

Aquaculture Advisory Council
January 24, 2020
Meeting Minutes

Members Present: Sec. Douglas Fisher, Mr. Joseph Cimino (Comm. Catherine McCabe), Mr. Loel Muetter (Comm. Judith Persichilli), Dr. Daphne Munroe (Dr. Dave Bushek), Dr. Douglas Zemeckis, Mr. Mike De Luca (Dr. Robert Goodman), Ms. Lisa Calvo, Mr. Barney Hollinger, Mr. Bill Avery (Mr. George Saridakis), Mr. John Maxwell, Dr. Amanda Wenczel. Mr. Joseph Constance (Sec. Tahesha Way) arrived after meeting started (noted in audience at 10:50am).

Members Absent: Mr. Maury Sheets, Ms. Betsy Haskin

Public in Attendance: Matt Gregg, Ned Gaine, Sarah Gentile (NJDEP), Tommy Burke, Bob Schuster (NJDEP), Megan Kelly (NJDEP), Jeff Normant (NJDEP), Nicole Ciccaglione (USDA-NRCS), Virginia Wheatley (NJDOH), Ashley Kerr, Scott Lennox, Russ Babb (NJDEP)

Sec. Fisher called the meeting to order; a quorum was present.

Motion to approve October 18, 2019 minutes; all in favor; motion carried.

Public Comment:

Ned Gaine- Need to define “development” if creating a plan to develop aquaculture. Is it more farms, more production, more profitability? The Plan is also coming out right after a survey and can use the survey to develop deliverables. Need to see the minutes from meetings prior to the 2011 Plan Update to see what discussed- 2008 through 2010.

New Business:

Statute vs. Regulation (A. Wenczel)- see handout

Aquaculture Development Plan Committee Update: (led by A. Wenczel, comments by all)

Vision: B. Avery- need to be careful increasing the number of shellfish or producers because the market price can crash with extra supply. NYC oyster price has just declined. D. Zemeckis- will the USDA Census be the benchmark that is used? D. Munroe- that would be an issue because the most recent Census makes NJ look terrible. B. Avery- the Commercial Shellfish Aquaculture Permit (thru BMWM) already has mandatory reporting so that could be used. Sec. Fisher- just doubling something does not mean much, need to consider market conditions and what the market can handle in terms of supply. You want to have production capacity (leases) to be ready when the market availability allows for more production.

N. Gaine- how about a comparison between NJ and other states? Maybe the fourth largest producer of shellfish or certain products? The State should be looking to increase our market share, relative to other states.

J. Maxwell- anyone in aquaculture should be able to shift with market demands. Make the permitting process easy enough that shifts can occur. Need to have the ability to move between clams and oysters, or even onto something else or multiple things. D. Zemeckis- Within the

vision, or an objective within the Vision, promote flexibility and innovation, and even allow for production beyond shellfish. B. Avery- Don't let regulation interfere with innovation. J. Maxwell- Traditional fisheries become so heavily permitted that folks went into niches, but aquaculture can innovate and expand.

Sec. Fisher- remove the specific numbers. L. Calvo- should vision be measurable or leave it open- resilient industry adaptable to changing markets? A. Wenczel- add in change in rank/market share and allowing adaptability and innovation, but no one has noted they want a measurable vision.

B. Schuster- all states have to get harvest reports from growers for compliance with ISSC, and so those numbers could be used to get a yearly or monthly reporting for comparing NJ to others.

D. Zemeckis- Who is the target audience? This should have the target audience defined. A. Wenczel- the target audience is both the executive branch- NJDEP, NJDA, NJDOH- as well as the legislature in terms of potential legislative changes.

Strengthen Leadership and Representation: Multiple comments on the need for full Councils, with some appointments on-hold for several years and over two, very diverse Administrations. B. Avery & J. Maxwell made comments on the composition of the Councils, specifically the Shellfish Councils and their County representation. R. Babb noted that any changes to the Shellfish Council makeup is via Title 50- legislative changes. Sec. Fisher noted that some appointees are not moved forward for different reasons, but given the discussion, this is an item to investigate further. J. Cimino informed the group that there are appointees ready for governor approval right now for Marine Fisheries Council and the two Shellfish Councils.

D. Munroe asked for clarification on the recommendation for a Director of Aquaculture. A. Wenczel, this was kept vague for the moment, but it is intended to be an executive level person that can bring all state agencies together. This is occurring now but only through current partnerships. There is no set agreement on how to implement.

Permitting: State-specific for now. J. Cimino- this does seem State only, have you looked into something similar to JPA with the USACE? A. Wenczel- partnering with the USACE has been explored but is not an option right now. L. Calvo- this is looking to streamline NJDEP permitting with one application that all permitting agencies review.

Discussion on Land Use Permit timeframes, extensions, renewals. Permits are 5-years, set of standards in regulation that if met, can get a 5-year extension before needing to come back in for new permit. L. Calvo- the recommendation for cohesive timeframes between Land Use and Tidelands is to provide some stability to permitting and to a business.

Clarification needed: B. Hollinger asked if a FLUPSY/upweller is permitted via an IP, at \$3,000, does that only last for 5-years, and then require another \$3,000 to continue to be permitted?

Discussion on how to obtain production numbers and use them in aggregate to track the industry.

Discussion on harvest licenses and what could make it more efficient to have employees harvest.

Clarification needed: who needs a Commercial Shellfish License to harvest on vessel or on farm (by foot/ATV).

Discussion on Land Use permits, specifically the PBR (Permits-by-Rule) and what requires the GP30. Also noted changes recommended for Tidelands policy- notification process and distance from shore requiring license and upland owner approval.

Discussions on Sunday harvest. Past concerns from enforcement (according to J. Maxwell) were on differentiating wild harvest versus growers harvesting on a Sunday. Can be addressed via regulatory change, NJDEP.

Lease Utilization: Topic included in the Plan to allow for additional avenue of grower input into future processes for lease utilization measures. R. Babb and J. Normant explained the current process of Shellfish Council Leasing Committee reviewing lease utilization. It is on-going process and the Plan recommendations are meant to compliment Leasing Committee decisions. Many still stressed that this is a topic for the Shellfish Councils and were concerned with topic appearing to step outside Council processes.

Research Priorities: Topic reviewed by M. De Luca, highlighting that some of the items listed are already funded. Discussion on this topic ensued, mainly around more farm-focused research as opposed to the state or regional scope of the research included in the Plan.

Discussion on remainder of recommendations/topic areas with little comment on content.

Aquaculture Red Knot Stakeholder Committee Update: (M. De Luca)

M. De Luca presented information on the Stakeholder Committee meetings, including the meeting with the Agency Workgroup. The final Conservation Measures (including any accepted changes for 2020) can be found in the 2020 Reissuance of Conservations Measures from the USFWS.

Councilmember Comments:

D. Munroe presented current and future funded research from the Haskin Shellfish Research Lab. A handout of projects was provided.

Old Business:

2018 Census of Aquaculture data for NJ and comparisons to past Census data provided for Council and attendee review. Stressed need for participation in the Census for greater representation of NJ industry under national perspective.

Public Comment:

No additional comments

Meeting adjourned.