

<h1>NEW JERSEY SHELLFISHERIES COUNCIL</h1>		<h2>Delaware Bay Section</h2>
<h3><i>Meeting Minutes</i></h3>		

<b>Meeting Name</b>	Monthly Meeting of NJ Shellfisheries Council - Delaware Bay Section		
<b>Meeting Date</b>	Tuesday, October 6, 2015		
<b>Meeting Time</b>	6:00 PM		
<b>Venue</b>	Haskin Shellfish Research Laboratory	City	Bivalve, NJ
<b>Attendees</b>	General Public		

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	Lisa Calvo, Aquaculture Prog. Coord.
Richard Malinowski, Salem Co.	Gary Wolf, USFDA	
Cape May / Salem Co. – Vacant		

*Compliance with the Sunshine Law*

Notice of this meeting was posted September 3, 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:** Approved

April 7, 2015

June 2, 2015

August 4, 2015

Councilman Hollinger made the motion to approve the minutes and Councilman Malinowski seconded the motion.

**Revenue collected for August totaled \$21,451.00 and is summarized as follows:**

License Type	Total	License Type	Total
Commercial Crab Pot	\$1,500.00	Commercial Shellfish	\$ 152.00
Nets	\$1,128.00	Recreational Shellfish	\$ 130.00
Application Fees	\$ 124.00	Non-Resident Shellfish	\$ 20.00
Oyster Tags	\$18,018.00	Lease Fees	\$ 11.00
Planter License	\$ 100.00	Menhaden	\$ 156.00
Dredge Boat Renewal	\$ 112.00		

**Revenue collected for September totaled \$26,696.00 and is summarized as follows:**

License Type	Total	License Type	Total
Commercial Crab Pot	\$ 900.00	Commercial Shellfish	\$ 150.00
Nets	\$ 930.00	Recreational Shellfish	\$ 10.00
Application Fees	\$ 66.00	AC Dredge	\$ 200.00
Oyster Tags	\$24,112.00	DB Dredge	\$ 100.00
Dredge Boat Renewal	\$ 228.00		

**Oyster Resource Development Account:**

Sept. 3, 2015		
<b>Unexpended</b>	\$486,150.04	Budget authority less expenditures ( <i>total spendable dollars currently in account</i> )
<b>Expended</b>	\$ 0.00	Total amount spent against the appropriation ( <i>spent from account during FY'15</i> )
<b>Pre-Encumbered</b>	\$ 0.00	Total outstanding requisitions processed against the appropriation ( <i>Amount previously set-aside for preparation of term contracts - since cancelled</i> )
<b>Encumbered</b>	\$ 8,000.00	Total outstanding purchase orders processed against the appropriation ( <i>Amount obligated to vendors or planned services (e.g., contracting, transplants)</i> )
<b>Uncommitted</b>	\$478,150.04	Amount available for pre-encumbrance, encumbrance, or expenditure ( <i>Current free-balance that is not obligated/encumbered to specific vendors, etc.</i> )

**Lease Ground Transactions:**

**For Council's Decision:**

Marc Zitter applied for the following leases:

<u>SECTION</u>	<u>LOT</u>	<u>ACREAGE</u>
A	155	100
C	653	100

Mr. Zitter attended the previous Council meeting which fulfilled his requirements. Councilman Hollinger motioned to approve the leases, and Councilman Malinowski seconded the motion.

**For Council's Information:**

**Oyster Dredge Boat Transactions:**

- Janet R and License #75 and Amanda Lauren and License #27 were retired by Todd Reeves on 8/24/15.
- Linda W and License #29 were transferred from Todd Reeves to Timothy Reeves on 9/14/15.

**Old Business:**

Direct Market Harvest Update

Mr. Tomlin reminded those at the meeting that the Shellrock seed bed was closed to harvest on August 13, 2015. He also informed those in attendance that the Ship John and Cohansey seed beds had approximately 20,000 bushels harvested to date, with roughly 90 percent of the total quota already harvested. The quota was also increased by 81

bushels per license due to the retirement of 6 licenses. Mr. Tomlin further reported that the CPUE was approximately 94 bushels per day. He added that this is one of the highest CPUE observed in recent years.

#### **New Business:**

##### Red Knot Management Concerns

Ned Gaine raised a concern to the Council regarding what he perceived to be the biased nature of the management of red knots and how it was being portrayed in the media. He raised concern regarding the 2014 Endangered Species Act listing of the red knot as threatened and how this was impacting the oyster aquaculture industry and could have further impacts on the industry in the future. He also was concerned over recent publications under development that have had no input from the industry. Since the management decisions would affect the shellfish industry as a whole, Mr. Gaine requested a letter from the Council to the Commissioner to have them involved in the decision making process for red knot management. The Council agreed that they were willing to write a letter.

