

MINUTES OF THE MEETING
OF THE
DELAWARE BAY SECTION OF THE NEW JERSEY SHELLFISHERIES COUNCIL

Haskin Shellfish Research Laboratory
Bivalve, NJ
Tuesday, August 7, 2018
6:00 PM

Council Attendees: Chairman: Warren Hollinger (Cumberland County)
 Vice Chairman: Steven Fleetwood (Cumberland County)
 Councilman: Richard Malinowski (Salem County)
 Councilman: Vacant (Cumberland County)
 Councilman: Vacant (Cape May/Salem County)

State/Fed Reps. Attendees: Craig Tomlin, Bureau of Shellfisheries
 Capt. Jason Snellbaker, Law Enforcement – Marine Unit
 Gary Wolf, U.S. Food and Drug Administration

Haskin Lab Attendees: Lisa Calvo, Field Researcher

General Public

Compliance with the Sunshine Law

Notice of this meeting was posted June 11, 2018 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.

The following minutes are for Council’s approval: March 6th and May 1st, 2018

The following minutes are for Council’s consideration:

Councilman Malinowski motioned to approve the minutes. Councilman Fleetwood seconded the motion. All were in favor.

Revenue collected for May 2018 totaled \$60,165.00 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$3,200.00	Commercial Shellfish/dup	\$300.00/\$2.00
Nets	\$2,377.00	Recreational Shellfish	\$60.00
Application Fees	\$212.00	DB & AC Dredge	\$400.00
Oyster Tags	\$53,200.00	Menhaden	\$414.00

Revenue collected for June 2018 totaled \$38,384.00 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$1,100.00	Commercial Shellfish	\$150.00
Nets	\$1,476.00	Recreational Shellfish	\$110.00

Application Fees	\$124.00	Dredge Boat Renewal	\$102.00
Oyster Tags	\$35,220.00	Menhaden	\$102.00

Revenue collected for July 2018 totaled \$33,942.00 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$1,600.00	Commercial Shellfish	\$100.00
Nets	\$652.00	Recreational Shellfish/Juv.	\$110.00/\$2.00
Application Fees	\$90.00	Dredge Boat Renewal	\$64.00
Oyster Tags	\$31,220.00	Menhaden	\$104.00

Oyster Resource Development Account (082):

Unexpended	\$763,980.56	Budget authority less expenditures (<i>total spendable dollars currently in account</i>)
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Lease Ground Transactions:

Applications for Council's Consideration:

None

Applications for Council's Decision:

The fees below reflect the addition of the \$250 application fee (Council policy Sept. 2017).

Robert Malinowski applied for the following grounds.

LOT #	SEC.	ACRE	RATE	FEE
283	E	46	\$0.50	\$23.00
4	E	6	\$0.50	\$3.00
TOTAL		52		\$526.00

Robert Malinowski applied for the following grounds.

LOT #	SEC.	ACRE	RATE	FEE
298	E	200	\$0.50	\$100.00
TOTAL		200		\$350.00

Councilman Fleetwood motioned to approve the lease grounds. Councilman Hollinger seconded the motion. All were in favor.

Boat Transfers:

- Howard Mason substituted oyster dredge vessel Dina II (Reg# NJ1107DN, 5 GRT) with Dina IV (Reg# NJ6202GX, 5 GRT) license #80
- Bruce Gardner transferred the oyster dredge vessel Viola (Official # 630710, 27 GRT) and license #14 to Scott Sheppard
- Bruce Gardner transferred the oyster dredge vessel Carol Marie (Reg# NJ0152FL, 5 GRT) and license #45 to Scott Sheppard

Old Business

1. Direct Market Update

Mr. Tomlin updated the Council that on July 30th, 2018 the quota for Shellrock bed had been reach and therefore was closed. Mr. Tomlin went on to say that at the time of the meeting 36,904 bushels of oysters had been harvested from the High Mortality beds, and there is a remaining 17,321 bushels before the quota limit is reached. Furthermore, at the time of the meeting roughly 5,400 bushels of oysters had been harvested from the Medium Mortality Markets beds, and there is a remaining 29,000 bushels before the quota limit is reached. Lastly, the catch per unit effort is at a record high of 132 bushels a day per boat.

