

MINUTES OF THE MEETING OF ATLANTIC COAST SECTION OF THE  
NEW JERSEY SHELLFISHERIES COUNCIL  
Monday, September 15, 2025  
6:00 PM

Meeting was held at the Ocean City Free Public Library  
and virtually via Microsoft Teams

ROLL CALL: Chairman: Walter L. Johnson III (Ocean County)  
Vice-Chairman: George Mathis Jr. (Burlington County)  
Councilman: Paul T. Felder (Cape May County)  
Councilman: Edward W. Gaine (Atlantic County)  
Councilman: Kevin Kirk\* (Monmouth County)  
*\*Attended virtually*

DEP Representatives: Russell Babb, Bureau of Marine Habitat & Shellfisheries  
Jeffrey Normant, Bureau of Marine Habitat & Shellfisheries  
Craig Tomlin, Bureau of Marine Habitat & Shellfisheries  
Scott Stueber, Bureau of Marine Habitat & Shellfisheries  
Michael Auriemma, Bureau of Marine Habitat & Shellfisheries\*  
Nina Colagiovanni, Bureau of Marine Habitat & Shellfisheries  
Lisa DiElmo, Bureau of Marine Water Monitoring\*  
*\*Attended virtually*

*In compliance with the Open Public Meetings Act (N.J.S.A. 13:1B-30 et. seq), a notice of this meeting was posted with the Secretary of State's Office, State House, Trenton, NJ and sent to the Atlantic City Press and NJ Advanced Media news outlets. This meeting will be recorded.*

1. Total Revenue for August 2025 \$ 1,034.66  
Shellfisheries Law Enforcement Fund \$ 45.00
2. Presentation of August 18, 2025 minutes for approval.

The August 18, 2025 minutes were unanimously approved on a motion by Mr. Mathis and second by Mr. Felder.

3. Application for Decision

APPLICANT	LOT	SEC	ACRES	LOCATION	MAP	Species	Proposed Activity
Charlie Price	2322	B	1.78	Dry Bay	24.2	Hard Clam	Traditional On-Bottom Planting

Mr. Price was not in attendance, failing to attend at least one of the two meetings as per N.J.A.C. 7:25-24.6. The application was denied, and the area applied for was reverted back to public bottom.

4. Research Lease for Decision

APPLICANT	LOT	SEC	ACRES	LOCATION	MAP	Species	Proposed Activity
Karen Byrne	2R	C	0.5	Barnegat Bay-Sedge Island		Hard Clam	Traditional On-Bottom Planting, predator screens

Mr. Gaine noted that Ms. Byrne had signage proposed as a part of the research lease application and noted that signage could not display "No trespassing".

The research lease was unanimously approved on a motion by Mr. Gaine and a second by Mr. Felder.

5. Applications for Transfer

LESSEE	APPLICANT	LOT	SEC	ACRES	LOCATION	MAP	Species	Proposed Activity
Susan Torre	Daniel Torre	410	B	2.00	Great Bay – Cape Horn	10	Oyster/ Bay Scallop	Flip Farm System, Bottom Cages
Robert Torre	Daniel Torre	409.1	B	2.00	Great Bay – Cape Horn	10	Oyster/ Bay Scallop	Flip Farm System, Bottom Cages
Joseph Brooke	Luke Williams	1034	A	1.96	Great Sound	5	Hard Clam	Traditional On-Bottom Planting
Joseph Brooke	Luke Williams	1045	A	2.20	Great Sound	5	Hard Clam	Traditional On-Bottom Planting
Joseph Brooke	Luke Williams	1064	A	2.20	Great Sound	5	Hard Clam	Traditional On-Bottom Planting

Per Council request, Mr. Torre clarified his plans for deterring birds utilizing zip-ties mounted on top of floats, as well as kites. Mr. Gaine noted concern with zip-ties being an effective bird deterrent and encouraged exploring other options for bird deterrents. Mr. Torre concurred that he would explore other methods.

The transfers were unanimously approved on a motion by Mr. Mathis and second by Mr. Felder.

Mr. Parsons asked for clarifications on the transfers for Great Bay-Cape Horn, stating that he believed those lots were designated for first time leaseholders only. Mr. Normant clarified that they were not designated for first time leaseholders but for those who did not currently hold a lease, and that the regulations did not address transfers, but only new lease applicants.

7. Old Business

Regulatory Committee

Mr. Babb stated that the regulatory Committee summary report was presented and accepted by the Council at the July 21<sup>st</sup> meeting. The summary report was posted online for public input; however, the Bureau had received very little feedback from the public ahead of the meeting. Mr. Babb reiterated that this was an opportunity to provide informal public input on rule concepts early in the process, as there was not yet a rule package launched.

Public comment on the Regulatory Committee summary report was opened on a motion by Mr. Gaine and a second by Mr. Mathis. There was no public comment.

Mr. Kirk requested that haulers be included as acceptable means of harvest, as it was not mechanical harvest, only mechanical lift. Mr. Babb noted that the Bureau would reach out to enforcement on it. Mr. Kirk recommended that if box harvesters were to be used on leases, a box harvester permit fee should be required. Mr. Normant responded that the comment would be added for consideration. Mr. Babb stated that having a permit or authorization would address some of the concerns that were posed by industry members, allowing each instance to be brought before the Council and prompt discussion on where box harvester use was appropriate.

