

MINUTES OF THE MEETING  
OF THE  
ATLANTIC COAST SECTION OF THE NJ SHELLFISHERIES COUNCIL

Nacote Creek Law Enforcement  
Port Republic, NJ  
April 19, 2010

Present were:                      Chairman:                      Walter L Johnson III              (Ocean County)  
   Vice Chairman                      Walter Hughes                      (Monmouth County)  
   Councilman:                      John Maxwell                      (Atlantic County)  
   Councilman:                      Oliver Twist III                      (Cape May County)

State Representatives:      Jeffrey C. Normant, Bureau of Shellfisheries  
   Gustavo Calvo, Bureau of Shellfisheries  
   Robert Connell, Bureau of Marine Water Monitoring  
   Calliope Alexander, Department of Health and Human Services

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

1. Total Revenue for March 2010:                      \$2,263.39  
    Shellfisheries Law Enforcement Fund:                      \$1,440.00
2. Presentation of February 8, 2010 and March 29, 2010 minutes.

The minutes of the February 8, 2010 meeting were approved on a motion made by Mr. Maxwell, seconded by Mr. Hughes. Mr. Johnson abstained. With the correction that Mr. Avery and not Mr. Parsons proposed the oyster season in Great Bay, the minutes of the March 29, 2010 meeting were approved on a motion made by Mr. Maxwell and seconded by Mr. Hughes.

3. Applications for New Ground: Consideration

Applicant	Lot #	Section	Acres	Location	Map
James Allen	1421	B	2.00	LEHB-Middle Island	6.1
Robert Muehleisen	1423	B	2.00	LEHB-Middle Island	6.1

Mr. Normant stated that the lease surveys for Middle Island Thorofare had been conducted in November 2009 and that copies of the executive summary report had been previously provided to the Council. Messrs. Allen and Muehleisen were present. Pursuant to leasing regulations, a decision would be rendered at the next meeting.

4. Applications for New Ground: Decision

Applicant	Lot #	Section	Acres	Location	Map
Robert Mayer	2328	B	2.00	Dry Bay	24.2
William Steele	1425	B	2.00	LEHB-Middle Island	6.1
Dale S. Parsons	1426	B	2.00	LEHB-Middle Island	6.1
Colin Holden	2332	B	2.00	Dry Bay	24.2
James McKinley	1052 R	A	2.00	Great Sound	5

Messrs. Holden and Mayer were present at this meeting. All other applicants were present at the last meeting. On a motion by Mr. Maxwell and a second by Mr. Hughes, the Council approved all lease applicants.

## 5. Old Business

### Department of Health and Senior Services (DHSS) - *Vibrio* Plan

Ms. Calliope Alexander, Seafood/Shellfish Project Coordinator with DHSS, made a presentation on *Vibrio* issues and the *Vibrio* Plan. Ms. Alexander stated that the purpose of her presentation was to better educate the shellfish industry on proper handling of oysters and clams harvested during the summer when the risk to human health from the consumption of raw product with pathogenic strains of *Vibrio parahaemolyticus* (*Vp*) was the greatest. She emphasized the public health significance of *Vp* as the leading cause of bacterial illnesses associated with consumption of raw molluscan shellfish in the United States. Mr. Connell explained that *Vp*, a ubiquitous bacteria found in all coastal waters and not related to pollution, rapidly proliferates in shellfish exposed to elevated temperature after summer harvest. Ms. Alexander highlighted the need for educating the consumer with weak immune systems or other health conditions to abstain from eating raw shellfish, since *Vp* can cause severe or fatal illnesses to those at-risk groups. Ms. Alexander emphasized the need for shellfish harvesters and dealers to recognize the importance of rapidly cooling the product following harvest between June 1 and September 5, 2010. A *Vibrio* outbreak could force a harvest closure to entire waterbodies. She explained that in accordance with the National Shellfish Sanitation Program, the state was bound to declare an outbreak as soon as two related cases of illnesses were reported within a few days or a couple of weeks. In response to an inquiry by Mr. Hughes about the importance of shellfish harvest location, Ms. Alexander replied that it was very important for harvesters to record the specific harvest location on the shellfish shipping tags to allow for more accurate tracking and tracing of the product. This way if a closure was being considered, it could target a particular water body rather than a more wide spread area. Mr. Connell explained that if a closure was imposed during summer, the area would probably remain closed until September 5, when water temperatures fall to an acceptable threshold. Mr. Avery inquired about the verification procedures to confirm illness cases. Ms. Alexander replied that after the initial presumptive diagnosis would be made by a Physician based on the patient symptoms, such as diarrhea and vomiting. Confirmation would be by culture and DNA assays on stool samples. Mr. Parsons opined about unfairly penalizing harvesters and dealers for cases involving negligence by at-risk consumers. Ms. Alexander responded that she recognized the problem as persons with pre-existing health conditions. She was advocating for more public outreach and education targeted to those at-risk groups with pre-existing health conditions. Ms. Alexander explained that the *Vibrio* Plan for Delaware Bay Oysters was developed on the basis of a temperature chain of custody. Oyster harvest must cease by noon followed by delivery to certified dealers within one hour and then dealers must immediately cool down and hold the product in a forced air refrigerated cooler at 50°F overnight prior to shipping the next day. She further explained that upon delivery, harvesters and dealers record the temperatures of their product with a laser thermometer to ensure proper handling of the product and to use as evidence that their product was handled properly prior to shipping. Further discussion on this matter ensued.

