if there was a timing issue of when the Council would like a representative to attend, or if they would like to wait until the Biological Assessment of the red knot was completed. Mr. Babb continued by informing that, while at a recent meeting with Cape May County legislators, the officials and some of the conservation groups stated that they thought the zoning approach in the draft Conservation Measures (within the BA) was a decent compromise. This was not the position many thought the legislatures were taking based on the attention the topic had been receiving within the newspapers. Further discussion ensued. It was requested that a representative from ENSAC that authored the ENSAC "white paper" attend a future Council meeting to discuss and defend the paper, and discuss the role ENSAC and the Shellfish Council plays. Mr. Babb stated that this could occur at a meeting after the quota setting process (e.g., April/May).

Dermo Report Update

Mr. Bushek passed out the Dermo report that completed the season in November. He stated that it was a good year with low Dermo abundance, which could be seen in the survival of the oysters. Mr. Bushek said the complete workup and analysis would be presented at the Stock Assessment Workshop (SAW) on February 9 and 10, 2016. However, he added that warm winters are generally not good for the Dermo situation and the water temperature was 5 degrees F above normal for the time of year (at 45 degrees F). Further discussion ensued.

Ned Gainie reminded the Haskin Lab staff of his requests to have the Cape Shore sampled for Dermo and placed on the report by the Haskin Lab. He was told to bring it up at the SAW to see what can be done and Mr. Gainie said he would volunteer to bring oysters to the Lab to be sampled.

New Business:

Tonging Season

Mr. Tomlin announced that the tonging fishery was underway with harvests ranging from 1 to just over 10 bushels per boat, per day. He added that the tonging season had commenced on November 1, 2015 and the office had sold 150 tags in October, 1,350 tags in November and 1,950 tags in December. A question was posed concerning an instance of whether or not a location could be tonged. Mr. Tomlin offered to stay after the meeting to explain the circumstance. It was also requested that a representative of the Bureau of Marine Water Monitoring (BMWM) attend a meeting to address the sampling updates for looking into moving the Tongers Line within the Maurice River Cove. It was explained that the process was in year 2 of a required 3 years for sampling. Mr. Babb informed that the BMWM would be putting data together to present at a future meeting. It was suggested that a meeting following the quota process would make sense. Further discussion ensued.

Annual Election of Chairman

Councilman Hollinger made a motion that Councilman Bailey remains Chairman of the Council. Councilman Bailey seconded the motion. Councilman Fleetwood made a second motion for Councilman Hollinger to remain as the Vice Chairman. Councilman Bailey seconded the motion.

Motion for Extension of 2016 Leased Grounds and Non-Renewals

Councilman Hollinger made a motion to accept the extensions and Councilman Fleetwood seconded the motion.

Adjourn	@ 7:50 PM		
The next meeting of the Council will be tentatively held on:		<u>OR</u>	In the library of the Haskin Shellfish Laboratory
March 1, 2016			