A comment on the Regulatory Committee summary report was put forward by Council, recommending that a permit for box harvester use be considered, and that Council remain involved in consultation on such a permit. Council also recommended that haulers, as a means of mechanical lift, be permissible and included under the development of the rule.

The comment was submitted on a motion by Mr. Gaine and a second by Mr. Felder. Mr. Johnson requested a roll-call vote in which the comment was unanimously approved.

#### US Army Corps of Engineers – NWP 48

Mr. Normant confirmed that the US Army Corps of Engineers (USACE) would attend the October meeting to discuss the requirements for Nationwide Permit 48 (NWP-48) which was required for all shellfish aquaculture activities. The Bureau continued discussions with USACE on streamlining the process for the industry. Mr. Normant highlighted that the Bureau coordinated a field visit with USACE to show different aquaculture operations and provided them with a better understanding of the industry and methods used. Participation from the public at the October meeting was strongly encouraged.

Mr. Tomlin recommended the Council go through the current NWP-48 and the regional conditions to have a better understanding of what is being asked and be prepared with questions ready for the USACE. It was noted that North of the Manasquan River was a part of the New York District of the USACE, and South of the Manasquan was a part of the Philadelphia District.

Public comment on USACE NWP-48 was opened on a motion by Mr. Gaine and a second by Mr. Felder.

Mr. Avery asked for clarification on NWP-48 and how it had previously been obtained by the Bureau to cover leaseholders. Mr. Normant responded that that was prior to structural aquaculture on the Atlantic Coast, and the USACE allowed the Bureau to report all leases under NWP-48 because activities on the leases were traditional. This was changed with the subsequent re-authorization of NWP-48 that all individual growers doing aquaculture activities were required to obtain a NWP-48 permit.

Mr. Tomlin stated that the development of templates to assist traditional aquaculture growers in filling out the NWP-48 application was being discussed and that USACE was open to the idea.

Mr. Parsons asked if USACE has seen the Lease Policy. Mr. Tomlin stated that he would send the Lease Policy to USACE to provide an understanding of leasing procedures.

#### Swan Point Marsh Restoration project

Mr. Stueber stated that as per Council's request, a letter was sent on September 10<sup>th</sup> to the US Fish & Wildlife Service (USFWS) regarding the Swan Point marsh restoration project as well as other projects proposed within Barnegat Bay. There was no response from USFWS at the time of the meeting.

#### Public Comment

Mr. Lennox inquired about the status of the High Bar Harbor water quality suspension. He stated that the last water quality tests posted showed the water quality has dropped below the water quality requirements outlined in the Unilateral Administrative Order (UAO). Ms. DiElmo agreed that the most recent testing did fall below the required threshold, however she noted that more data points that met the criteria were needed to reopen. The area was on track to reopen in late Fall or early winter.

Mr. Gaine asked what the process was for lifting the suspension and whether another UAO would be necessary. Ms. DiElmo stated that while she was not certain, historically for other closures, a document was published and signed by

the Bureau of Marine Water Monitoring, declaring the area open. Mr. Gaine requested that the notice be sent to impacted growers and the Council upon reopening. Ms. DiElmo concurred.

Mr. Bellwoar asked if the same timeline was expected for the Ludlam Bay closure. Ms. DiElmo stated that the water quality was trending positively, and she expected the same timeline as High Bar Harbor.

Mr. Glenn asked why more data points couldn't be taken to open the areas sooner. Ms. DiElmo clarified that extra samples could not be taken as they had to follow National Shellfish Sanitation Program (NSSP) guidelines.

Ms. DiElmo announced that a meeting was held to provide an overview of the NSSP and that the overview was available online at: <https://www.youtube.com/watch?v=uTxKL14cj3A>

Mr. Torre asked if any progress had been made after the Structural Aquaculture Committee meeting in which Commercial Shellfish Aquaculture permit regulation changes were discussed. Mr. Gaine responded that the only deliverable from that meeting was to inform the Bureau of Marine Water Monitoring on issues the Committee felt were important, and that those comments were being reviewed by the Bureau of Marine Water Monitoring. Mr. Gaine said he would bring this up with Ms. Gentile next time they spoke to see if he could get any additional feedback

#### 8. New Business

##### Farm, Fisher, Aquaculture Stress Survey – Rutgers University Cooperative Extension

Ms. Iwicki announced a survey conducted by the Rutgers Cooperative Extension - Department of Family and Community Health Sciences, in which they were looking for input on what causes stress for shellfish industry members, as well as other food producers throughout the State. Mr. Gaine requested that findings be shared with the Council.

##### Hydrographic Surveys – Middle Island

Mr. Normant stated that all the hydrographic surveys in Middle Island were completed and that Mr. DiVaccaro was making progress in catching up on the backlog of needed hydrographic surveys. Mr. Johnson asked how much more needs to be done. Mr. Normant responded that a few surveys still need to be completed, including Dry Bay.