### Mullica/Great Bay Spring Oyster Season

In response to the request for an oyster season by Mr. Avery at the last meeting, Mr. Normant reported that samples were taken to assess the bed conditions of the Great Bay oyster beds. Mr. Normant stated that bed conditions (measured as oyster to shell volume ratio in dredge samples) was 31% to 43% oyster, the percentage of oysters with a shell length equal or greater than 3 inches ranged from 56% to 80% and total oyster mortality was approximately 35%. Mr. Normant explained that bed conditions were reflective of relatively high shell volume present on the beds prior to the oysters being transplanted there in 2001 and 2006, rather than being indicative of low oyster abundance. Mr. Normant concluded that although oyster abundance would not support an extraordinary harvest, the amount of large size oysters was sufficient for the Bureau to support a modest harvest, limited to one week. Mr. Normant stated that the Bureau of Law Enforcement had requested that a season not be established during the last week of April or the first week of May. According to the Atlantic Coast Harvest regulations, harvest is not permitted on these beds from June 30<sup>th</sup> to September 1<sup>st</sup> of each year. In addition, shellfish may only be harvested with hand tongs only. On a motion by Mr. Johnson and a second by Mr. Hughes, a one week harvest season from Monday, May 10 to Saturday May 15, 2010, was established for Mullica/Great Bay oyster beds. In response to an inquiry by Mr. Avery regarding the announcement of the harvest season, Mr. Normant stated that an announcement would be posted on the website of the Division of Fish and Wildlife.

### Ethics and Financial Disclosure

Mr. Johnson stated that all the ethics forms had been submitted and that the only issue that remained was to confirm that Mr. Twist's forms had been entered into the system. Mr. Normant stated that the financial disclosure forms needed to be completed on a computer and to the State Ethics Commission by the deadline of May 15, 2010. Mr. Maxwell stated that the fine for not completing the forms by the deadline was \$50.00 per day.

### Mr. Seyler's lot 2724

Mr. Johnson inquired if there were any new information regarding Mr. Seyler's lot 2724 that was vacated for non-payment. Mr. Normant responded that there was no new information.

## 6. New Business

### NY Raritan Bay QPX Article

For those that were interested, Mr. Flimlin distributed copies of an article on the field performance and QPX disease progress in cultured and wild strains of hard clams in New York, recently published in the Journal of Shellfish Research.

### Middle Island Hydrographic Survey

Mr. Parsons inquired on when the Middle Island lease hydrographic surveys would be completed. Mr. Normant responded that the surveys were scheduled for the first week of May.

The meeting was adjourned on a motion by Mr. Maxwell and a second by Mr. Hughes.

## 7. Date, time and place of next meeting:

DATE: May 17, 2010  
TIME: 7:00 PM  
LOCATION: Law Enforcement Office  
360 New York Rd. Rte. 9  
Port Republic, NJ 08241