

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

Nacote Creek Law Enforcement
Port Republic, NJ
January 9, 2012

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

Absent was: Councilman: Walter Hughes (Monmouth County)

State Representatives: Jeffrey Normant, Bureau of Shellfisheries
 Russell Babb, Bureau of Shellfisheries
 Michael Celestino, Bureau of Shellfisheries
 Gustavo Calvo, Bureau of Shellfisheries

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 October 2011:	\$ 2,207.07
	Shellfisheries Law Enforcement Fund:	\$ 600.00
	Total Revenue for November 2011:	\$ 3,644.92
	Shellfisheries Law Enforcement Fund:	\$ 1,450.00
	Total Revenue for December 2011:	\$15,020.61
	Shellfisheries Law Enforcement Fund:	\$10,946.00

2. October 17, 2011 minutes

The minutes of the October 17, 2011 meeting were approved on a motion by Mr. Maxwell and a second by Mr. Twist.

3. Annual Election of Chair and Vice-Chair

Mr. Johnson was re-elected as Chairperson on a motion by Mr. Maxwell and a second by Mr. Twist. Mr. Maxwell was elected Vice-Chairperson on a motion by Mr. Twist and a second by Mr. Johnson.

4. Applications for Transfer

LESSEE	APPLICANT	LOT #	SECTION	ACRES	LOCATION	MAP #
Timothy Estlow	Paul Felder	1089	A	2.00	Great Sound	5D
Allan Morgan	Keith Heinrichs	136	B	2.00	GB-Graveling Pt.	1
Hunter Mikuletzky	Keith Heinrichs	131	B	1.90	GB-Graveling Pt.	1
Bridget Mikuletzky	Keith Heinrichs	132	B	2.00	GB-Graveling Pt.	1
Jacqueline Heinrichs	Keith Heinrichs	139	B	2.46	GB-Graveling Pt.	1
Raymond Seyler	Paul D. Seyler	2530	B	1.98	Scull Bay	27

Without discussion, the lease transfers were approved on a motion by Mr. Twist and seconded by Mr. Maxwell.

5. Applications for Consideration

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
William Bartle	1048	A	2.02	Great Sound	5
George Simmons	1097	A	2.03	Great Sound	5
Eric Parker	1098	A	2.00	Great Sound	5

Thomas C. Daffin	1047	A	2.00	Great Sound	5
John Daffin	1092	A	2.00	Great Sound	5
Paul Felder	1096	A	2.00	Great Sound	5
Thomas J. Daffin	1046	A	2.01	Great Sound	5
Joseph Brooke	1045	A	2.01	Great Sound	5
Tyler Roesch	1044	A	2.00	Great Sound	5
William Avery	46	B	1.97	GB- Graveling Pt.	1
Daniel McFarland	2349	B	2.00	Dry Bay	24.2

Mr. Normant provided the Council with copies of the applicants' lease applications.

All of the above applicants were present, except Mr. Parker. Pursuant to leasing regulations, applicants must attend one of two meetings at which the Council would review their applications. The Council would render a decision at the next meeting.

6. Applications for Decision

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Robert A. Fricke	1422	B	0.86	Middle Is. Channel	6.1

Mr. Fricke was present at the last meeting. Mr. Fricke's application was approved on a motion by Mr. Maxwell and a second by Mr. Twist. Mr. Normant stated that Mr. Frick has 30 days to sign his lease agreement and pay the associated lease fees.

7. Vacated leases- By Lessee

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP #
Bryan L Muermann	L27	D	1.5	Laurel Harbor Relay	14

Mr. Normant stated that Mr. Muemann decided not to renew his relay lease.

8. Vacated Leases-Non-Payment

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP #
Kirk Conover	2742	B	2.00	Great Bay-Great Thorofare	25
	2744	B	2.00	Great Bay-Great Thorofare	25
Judy Doughty	2055	B	2.94	Reed Bay	4
Edward Gaine	1090	A	2.2	Great Sound	5D
Bert Hendricks	39	B	0.73	Great Bay-Graveling Pt.	1D
Peter McCarthy	1300	B	2.00	LEHB Marshelder Is.	13
	1302	B	2.19	LEHB Marshelder Is.	13
Sean McMahan	2527	B	1.97	Scull Bay	27
Harold Nebling	123	B	2.04	Great Bay-Graveling Pt.	1D
John Pepitone	2564	B	2.00	Scull Bay	27
Michael Stonnell	2275	B	2.15	Dry Bay	24.2

Messrs. Conover, Gaine, McCarthy, Pepitone, Stonnell and Ms. Doughty were present. Messrs. Hendricks, McMahan and Nebling were not present.