Mr. Johnson inquired about money awarded to the State that was dedicated to the removal of derelict vessels and gear and whether that money could be used to remove the abandoned barge in Dry Bay. Mr. Normant said he would look into it.

##### 2026 Shellfish Lease Renewal

Mr. Normant stated that the 2026 lease renewal period would open on October 15<sup>th</sup> and end on December 31<sup>st</sup>. A letter will be sent to all leaseholders prior to October 15<sup>th</sup> as a reminder to come into the office to sign all required paperwork and pay associated fees. Structural aquaculture leases were required to submit proof of insurance at renewal and corporate entities were required to submit the most recent Business Entity Report.

Mr. Gaine asked how many leaseholders needed to renew on the Atlantic Coast. Mr. Normant stated approximately 190.

Mr. Normant stated that any leaseholders wishing to transfer their lease(s) this year would have to complete the transfer application by the October 20<sup>th</sup> Council meeting. Any transfer applications submitted after the October 20<sup>th</sup> Council meeting would not be processed and placed on the agenda until the January meeting.

### Surf Clam Quota 2025-2026

Mr. Stueber informed the Council that after consultation with the Surf Clam Industry, a minimum quota of 1,824 bushels was established for the NJ surf clam fishery. A letter was sent to surf clam license holders and notice signed to be published in the New Jersey Register.

The quota was unanimously approved on a motion by Mr. Gaine, and second by Mr. Felder.

### Other New Business

Mr. Gaine noted that the biannual Interstate Shellfish Sanitation Conference (ISSC) was to be held in May and that proposals for any changes needed to be submitted before the end of October. Mr. Gaine encouraged industry members to get involved in the ISSC, and that if anyone had suggested proposals to contact him or Mr. Fleetwood to ensure submittal prior to the end of October. Mr. Gaine stated that he did not receive proposals yet but after the deadline they would be distributed to the conference for review.

Mr. Gaine noted that the Delaware Bay Section of the Shellfisheries Council recently received an update from Virginia Wheatly of the Department of Health on vibrio and requested that Ms. Wheatly provide an update to the Atlantic Coast section as well.

Mr. Johnson asked if the recording of the Council meeting was available to the public online after the meeting. Mr. Babb responded that Bureau would investigate what other Fish & Wildlife councils were doing and if the website could accommodate the posting of the recording. The Council unanimously approved the recommendations to post the recording of the Council meetings online as soon as possible after the meeting on a motion by Mr. Gaine and seconded by Mr. Felder.

Mr. Parsons asked if the posting of recordings would also apply to committee meetings. Mr. Gaine stated that committee meetings would be taken under advisement but noted that he liked committee members having the ability to speak freely.

### 9. Public Comment

Mr. Hammell asked for clarification on requirements for obtaining a clamming license and the ability for an illegal immigrant to obtain a license or a shellfish aquaculture lease. Mr. Normant stated that the license would fall under a non-resident, and a non-resident commercial license would be necessary.

Mr. Parsons asked if the Bureau had completed a surf clam survey. Mr. Stueber responded that a survey had not been completed since 2019 due to lack of surf clam resources, but that the Bureau intended to do a survey in 2026.

Mr. Jenks inquired about the hard clam relay program and that he has witnessed clamming taking place in the Manasquan River. Mr. Normant stated that enforcement would be notified of his concern. Mr. Jenks inquired about the marsh restoration projects and impacts on water quality in Barnegat Bay. Mr. Gaine responded that he had attended a seminar given by the Coastal Resource Center (CRC) regarding nature-based solutions. Mr. Gaine suggested at the seminar that members of the shellfish industry be included in CRC committees moving forward.

The meeting was adjourned on a motion by Mr. Gaine and a second by Mr. Felder.

10. Date time and place of next meeting:

DATE: October 20, 2025  
TIME: 6:00 PM  
LOCATION: Nacote Creek Research Station

**Public Attendees:**

Bill Avery  
Tom Glenn  
Sky Glenn  
John Daffin  
Dale Parsons  
Ron Hammell  
Mike Acquafredda  
Will Shoemaker  
Jordan LoPinto  
Keith Zammit  
Martin Schlembach  
Jennifer Resciniti\*  
John Meiman\*  
Jim Jenks\*  
Matthew Mattusky\*  
Carolyn Iwicki\*  
Tom Bellwoar\*  
Scott Lennox\*  
Chuck Gehman\*  
Brian E. Rumpf\*  
Dan Torre\*  
Lisa Calvo\*  
Matt Hender\*  
Tommy Burke\*  
Eric Parker\*  
Steve Fleetwood  
Steve Fleetwood Jr.

**State Representative Attendees**

Karen Byrne\* NJ F&W Bureau of Information and Education  
Natalie Dragos\* Bureau of Marine Habitat & Shellfisheries  
Les Frie\* Bureau of Marine Habitat & Shellfisheries  
Jenny Tomko\* Bureau of Marine Habitat & Shellfisheries  
Amanda Wenczel-Arians\* NJ Department of Agriculture  
Alissa Wilson\* Bureau of Marine Habitat & Shellfisheries

*\*Attended virtually*