



Mr. Schlembach clarified, per Council request, that he intended to utilize floating cages which included bird deterrent spikes.

4. Applications for Transfer

LESSEE	APPLICANT	LOT	SEC	ACRES	LOCATION	MAP	Species	Proposed Activity
Scott Lennox	Valhalla Shellfisheries LLC – Arthur Gant	6	D	2.00	Swan Point	2	Oyster	Floating Cages/Bags, Bottom Cages
Matthew Genna	William Mayer IV	2033	B	2.00	Widgeon Bay	3.2	Hard Clam	Traditional On-Bottom Planting

The applications for transfer were approved on a motion by Mr. Mathis and seconded by Mr. Felder and unanimously approved by the Council. Ms. Swain stated that the applicants would receive a letter informing them of the decision and provide information to come to the office to sign the lease agreement.

5. Old Business

Mullica River Shell Planting Update

Mr. Stueber indicated that the Bureau completed the annual shell planting on the Mullica River, which began June 18<sup>th</sup> and was completed on July 14<sup>th</sup>. Per the planning goals of the NOAA grant, the Bureau aimed to plant 25,000 bushels of shell for this year. To achieve that target, the Bureau contracted with Bivalve Packing to plant 10,000 bushels on the Bureau’s behalf. Mr. Stueber commended the exceptional work of the team with Bivalve Packing on their collaboration and support of the project. A total of about 26,000 bushels were planted across the Mullica River Great Bay system. Mr. Stueber noted that the Bureau was sampling for disease monitoring as well as monitoring for recruitment success. A full shell recycling program update would be provided to the Council in early Fall.

Hard Clam Management Plan Committee

Mr. Auriemma stated that the Hard Clam Management Plan Committee planned to meet again on August 6<sup>th</sup>. A contract with Rutgers University was in development to have Rutgers contribute to writing portions of the plan, in addition to research and literature review. Mr. Jeffrey Pharo was approved as a member of the Hard Clam Management Plan Committee to represent the commercial wild hard clam sector on a motion made by Mr. Mathis and seconded by Mr. Gaine. Ms. Donna Waliky was approved as a member of the Hard Clam Management Plan Committee to represent the recreational hard clam sector on a motion made by Mr. Mathis and seconded by Mr. Gaine.

Structural Aquaculture Committee

The Structural Aquaculture Committee planned to meet virtually on August 12<sup>th</sup> at 6pm. The Committee intended to discuss the Commercial Shellfish Aquaculture Permit (CSAP) Compliance Advisory issued in June 2025 which included the conditions listed in the advisory as well as any additional recommendations by the Committee. The Council indicated they wanted the meeting to be open to the public. The meeting will be posted on the NJ Fish and Wildlife website.

The Council guidelines indicated that Committee membership was a two-year term with the ability to be reappointed for an additional two-year term without reapplication at the Council’s discretion. All members of the Structural Aquaculture Committee were appointed on June 10, 2023 and had completed their initial two-year term. They all have indicated they wish to continue as members of the Committee. Dale Parsons, Matthew Matusky, Jordan LoPinto, Matthew Hender, Chuck Gehman, Matthew Gregg, and Thomas Burke were reappointed for a second two-year term of the Structural Aquaculture

Committee on a motion made by Mr. Mathis and seconded by Mr. Gaine. Mr. Mathis and Mr. Gaine would remain as co-chairs of the Committee.

### Regulatory Committee Update

Mr. Normant indicated that the Regulatory Committee met for one and a half years for a total of seven meetings with representation from recreational and commercial shellfishermen on amendments and revisions to the shellfish rules. The informal discussions focused on the presentation and scoping of concepts before the development and submittal of a rule proposal. The Bureau understood the fact that the shellfish regulations had not been revised for about 30 years and did not want to overwhelm the industry with a large proposal even if most of the changes were housekeeping items. This informal process did not replace the rule proposal process, which included a 60-day public comment period and the potential for a public hearing. After each committee meeting, a summary was created and reviewed at each following Committee meeting. These committee summaries were then shared with all council members throughout the process. Lastly, a comprehensive summary document was created to recap all the meetings in one document for the Council's consideration. The report was sent to the Committee and the Council to review and comment. No additional comments from the Committee were received regarding the summary. It was suggested that if the public had specific topics for comments, they should let a Councilmember know or reach out to the Bureau in advance so that there was time for the Bureau to collate similar comments in order to manage and prioritize what topics the Council wanted to discuss. The Regulatory Committee summary report document was accepted by the Council on a motion made by Mr. Gaine and seconded by Mr. Mathis. The Committee report would be posted on the NJ Fish & Wildlife website to allow the public to review and attached to these Council minutes. The report would be discussed at the August Council meeting.

Mr. Johnson requested to receive a legal interpretation of NJSA 50:2-10; 50:2-10.1 in relation to power harvesting. Mr. Normant inquired if Mr. Johnson would also like a review of NJSA 50:4-2. Mr. Johnson agreed.

The Committee planned to meet in the Fall to discuss and provide recommendations on lease allocation and utilization which were recurring themes raised throughout discussion of regulatory concepts.

### Viking Yacht

The Council sent a letter to Viking Yacht asking their captains to respect the navigational rules of the waterway, which included slowing down near vessels working the leases and the state managed oyster beds as a response to concerns raised regarding large wake concerns. Viking Yacht responded to the letter and instructed their captains to slow down. Viking Yacht invited the Council to tour the facility and suggested attending a Council meeting to discuss it further if needed. The Council suggested sending a thank you letter to Viking Yacht for their rapid response and due diligence in the safety of vessels working the Mullica River and recommend that they contact Mr. Fleetwood to learn more about their operation. Mr. Mathis made a motion to send a thank you letter to Viking Yachts which was seconded by Mr. Felder and unanimously approved by Council. Mr. Fleetwood suggested a potential notification process when they were working in which the Council was supportive.

