

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

Meeting Name	Monthly Meeting of NJ Shellfisheries Council - Delaware Bay Section		
Meeting Date	Tuesday, March 7, 2017		
Meeting Time	6:00 PM		
Venue	Haskin Shellfish Research Laboratory	City	Bivalve, NJ
Attendees	General Public		

**Not present*

Council	State/Fed Representatives	Haskin Research Lab
Warren Hollinger, Cumberland Co.	Russ Babb, DFW Shellfisheries	Kathy Alcox, Field Researcher
Steven Fleetwood, Cumberland Co.	Craig Tomlin, DFW Shellfisheries	David Bushek, Director
Cumberland Co. - Vacant	Andrew Hassall, DFW Shellfisheries	
Richard Malinowski, Salem Co.*		
Cape May / Salem Co. - Vacant		

Compliance with the Sunshine Law

Notice of this meeting was posted on January 10, 2017 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

January 2017 (for approval)

November 2016 (for approval, tabled from the January meeting)

Councilman Hollinger motioned to approve both minutes. Councilman Fleetwood seconded the motion.

Revenue collected for January totaled \$4,479.00 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$300.00	Commercial Shellfish	\$850.00
Nets	\$1141.00	DB Dredge & AC Dredge	\$1130.00
Application Fees	\$102.00	Lease Fees	\$150.00
Menhaden	\$104.00	Dealer License	\$100.00
Tonging Tags	\$600.00	Duplicate Fees	\$2.00

Revenue collected for February totaled \$5,258.00 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$600.00	Commercial Shellfish	\$400.00
Nets	\$2,004.00	Recreational Shellfish	\$100.00
Application Fees	\$132.00	DB Dredge	\$400.00
Menhaden	\$672.00	AC Dredge	\$200.00
Tonging Tags	\$900.00	Area 1, 2&3	\$50.00

Oyster Resource Development Account (082):

March 3, 2017		
Unexpended	\$810,468.38	Budget authority less expenditures (<i>total spendable dollars currently in account</i>)

For Council's Information:

Lease Ground Transactions:

Ken Bailey vacated the following leased grounds:

LOT #	SEC.	ACRE
305	D	62
502	D	98
532	D	66

For Council's information, the following leased grounds were transferred from Evans & Linda Robinson to Wm. H. Robinson, Jr.

LOT #	SEC.	ACRE	FEE
515	D	200	\$5.00
516	D	200	\$1.00

Applications for Council's Consideration:

Bivalve Packing Co.

LOT #	SEC.	ACRE	FEE
333	D	200	\$100.00

Norm Bloom & Daughter

LOT #	SEC.	ACRE	FEE
305	D	62	\$31.00

Applications for Council's Decision: None

Old Business

1. Red Knot/Aquaculture Update

Mr. Babb informed the Council that the first stakeholder committee (SC) meeting would be held on Thursday, March 16, 2017 at the Rutgers off-campus location at Atlantic Cape Community College. Lisa Calvo asked if it would be a public meeting and Mr. Babb responded that it would not be. He continued that, based on the agenda, the meeting was scheduled to run from 8 – 5 pm. He explained that breakfast would be made available and that the meeting would start with a facilitated discussion led by an independent entity. He further stated that the goals for the stakeholder committee would be laid out and there would be discussion on the background from the Aquaculture Working Group, which would include a review of the Endangered Species Act (from the Fish and Wildlife Service), an overview on red knots from the Bureau of Endangered and Non-Game Species, and a general aquaculture review from the Bureau of Shellfisheries. The committee would also review the guidance document and the working group would be on hand to answer questions at that time. Mr. Babb added that the stakeholder committee would be left alone with the facilitator (Jim Lyons, USGS) to have their Structured Decision Making training, consensus training, and to lay out ground rules. Following lunch, the SC would be tasked with completing a series of tasks lined out for them. Mr. Babb informed that the agenda was to be sent out soon to the SC. Mr. Bushek added that other than laying out the ground rules, the only other task for the committee was to figure out who is on the Science Advisory Group and what they were expected to do as a committee, to which Mr. Babb added that there was to be two co-chairpersons. Councilman Hollinger stated that Mr. Babb might clarify that there would no changes to the aquaculture conservation measures this year. Mr. Babb agreed and stated that there would be no changes in 2017.

2. Updated Procedures for Council SARC Appointment

Mr. Babb handed out the updated procedures to the Council. He reminded the Council that in a previous meeting, possibly January 2008, the Council and Bureau were discussing how to appoint industry members to the Stock Assessment Review Committee. He clarified that the policy called for one seat to be held by a sitting Council member and a second seat to be filled by an “at-large” industry member (i.e., license holder). Mr. Babb informed the Council that there had been a few questions regarding the issue that only come up every few years. He stated that they updated the document to how the appointments were made this year. He asked the Council to review the document and make any necessary revisions, and to vote on it at the next meeting. Mr. Babb summarized the document for the Council. Further discussion ensued.