2. Shellplanting Update (June 15 – July 15)

Chairman Hollinger asked for an update on the 2018 shellplant program. Mr. Tomlin reported that roughly 150,000 bushels were planted on three different grids, and that each grid is located in a different mortality region. At the time of the meeting, it was too early to see if there was any spat set, but each plant site will be surveyed in September.

3. *Vibrio parahaemolyticus* (Vp) Control Plan Update

Chairman Hollinger called for a Vp Control Plan Update. Mr. Tomlin informed the Council that Mr. Schuster was unable to attend the meeting, but they had spoken on the phone earlier that day. Mr. Tomlin relayed the information that Mr. Shuster gave him to the Council, which is as follows:

- There have been four cases linked to New Jersey oysters.
- Two of the cases are single sources and the other two are multi source.
- Oysters from one of the single source cases came from the Atlantic coast and the other case is linked to oysters from the Delaware Bay.
 - Both cases are linked to potential cooling issues with a restaurant/delivery truck.
- Of the Multi-source cases, one is connected from the Atlantic coast and the other is linked to the Delaware Bay.
 - The oysters from Washington, California, Maryland, and Prince Edward Island are also linked to the multi-source cases.

- Not all the cases were confirmed to be Vp, just a Vibrio bacterium has been identified in the cases.
- All four of the cases occurred between June 25th and July 5th, which when a Vp outbreak is at its likeliest.

Mr. Tomlin then asked for Mr. Wolf's input. Mr. Wolf confirmed what Mr. Tomlin had conveyed for Mr. Schuster. Mr. Wolf went on to explain how some transportation methods increase the potential for a Vp case. That is, some shellfish dealers use common carriers to transport their products. Common carriers may not be as informed as a dealer on Vp control measures, and there is a potential for shellfish products to be loaded onto trucks that have not been properly cooled. Mr. Wolf also brought literature on best practices for pre-transportation by growers and harvesters by using ice slurries. The practice chills the product to 45° or less before it is loaded on a truck, which puts less strain on the trucks refrigeration system and ensures the product is kept at a safe temperature. Chairman Hollinger asked Mr. Wolf if the individuals, involved in the four cases reported by Mr. Tomlin, were immune compromised. Mr. Wolf confirmed they were immune compromised, but he also warned that individuals who are not immune compromised are still at risk of adverse reactions if exposed to Vp.

4. ENSP (Red Knot) Update

Chairman Hollinger stated that he attended a meeting earlier in the day to discuss rule changes, to add time to work, and to establish where the subtidal line is on the Aquaculture Development Zone (ADZ). Mr. Tomlin gave an update on what was happening on the Atlantic Coast concerning Red Knots. He informed the Council that the U.S. Fish and Wildlife service had some concerns with lease in the vicinity of Rose Cove, but the U.S. Army Corp of Engineers will most likely proceed with issuing permits in that area. Chairman Hollinger asked for an update on the expansion of the ADZ. Mr. Tomlin informed the Council that the Bureau of Shellfisheries is working with lawyers out of Trenton to finalize new lease agreements for the ADZ. Once that is done, the Bureau plans to start granting new leases in the ADZ, which should start by the end of the year.

New Business

1. Tongers Committee

Mr. Wade, Chairman of the Tongers Committee, publicized what had been discussed at the first Tongers Committee meeting, which was held on the 25th of July. According to Mr. Wade eight individuals who actively tong for oysters attended the meeting. Some of the topics that were discussed were how to spend the money generated by the sale of tonging bushel tags (transplant/shellplant), a volunteer shellplant program, effort to adopt new rules that includes bushel limits. Minutes from the Tongers Committee on July 25 were made public under the Sunshine Law.