### Kevin Kirk Appointment – Thank You Letter

The Council suggested sending a thank you letter to the NJ Senate Judiciary Committee regarding the appointment of Mr. Kirk as the Monmouth County representative and highlighting that the Council now had full representation for the first time in 19 years. Mr. Gaine made a motion to send a thank you letter to the NJ Senate Judiciary Committee which was seconded by Mr. Mathis and unanimously approved by the Council.

## 6. New Business

### Oyster Tag Fee Increase – Delaware Bay Direct Market

The Bureau, in coordination with the Delaware Bay Section of the NJ Shellfisheries Council, submitted a proposed amendment to N.J.A.C. 7:25A-1.8 (DEP Docket 06-25-07) related to changing the Delaware Bay oyster harvest tag fee from \$2 to \$4 per bushel in order to increase the funding for the Oyster Resource Development Fund. The proposed amendment was going to be posted on August 4<sup>th</sup>, with public comments due by October 4<sup>th</sup>. The only change to the Delaware Bay oyster regulations was the "landing fee for oysters" from the State's natural seed beds. It was anticipated that the increase would be implemented by the 2026 harvest season.

#### NJREAL

The NJREAL rule proposal was resubmitted due to significant changes which triggered a new 60-day public comment period. It was requested to discuss NJ REAL at the next Council meeting if additional comments were necessary.

#### US Army Corps of Engineers – Nationwide Permit 48

The US Army Corps of Engineers (USACE) put forth a rule adoption as part of a five-year renewal process which could impact Nationwide Permit 48 (NWP 48) as was required for all shellfish aquaculture activities. Mr. Gaine noted that it appeared that changes to NWP 48 were consistent with existing requirements by other agencies but potentially duplicative of what growers were required to provide. The Bureau has been in contact with USACE, and they agreed to attend a Council meeting to discuss NWP 48. Mr. Normant clarified that in 2007 the Bureau was able to report leases for traditional aquaculture on the leaseholder's behalf, but currently, all aquaculture activities (including traditional aquaculture) were required to have a valid NWP 48 issued by the USACE. It was recommended that when the USACE attend a Council meeting, the Council and the public would provide industry perspective to the USACE and highlight the potential volume of permit applications expected. Discussion ensued regarding the Bureau's ability to provide lease information like in 2007 and apply for the NWP 48 for traditional aquaculture activities. Mr. Normant added that in 2007, most of the industry was doing traditional aquaculture activities, but the industry has changed significantly since then. The Bureau would need to confirm activity on a lease to justify applying on behalf of the leaseholders utilizing traditional aquaculture if the USACE was supportive of that idea.

#### 7. Public Comment

Mr. Burke, a shellfish grower in upper Barnegat Bay, expressed concerns with a Swan Point marsh restoration project utilizing pumped dredge spoil on the marsh adjacent to the lease block in Swan Point, specifically its potential impact on water quality and shellfish aquaculture farms in the area. Mr. Burke asked the Council to write a letter expressing concerns about the project. The Bureau was unaware of the project as described and asked Mr. Burke to provide some additional information on the project so they can investigate further. The Council agreed to revisit this topic once they receive more information.

Ms. DiElmo notified the Council that the Bureau of Marine Water Monitoring (BMWM) was hosting a virtual meeting in August (date to be determined) to discuss sampling procedures and how data was assessed. A meeting invitation with a specific date was expected to be sent via email within the next week. In addition, BMWM planned to attend the Structural Aquaculture Committee meeting on August 12<sup>th</sup> to discuss the CSAP requirements in 2026.

Mr. Auriemma announced that there was a round table discussion on July 24<sup>th</sup> related to shellfish restoration policy hosted by a work group called the Coastal Habitat Aquatic Resource Restoration and Management (CHARRM) which included discussions on research, policy and outreach.

The meeting was adjourned on a motion by Mr. Mathis and seconded by Mr. Kirk.

8. Date time and place of next meeting:

DATE: August 18, 2025

TIME: 6:00 PM

LOCATION: Nacote Creek Research Station, Port Republic (in-person/virtual hybrid)

**Public Attendees:**

John Daffin  
Steve Fleetwood  
Mike Acquafredda  
Jordan LoPinto  
Keith Craffey  
Jude Welsh  
William Avery  
Matthew Mattusky\*  
Martin Schlembach\*  
Emily Dougan\*  
Matthew Genna\*  
Jen Resciniti\*  
Chris Sandgren\*  
Tommy Burke\*  
Chris Carroll\*  
Todd Kostka\*  
Nick Rossi\*  
Eric Parker\*

**State Representative Attendees**

Les Frie\*, Bureau of Marine Habitat & Shellfisheries  
Liia Carpenter\*, Bureau of Marine Habitat & Shellfisheries  
Lauren Strazzeri\*, Bureau of Marine Habitat & Shellfisheries  
Natalie Dragos\*, Bureau of Marine Habitat & Shellfisheries  
Jenny Tomko\*, Bureau of Marine Habitat & Shellfisheries  
Michael Lindner\*, Bureau of Marine Habitat & Shellfisheries  
Amanda Wenzel-Arians\*, Department of Agriculture  
Nina Colagiovanni\*, Bureau of Marine Habitat & Shellfisheries  
Celia Dahl\*, Bureau of Marine Habitat & Shellfisheries

*\*Attended virtually*