3. DB Council Leasing Committee Update

Mr. Babb stated that another Delaware Bay leasing committee meeting was recently held. The committee had a sister committee that was working on Atlantic Coast section issues and they had essentially wrapped up their findings and reported back to the Atlantic Coast Section of the Council (ACSC) on the changes to the leasing regulations they were recommending. Mr. Babb reminded the Council that the Delaware Bay Section basically has no leasing regulations currently aside from a lease marking and staking provision. He further explained that the committee had been taking a lot of

practices that had been underway since about 2005 or 2006 and putting those into the regulations. For example, lease applicants having to attend one of two Council meetings for consideration or for decision and applying for no more than 200 acres at one time. Following the lead of the ACSC, the committee would also be visiting lease fee restructuring. There were also recommendations to change antiquated language such as Section E lease grounds being tied to oyster dredge boat licenses, which was lost track of a few decades ago. The committee also discussed some tonger related issues in 7:25A – 1 which was essentially to have a way to keep track on a shellfish license who was and was not a tonger (for instance with a check box or stamp). The committee suggested to re-establish the tonger committee to sort out those issues. The committee also went back and forth as to what the definition of “harvest” was. Other topics discussed were licensing, LLC issues with leases, direct market tagging and refrigeration, and lease allocation issues in Delaware Bay. Further discussion ensued. Mr. Babb informed the Council that the committee would be having another meeting in about two or three weeks to bring back answers and solutions to some of the questions they posed at the meeting.

New Business

1. 2017 Oyster Stock Assessment Workshop

Mr. Bushek opened the floor up to Ms. Alcox and she reviewed and explained the quota setting process, as well as the trends of oyster recruitment, and oyster and disease abundance throughout the seed beds in Delaware Bay. A lengthy discussion ensued. A handout of exploitation rates for market and transplant beds were distributed and Ms. Alcox explained the SARC recommendations for the market regions as follows: the Medium Mortality Market region was recommended at the maximum exploitation rate of 0.037 to harvest 38,404 bushels (bu.); Shell Rock was recommended the maximum rate of 0.049 to harvest 36,782 bu.; and the High Mortality region was recommended the rate of 0.090 to harvest 29,598 bu. She continued to review the recommendations for the transplant regions as follows: the Very Low Mortality region was recommended at an exploitation rate of 0.030 to transplant 9,084 bu. with the potential quota increase of 2,479 bu. post-transplant; the Low Mortality region was recommended to be closed; and the Medium Mortality Transplant region was recommended the maximum exploitation rate of 0.025 to transplant 28,921 bu. with the potential quota increase of 12,281 bu. post-transplant.

Mr. Tomlin reminded the Council that the SARC usually recommends a lower exploitation rate to start for regions requiring an intermediate transplant to occur, which can thereafter be increased once the transplant occurs. He reminded the Council’s attention that for the High Mortality region the SARC had recommended that a transplant be required no matter which exploitation rate was voted on in the table provided. Mr. Tomlin suggested that, to start, the quota be set at a 0.024 exploitation rate, or half the minimum exploitation rate of 0.048 from the table, and then increasing the rate to 0.090 after the intermediate transplant was completed. Further discussion ensued.

2. Direct Market Program

Councilman Hollinger proposed the following allocations: the Medium Mortality market beds would have an exploitation rate of 0.037 with a quota of 38,404 bu.; for Shell Rock to have an exploitation rate of 0.049 with a quota of 36,782 bu.; and the High Mortality beds to have an exploitation rate of 0.040 with a quota of 13,172 bu., with potential to increase to an exploitation rate of 0.090 with a quota of 29,598 bu. following a completed intermediate transplant. Councilman Fleetwood seconded the motion. Having set the Direct Market quota, the initial industry

allocation would be 88,358 bu., with a potential to be increased to 119,544 bu. if the ITP was completed in accordance with the SARC's estimates. Further discussion ensued.

3. Intermediate Transplant Program

Note that all proceeding intermediate transplant bushel amounts are approximate/estimated values. Councilman Hollinger motioned to transplant 9,084 bu. from the Very Low Mortality region with an exploitation rate of 0.030 with a potential quota increase of 2,479 bu., to close the Low Mortality region, and to transplant 28,921 bu. from the Medium Mortality Transplant region with an exploitation rate of 0.025 with a potential quota increase of 12,281 bu. Councilman Fleetwood seconded the motion. Councilman Hollinger motioned to keep the transplant rate at \$2.75/bu. Councilman Fleetwood seconded the motion.

Councilman Hollinger asked when the ITP program would begin. Mr. Tomlin suggested that it commence two weeks after the start of the Direct Market season on April, 17, 2017. The Bureau informed the Council that the ITP season would be two full weeks as usual. Further discussion ensued. Councilman Fleetwood motioned to have the ITP season begin on April 17, 2017 and run for two consecutive weeks. Councilman Hollinger seconded the motion. Some oystermen asked if the transplant could go over the two weeks if days were lost due to weather. The Bureau agreed that any days missed "due to weather" would be added to the end of the ITP program, within reason.

Mr. Tomlin informed the Council and attendees that the Direct Market and Intermediate Transplant (ITP) dates for 2017 would be as follows: the Direct Market and ITP sign up periods were both March 13 to March 23, 2017; tag sales were to begin on March 27, 2017; the Direct Market Program would open on April 3, 2017; the Direct Market Program would close on November 17, 2017. Mr. Tomlin said that calls can be made ahead of time to order tags, and the notification letters would be sent out the same week.

4. Direct Market Cooling Rule Changes

Mr. Fred Nesbitt asked if there were going to be changes to the cooling requirements for all vessels harvesting oysters. Mr. Babb clarified that the changes to the rules were only for vessels that opt to have an "approved" cooling system onboard and would be designed to make the coolers more efficient by allowing the harvesters to load oysters into the coolers less frequently. This is related to the tagging requirement and finding a way to minimize the number of times the cooler would have to be opened. Further discussion ensued.

Councilman Fleetwood motioned to adjourn the meeting. Councilman Hollinger seconded the motion.

Adjourn	@ 7:08 PM
The next meeting of the Council will be tentatively held on: May 2, 2017	