2. Bayshore Center/Rutgers' Project Ports (*Non-agenda Item*)

A representative from the Bayshore Center addressed the Council to inform them of their upcoming efforts to inform the public about New Jersey's Delaware Bay oyster industry. On

November 3, 2018, the Bayhore Center will be holding their *Oyster Fest*, which will focus on the work being done in the Delaware Bay by New Jersey's oyster industry. Future events and tours on the A.J. Meerwald will also focus on informing the public on the Delaware Bay's oyster industry and its history. Lisa Calvo expressed a desire to meet with the Tongers Committee to give them a presentation on Rutgers' Project PORTS (Promoting Oyster Restoration Through Schools). Mr. Wade invited Ms. Calvo to give the presentation at the next Tongers Committee meeting, which is scheduled for September 5, 2018. Ms. Calvo briefly mentioned that the program involves the use of spat on shell. Mr. Gaines asked if Project PORTS uses bred or wild oysters. He was informed that bred oysters would most likely be used. Mr. Gains expressed two concerns of using bred oysters for enhancement efforts. First, is that bred oysters are a limited commodity. Therefore, if hatcheries are selling their product for enhancement efforts; it hurts the aquaculture industry. Second, it is unknown what the effects of releasing large amounts of spat-oysters spawned from a relatively few individuals into the wild will be on the native population.

3. Money Island Dredging (*Non-agenda Item*)

Chairman Hollinger asked Mr. Tomlin if he had found out any information about using money from the cultch fund to dredge the channel near Money Island. Mr. Tomlin informed the Council that by definition the money in the cultch account can only be used for enhancement and management of oyster resources. Mr. Tomlin stated that he is conducting further inquiries to see if dredging Money Island's channel can be considered management of the oyster resource.

4. Crab Committee Update (*Non-agenda Item*)

Chairman Hollinger updated all that were in attendance that at the most recent Crab Committee meeting it was decided to work towards a rule change that would allow crab pot license to be between individuals outside of a family relationship. Further detail on this matter available in the Crab Committee's minutes, which are public record under the Sunshine Law.

5. Enforcement Update (*Non-agenda Item*)

Captain Snellbaker apprised the Council on several issues. Capt. Snellbaker began by discussing budgetary issues. He stated that the Marine Enforcement Division's main source of funding comes from National Marine Fisheries Service with the Joint Forces Agreement. Therefore, most of the work that the Marine Division focuses on is the enforcement of federal regulations. Furthermore, all but one of the boat assigned to the Marine Division have been paid for with federal funding. The one boat that was not paid for with federal funding was paid for by a NJ Shellfish account. Consequently, that boat's sole purpose is the enforcement of shellfish regulations. Capt. Snellbaker went on to say that the federal funding may not be available in the budget. If the funding is cut, then resources to carry out enforcement will be even more scarce. What this eludes to is that with the potential funding cuts, in conjunction with the possibility that the State loses a pending court case, which focuses on tonging in the Maurice River Cove; he will be forced to deem the Maurice River Cove as unenforceable and work towards a permit suspension of tonging in the Maurice River Cove. Capt. Snellbaker asked Mr. Wolf his opinion on the matter. Mr. Wolf stated that if an area is deemed unenforceable, the area can be closed administratively.

Capt. Snellbaker also informed the Council that with a \$500.00 grant he was able to secure 120 plus Marine Sanitation Devices, 5-gallon buckets with lids. They are available to the public at no charge.

6. Hiring of additional Marine Fisheries Administration (MFA) staff (*Non-agenda Item*)

Councilman Fleetwood asked for an update from Mr. Tomlin on the hiring of additional MFA staff. Mr. Tomlin stated that the 1.2 million dollars from the 2017 budget was included in the 2018 budget. Mr. Tomlin stated that to speed up the process the MFA will most likely pursue less than nineteen hires that were originally desired. Lastly, Mr. Tomlin stated that the MFA was considering dedicating some of the new hire slots to the Marine Enforcement Division.

7. NJDEP's Commissioner Visit (*Non-agenda Item*)

Chairman Hollinger mentioned that the NJDEP's Commissioner, Catherine R. McCabe, was scheduled to visit the area in late August. Chairman Hollinger was unaware of Ms. McCabe's exact agenda for the visit, but was looking forward to for the attention the area will receive from the State's leadership.

Councilman Hollinger motioned to adjourn the meeting. Councilman Malinowski seconded the motion. All were in favor.

The NJ Shellfisheries Council, Delaware Bay Section meeting adjourned at 7:22 PM.

The next scheduled meeting of the Council will be tentatively held on **October 2, 2018 at the Haskin Shellfish Research Laboratory at 6:00PM.**