Mr. Normant reminded the Council that lease renewals begin on October 15 of each year. The leasing regulations require that shellfish leases must be renewed annually by December 31st for the following year. If illness or extenuating circumstances had prevented a lessee from renewing their lease(s) by December 31st, the Council may extend the payment deadline by one month provided the request was made at the January meeting. Messrs. Conover, Gaine, McCarthy, Pepitone, Stonnell and Ms. Doughty presented their hardship cases to the Council. On a motion by Mr. Maxwell and a second by Mr. Twist, the Council granted a one month extension to Messrs. Conover, Gaine, McCarthy, Pepitone, Stonnell and Ms. Doughty to renew their leases.

9. Old Business:

Barnegat Bay Action Item #10

Ms. Terry Caruso of the NJDEP Green Acres Program presented information regarding Governor Christie's ten-point initiative for the restoration of Barnegat Bay and Commissioner Martin's one year progress report on the Barnegat Bay Plan. Information on the Barnegat Bay Plan was available on the NJ Department of Environmental Protection's website <http://www.nj.gov/dep/barnegatbay/>. In regard to Action Item # 10 (Reduce Watercraft Impacts), Ms. Caruso stated that 16 ecologically sensitive areas were identified in Barnegat Bay to reduce boating impacts. She stated that there were two goals to protect these environmentally sensitive areas. First was to enforce existing boating laws (Title 12, Navigation) and NJ Division of Fish and Wildlife and NJ Division Parks and Forestry regulations within these sensitive areas. The second goal was to educate the public on operating boats and personal watercraft in a safe and responsible manner. Mr. Johnson stated that he was concerned that access for traditional clamming activities may be restricted in some of the ecologically sensitive areas. Ms. Caruso stated that there would be no restrictions on traditional activities, such as clamming and fishing.

10. New Business:

2012 Hard Clam Relay Program

The Council suspended the 2012 hard clam relay program due to lack of participation by harvesters on a motion by Mr. Maxwell and a second from Mr. Twist.

Barnegat Bay Hard Clam Enhancement Committee

Mr. Babb inquired if the Council would be interested in forming an advisory committee to provide input on future Barnegat Bay shellfish enhancement projects that would be funded with mitigation monies from the Exelon Corporation, Oyster Creek Nuclear Generating Station. Mr. Babb suggested that the committee be made up of commercial and recreational shellfishermen, but limited in the number of participants. Mr. Babb stated that the idea of the committee was to discuss possible site locations for shellfish enhancement and restoration efforts and to review possible management actions. Mr. Johnson stated that he would consider a motion to form the committee at the next Council meeting.

Annual Mullica River Oyster Seed Bed Sampling

Mr. Normant stated that annual sampling on the Mullica River oyster seedbeds was completed on December 5, 2011. Mr. Normant stated that oyster bed condition were very low with bed conditions averaging around 10 % oyster. This was a pronounced decline relative to five years ago, when bed conditions were 80 % to 90 % oyster. Mr. Normant stated that total mortality was around 50 % and that the average lengths of the oysters had declined from approximately 2.5 inches to 1.5 inches. Spat set on the seedbeds were also well below average. Mr. Normant speculated that the cause of the decline in bed conditions could have been from the abnormally high fresh water input due to the heavy rains caused by Hurricane Irene, as was observed and documented in Delaware Bay.

Mr. Johnson inquired if samples could be collected on the western side of the Parkway Bridge over the Mullica River. Mr. Normant stated that some scoping had been conducted on the western side of the Parkway Bridge some years ago. Mr. Normant stated that the annual Mullica River oyster seedbed survey would continue using the same methodology to maintain the long-term time series. This methodology involved sampling seven fixed stations from a point just west of Chestnut Neck Boatyard at French's Point to the end of the beds just down river from the mouth of the Bass River at Moss Point. Mr. Normant said that if there were available staff time during the year, they would try and scope the bottom further up the river.

Update of the Aquaculture Development Plan

Mr. Joseph Myers, Aquaculture Specialist with the NJ Department of Agriculture (NJDA), stated that the latest update of the Aquaculture Development Plan (ADP) was recently released. Mr. Myers stated that ADP updates were required every five years pursuant to the Aquaculture Development Act. Mr. Myers

stated that a limited number of printed copies of the document were available from the NJDA or could be found on the NJDA's website. Copies of the latest ADP update would also be provided to each member of the New Jersey Assembly and Senate to try and identify potential sponsors.

Mr. Myers announced that the next Aquaculture Advisory Council meeting to be held at the NJ Division of Fish and Wildlife's Assumpink Wildlife Management Area on January 27 at 10:00am.

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

11. Date, time and place of next meeting:

DATE: February 13, 2012
TIME: 7 PM
LOCATION: Law Enforcement Office
360 New York Rd. Rte. 9
Port Republic, NJ 08241

“Shellfish leases must be renewed (in person) by December 31 each year. Bureau offices will begin accepting lease renewals October 15th each year.” Lease Utilization reports can be found online at the NJ Division of Fish and Wildlife website: www.njfishandwildlife.com/shelhome.htm”