

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

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

Council	State/Fed Representatives	Haskin Research Lab
Warren Hollinger, Cumberland Co.	Russell Babb, Acting Chief	David Bushek, Director *
Richard Malinowski, Salem Co.	Jason Hearon, DFW Shellfisheries	Kathy Alcox, Field Researcher
Scott Bailey, Cumberland Co.	Craig Tomlin, DFW Shellfisheries	
Steven Fleetwood, Cumberland Co.	Andrew Hassall, DFW Shellfisheries	
Cape May / Salem Co. – Vacant	Bruce Friedman, Marine Water Monitoring	

* Not present

Compliance with the Sunshine Law

Notice of this meeting was posted November 19, 2014 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.

Revenue collected for November totaled \$14,943.50 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$600.00	Commercial Shellfish	\$ 450.00
Nets	\$653.00	Dredge Boat Renewal	\$ 10.00
Application Fees	\$ 40.00	Lease Fee	\$9536.50
AC Dredge	\$700.00	Tonging Tags	\$2400.00
DB Dredge	\$400.00	Menhaden	\$ 154.00

Revenue collected for December totaled \$44,266.74 and is summarized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot	\$6500.00	Commercial Shellfish	\$ 2500.00
Nets	\$7613.00	Recreational Shellfish	\$ 10.00
Application Fees	\$ 474.00	Lease Fee	\$14,622.24
DB Dredge	\$3800.00	Survey Fees	\$ 140.00
AC Dredge	\$2700.00	Tonging Tags	\$ 3500.00
Otter Trawl	\$ 204.00	Dredge Boat Renewal	\$ 1252.00
Menhaden	\$ 520.00	Area 1, 2 & 3	\$ 4.00
Dealer and/or Shucker License	\$ 400.00	Map Sales	\$ 27.50

Oyster Resource Development Account:

January 6, 2015		
Unexpended	\$537,519.63	Budget authority less expenditures (<i>total spendable dollars currently in account</i>)
Expended	\$ 38,000.00	Total amount spent against the appropriation (<i>spent from account during FY'15</i>)
Pre-encumbered	\$0.00	Total outstanding requisitions processed against the appropriation (<i>Amount previously set-aside for preparation of term contracts - since cancelled</i>)
Encumbered	\$258,000.00	Total outstanding purchase orders processed against the appropriation (<i>Amount obligated to vendors or planned services (e.g., contracting, transplants)</i>)
Uncommitted	\$279,519.63	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: Consideration

Section	Lease Number	Acres	Lessee
ADZ4	1B	1.5	Atlantic Capes Fisheries**
ADZ4	12B	1.5	Lauren Bishop
ADZ2/3*	1	10	Edward Gaine**
A	To be determined	190	Edward Gaine**

* Section number to be determined.

** Present at Meeting

For Council's Information

Boat Transactions

- Vessel & License - Devon & Derek #47 was transferred from Wayne Robinson to Howard Mason
- Vessel & License - Lady Pearl #71 was consolidated & the vessel was transferred by Robert Robbins
- Vessel & License - Bonsecour #77 & Valhalla #2 were transferred from George McConnell to Robert Robbins

Old Business:

- Annual Election of Chairman
Councilman Malinowski made a motion nominating Councilman Hollinger for Chairman of the Council. Councilman Fleetwood made a motion nominating Councilman Bailey for Chairman, and Councilman Malinowski seconded.
Councilman Fleetwood made a motion nominating Councilman Hollinger for Vice Chairman of the Council, and Councilman Malinowski seconded the motion.
- Motion for Extension of 2015 Leased Grounds
Councilman Fleetwood motioned to approve, and Councilman Bailey seconded the motion. All were in favor.
- 2014 Lease Non-Renewals
Richard Andrus Sr. and Claire Andrus did not renew 1 lease, and Jefferey Moore and Louis Armand did not renew 5 leases. A letter will be sent to these individuals. If they do not attend the next Council meeting, their leases will be offered to anyone interested in a first come, first serve basis.
- Reminder – 2015 Oyster Stock Assessment Workshop (Feb 10-11, 2015)
- Reminder – Mr. Babb reminded everyone that there will be a Leasing Committee meeting on January 14, 2015 at 1:30 PM at the Haskin Shellfish Research Lab.

