

MINUTES OF THE MEETING  
OF THE  
ATLANTIC COAST SECTION OF THE SHELL FISHERIES COUNCIL

Nacote Creek Law Enforcement  
Port Republic, NJ  
February 21, 2007

Present were: Chairman John Maxwell (Atlantic)  
Councilman Walter Hughes (Monmouth)  
Councilman Walter L. Johnson III (Ocean)

State Representatives: James W. Joseph, Bureau of Shellfisheries  
Jeffrey C. Normant, Bureau of Shellfisheries  
Michael Celestino, Bureau of Shellfisheries  
Joseph Meyer, Bureau of Law Enforcement  
Robert Connell, Bureau of Marine Water Monitoring

Mr. Maxwell called the meeting to order. Mr. Joseph read the State's compliance with Sunshine Law. He announced that the meeting would be recorded.

1. Total Revenue collected for January 2007: \$ 4,971.05  
Shellfisheries Law Enforcement Fund: \$ 4,638.00

2. January 8, 2007 Minutes

The minutes of the January 8, 2007 meeting were approved on a motion by Mr. Johnson and a second by Mr. Hughes.

3. Applications for Transfer

<u>LESSEE</u>	<u>APPLICANT</u>	<u>LOT #</u>	<u>SEC</u>	<u>ACRES</u>	<u>LOCATION</u>	<u>MAP</u>
Katherine Schriever	John Schriever	2202	B	2.26	Dry Bay	24.2
Katherine Schriever	John Schriever	2237.1	B	2.07	Dry Bay	24.2
Katherine Schriever	John Schriever	2238	B	2.20	Dry Bay	24.2
Katherine Schriever	John Schriever	2260	B	2.15	Dry Bay	24.2
Katherine Schriever	John Schriever	2271	B	2.11	Dry Bay	24.2
Katherine Schriever	John Schriever	2271.1	B	0.94	Dry Bay	24.2
Katherine Schriever	John Schriever	2322	B	1.78	Dry Bay	24.2
Katherine Schriever	John Schriever	2323	B	1.70	Dry Bay	24.2
Katherine Schriever	John Schriever	2330	B	2.00	Dry Bay	24.2
Katherine Schriever	John Schriever	2284	B	2.00	Dry Bay	24.2
Katherine Schriever	John Schriever	2316	B	2.00	Dry Bay	24.2
Sybil Schriever	John Schriever	2234.1	B	2.00	Dry Bay	24.2
Sybil Schriever	John Schriever	2751	B	2.00	GB-Great Thorofare	24.2
Sybil Schriever	John Schriever	2756	B	2.00	GB-Great Thorofare	24.2
Sybil Schriever	John Schriever	2758	B	2.00	GB-Great Thorofare	24.2
Sybil Schriever	John Schriever	2759	B	2.00	GB-Great Thorofare	24.2

Without discussion, the lease transfers were approved on a motion by Mr. Johnson and a second by Mr. Hughes.

4. Applications for New Ground – Decision

Relay

<u>APPLICANT</u>	<u>LOT #</u>	<u>SEC.</u>	<u>ACRES</u>	<u>LOCATION</u>	<u>MAP</u>
Larry Went	T312	B	1.50	Tuckerton	12.2
Richard Went	T314	B	1.50	Tuckerton	12.2
Jared O’Neal	T317	B	1.50	Tuckerton	12.2
Wesley Core	T313	B	1.50	Tuckerton	12.2
Richard Pomasan	L12	D	1.50	Laurel Harbor	14.1

The above relay lease application was unanimously approved on a motion by Mr. Johnson and a second by Mr. Hughes.

5. Applications for New Ground – Consideration

<u>APPLICANT</u>	<u>LOT #</u>	<u>SEC.</u>	<u>ACRES</u>	<u>LOCATION</u>	<u>MAP</u>
Christopher McCourt	2229	B	1.19	Dry Bay	24.2

Mr. Normant provided the Council with copies of Mr. McCourt’s lease application. A biological investigation was not required for the lease application in Dry Bay (per N.J.A.C. 7:25-25.6(c)1). Mr. McCourt was not present at this meeting and must attend the next meeting to fulfill his requirement of attending one of two meetings at which the Council would review his application. Pursuant to the leasing regulations, a decision will be rendered at the next meeting.

6. Old Business

Relay

Mr. Joseph briefly discussed the criteria for the resumption of the hard clam relay program. He stated that in order to resume the program in 2007, certain criteria had to be met, such as funding for enforcement, adequate participation and acceptable QPX results. The QPX results indicated that most of Sandy Hook Bay would be opened to harvest. Mr. Joseph stated that an average of 10 participants per day over a 30-day period was required. At the suggestion of Council during the January 2007 meeting, it was agreed that the 30-day period would only include days when the relay harvesters indicated that they were going to work as opposed to 30 continuous workdays (a one month period). To coordinate with the Bureau of Law Enforcement on the days the relay harvesters were going to work, a relay coordinator was to be designated. Mr. Johnson stated that Mr. Edward Mulligan was designated as the relay coordinator. Mr. Mulligan indicated that several issues had come up and that they would like to suspend the 2007 relay program and try to resume the program again in 2008. Mr. Mulligan listed several reasons contributing to the decision to suspend the relay program in 2007, including: participants might not have dock slips due to the sale of the marina they were using and several individuals would only participate if cages were allowed. He stated that there were too many last minute obstacles to resume the relay this year. Mr. Joseph stated that he was concerned from the outset due to the relatively low numbers of 5A and 5B permits that were sold (13 total). Mr. Joseph inquired if it was the official position of the Council to suspend the 2007 relay and to try to resume the relay program in 2008. Mr. Johnson indicated that it was. Mr. Johnson stated that to ensure adequate participation during the relay, they would need a minimum of 20 participants to meet the participation requirement. Mr. Joseph stated that the Department needs adequate participation to justify the expense of operating the program. He also stated that the same three conditions for the relay would apply next year. Further discussion on the matter ensued. Mr. Meyer stated that those individuals that have a relay lease still must have a 5A permit.

Lease Signage

Mr. Johnson briefly discussed signage that would be posted at local marinas advising boaters to be cautious around shellfish lease grounds. Mr. Joseph Myers from the NJ Department of Agriculture had presented the idea at the November 2006 Council meeting. The general consensus was that the original wording was

too restrictive and could cause user group conflicts. Mr. Johnson stated that after discussing the issue with others involved in the shellfish industry, Mr. Myers had come up with wording for the signage that was innocuous. Mr. Joseph stated that the signage issue was brought before the Delaware Bay Section of the Shell Fisheries Council, but no formal recommendation was made for the same reasons this Council disapproved it (i.e., the wording was too restrictive and it could cause user group conflicts). Mr. Joseph stated that he would contact Mr. Myers to attend the next meeting so the Council could make a formal recommendation to NJDA to pursue the signs. Further discussion on the matter ensued.

7. New Business

Ice Breaking Operations in Northern Monmouth County Waters

Mr. Hughes stated that he had been working with the US Coast Guard over the last several days and they have agreed to send in an ice breaker into Sandy Hook Bay and up the Shrewsbury River to the Highlands Bridge to try and free it up the waters so the shellfishermen could work.

There being no further business, the meeting was adjourned on a motion by Mr. Johnson and a second by Mr. Hughes.

8. Date, time and place of next meeting:

DATE: March 19, 2007  
TIME: 7:00 PM  
LOCATION: Nacote Creek Law Enforcement Office  
360 N. Rt. 9  
Port Republic, NJ 08241