Mr. Gaine also elaborated on issues with the recent publications by informing the Council that he was misquoted in the papers, which he believed gave misleading information to potential management decisions. He expressed further concern with other sources in these publications that he believed was also being misquoted. His greater concern was that all of these issues could lead to flawed red knot management, which would likely have serious impacts on the industry.

##### 2015 *Vibrio* Summary

Mr. Gary Wolf (USFDA) commended New Jersey's oyster industry on a successful year for compliance with the *Vibrio* Management Plan. He informed that there were only two cases of *Vibrio* in New Jersey in 2015; one case was in the Atlantic industry and one was in the Delaware Bay industry. Mr. Wolf went to 90 percent of the offloading boats, and 100 percent of the trucks for inspection. He reported that everyone had done an excellent job in following the *Vibrio* Plan, which resulted in a successful year. He also briefed everyone on *Vibrio* cases throughout the other eastern seaboard states and Canada.

Mr. Wolf also brought up a topic regarding the press article regarding the shellfish aquaculture enforcement issue from 2013-14. He stated that the reporter had sent him written questions for an article in the Star Ledger and in turn on NJ.com. He responded to all of the questions in writing. Mr. Wolf stated that the article that was written did not have accurate quotes from the answers that he on behalf of the FDA had provided. He stated that he brought this up at this meeting because of the similar issues that arose in articles about the red knot management issue; he stated that misinformation is running rampant and he wanted those in the industry to know that he was misquoted which made the article's information inaccurate.

##### First Draft - Council Administrative Guidelines

Mr. Babb informed the Council that both the Atlantic and Delaware Bay Shellfish Council Sections had received the first draft of the Council's Administrative Guidelines and that it was open as a draft for Council suggestions. He added that if anyone on the Council had input on the guidelines that they should call him or email him with their comments. Mr. Babb informed the Council that the guidelines were based primarily off of the Marine Fisheries Council Guidelines that were passed in recent years. He added that the Bureau and Council sections have talked about some type of guidance document for many years. He stated that most of the items described in the document have been practiced by the Council for many years but opined that it would be a good step to get it in writing.

### Leased Grounds & ADZ Update

Mr. Tomlin reported that the annual shellfish leased grounds were available for signing and updating for the preceding year. In regards to the ADZ update, he affirmed that the language for the ADZ lease document was finalized with the NJ Division of Law. Mr. Tomlin continued by stating that the offshore ADZ lease applications were held off for some time while the document was being finalized. Since that process was completed, those interested could now apply. He added that there had not been many applicants coming in to obtain the new ADZs. Mr. Gaine inquired what was to be done with the ADZ leases not being fully utilized to their potential. Mr. Babb replied that that would be a good item for future discussion to figure out what course of action would be necessary to address the unused leases.

A portion of the meeting was inaudible.

Mr. Gaine reiterated that he thought it was critical that the Council remain vigilant and aware of the red knot listing and its impact on the shellfish growers along the Cape Shore. He added that while much of the attention is on structural aquaculture, he opined that it would be foolish to think that the listing might not have an impact on other nearshore commercial fishing and shellfishing operations. He requested that the Council put their concerns in writing to the Commissioner of the DEP. The Council requested that a letter be sent to the Commissioner reminding him that the Council has exclusive authority to issue shellfish leases and that the Council should be kept privy to any policy changes that impact shellfish leases. They also requested that a member of the ENSAC committee attend a future Shellfish Council meeting.

### Change in Bureau of Shellfisheries Staff

Mr. Babb was asked about the status of personnel changes within the Bureau. He stated that as everyone likely knew that Jason Hearon is no longer with the Bureau of Shellfisheries and is now with the Bureau of Land Management as a regional superintendent. A lengthy discussion ensued regarding the future of the Bureau. The topic was further discussed regarding the Council's concern of the future of the Bureau and in particular what impact Mr. Hearon's departure would have. The Council asked that Mr. Babb provide the Council with whatever interim and long term plan the Bureau and Administration decide on and what different options might exist.

<b>Adjourn</b>	<b>@ 7:30 PM</b>		
The next meeting of the Council will be tentatively held on: November 10, 2015		<b><u>OR</u></b>	In the library of the Haskin Shellfish Laboratory