New Business:

- Bruce Friedman, 2015 changes in shellfish water classification (including the Gandy's Beach Administrative Order), Vp Plan and summary of proposed regulations (N.J.A.C. 7:12)

Mr. Friedman informed everyone about the suspension of harvest in the areas of Nantuxent Cove, Gandy's Beach, and Money Island that occurred the previous month. The suspension was caused by compromised holding tanks in Gandy's Beach and Money Island communities due to the erosion of the shoreline. Through testing and observation, the holding tanks were found to discharge into Delaware Bay at high tides. The communities also did not have an adequate waste removal system for those living there. That resulted in a buffer zone where harvesting was to be suspended. Further discussion ensued.

Mr. Friedman told everyone that the review of the 2014 Vp season went well. There were no outbreaks, and only a small amount of sporadic illnesses. He advised the illnesses were not due to a single harvest area, and therefore no closures were issued for 2014. Mr. Friedman continued by stating that the peak levels of Vp were seen from June 15 to July 15, which matched the timeframe that the sporadic illnesses had occurred. He informed the Council that the Vp Plan would change in 2015, so the harvest time limit from July 1 – July 31 would be shifted to June 15 – July 15. This would provide the same harvest hours for the same number of days in the season, but shifted to match the peak Vp levels and associated sporadic illnesses.

Some discussion developed into the use of refrigeration during Vp season. Councilman Fleetwood mentioned issues that occurred with their new system for those who were thinking of moving in that direction. Since refrigeration was still being developed, Mr. Friedman mentioned that Marine Law Enforcement requested collaboration between them and the industry so refrigeration designs could be made for the benefit of all. Further discussion ensued.

Mr. Friedman brought up an issue from an annual FDA audit. The FDA found nonconformance with Chapter 6 of the model ordinance, which deals with aquaculture. There was a need for special permits to regulate aquaculture activities. The Model Ordinance requires review of the operational plan, which has not been done. The Commissioner's office, Attorney General's office, and Division of Law took the FDA letter seriously because if there is nonconformance 2 years in a row, the ISSC can cite the industry and delist the industry for continued nonconformance. Mr. Friedman had mentioned the short term fix was to change the

shellfish classification rules by adopting the model ordinance, except those already adopted by DOH rules. The long term plan requires changes to the shellfish program and aquaculture industry. Mr. Friedman said they were going to look at permits to legitimize existing operations not permitted such as hatcheries operating in prohibited waters. Those operations require special permits and were being put together to legitimize the operations. Further discussion ensued.

Mr. Friedman opened up the conversation to the industry members to address a topic he had agreed to discuss prior to the meeting. Councilman Hollinger posed the question as to why the “tongers’ line” was set the way it was. The industry was concerned why the line did not go directly to East Point, but instead went out to a corner in the Maurice River Cove before coming back to shore. Mr. Friedman responded that the point that the line had gone to was considered approved from November to April, but Special Restricted from May to October. Mr. Friedman said they were willing to collect a sample further into the cove to see if the water quality would change and potentially change the line. Further discussion ensued.

- Ned Gaine brought up an issue he had with the application cost for the offshore ADZ leases. His thought was that the application fee of \$1,000.00 was deterring people from applying for a lease, and if it was lowered someone besides himself may apply. He wanted to see the offshore leases be successful and fruitful, and would have liked someone else to work with on those leases. Further discussion ensued.

- Following discussion of tonging in Delaware Bay, people showed interest in the Tongers Committee being reconvened. Councilman Hollinger motioned for the Committee to be reconvened, and Councilman Malinowski seconded the motion. All approved.

Adjourn	@ 8:30 PM		
The next meeting of the Council will be tentatively held on:		<u>OR</u>	In the library of the Haskin Shellfish Laboratory
March 3, 2015			