

MINUTES OF THE MEETING OF ATLANTIC COAST SECTION OF THE  
 NEW JERSEY SHELLFISHERIES COUNCIL  
 Monday, October 20, 2025  
 6:00 PM

Meeting was held at the Nacote Creek Research Station  
 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)

DEP Representatives:      Russell Babb, Bureau of Marine Habitat & Shellfisheries  
    Jeffrey Normant, Bureau of Marine Habitat & Shellfisheries  
    Megan Swain, Bureau of Marine Habitat & Shellfisheries  
    Scott Stueber, Bureau of Marine Habitat & Shellfisheries  
    Sarah Gentile, Bureau of Marine Water Monitoring

*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 September 2025                      \$ 1,177.58  
     Shellfisheries Law Enforcement Fund                      \$ 30.00
  
2. Presentation of September 15, 2025 minutes for approval.

The minutes from the September 15, 2025 meeting were presented for approval. However, due to non-receipt by a council member, the approval was tabled until the next meeting.

3. Application for Consideration

APPLICANT	LOT	SEC	ACRES	LOCATION	MAP	Species	Proposed Activity
Captain Nate's LLC (Brett Nicklow)	2323	B	1.70	Dry Bay	24.2	Hard Clam	Traditional On-Bottom Planting

Mr. Nicklow was present and satisfied his attendance requirement for one of the two meetings where his application was discussed.

4. Applications for Transfer

LESSEE	APPLICANT	LOT	SEC	ACRES	LOCATION	MAP	Species	Proposed Activity
Peter McCarthy	Parsons Mariculture (Dale S. Parsons)	1420	B	2.00	Middle Island	6.1	Hard Clam	Traditional On-Bottom Planting
Peter McCarthy	Parsons Mariculture (Dale S. Parsons)	1437	B	2.00	Middle Island	6.1	Hard Clam	Traditional On-Bottom Planting
Peter McCarthy	Parsons Mariculture (Dale S. Parsons)	1438	B	2.00	Middle Island	6.1	Hard Clam	Traditional On-Bottom Planting
Michael Camp	Luke Williams	220	A	2.00	Ludlam Bay	1	Oyster, Hard Clam	Traditional On-Bottom Planting, Bottom Cages

Michael Camp	Luke Williams	221	A	2.00	Ludlam Bay	1	Oyster, Hard Clam	Traditional On-Bottom Planting, Bottom Cages
Michael Camp	Luke Williams	222	A	2.00	Ludlam Bay	1	Oyster, Hard Clam	Traditional On-Bottom Planting, Bottom Cages
Michael Camp	Luke Williams	224	A	2.00	Ludlam Bay	1	Oyster, Hard Clam	Traditional On-Bottom Planting, Bottom Cages
Walter Johnson III	Graveling Point LLC (Steve Fleetwood)	40	B	9.46	Great Bay – Graveling Point	1	Oyster	Traditional On-Bottom Planting
Walter Johnson III	Graveling Point LLC (Steve Fleetwood)	91	B	1.91	Great Bay - Graveling Point	1	Oyster	Traditional On-Bottom Planting

The transfers from Mr. McCarthy to Parsons Mariculture and Mr. Camp to Mr. Williams were unanimously approved on a motion by Mr. Gaine and second by Mr. Felder. The transfer from Mr. Johnson to Mr. Fleetwood was approved on a motion by Mr. Mathis and seconded by Mr. Felder. Mr. Johnson abstained. The approved transfer applicants would be notified and required to come to the office to sign their lease agreements and pay their lease fees.

7. Old Business

US Army Corps of Engineers – Nationwide Permit 48

Ms. Swain informed the Council that due to the ongoing federal government shutdown, representatives from the Army Corps of Engineers (USACE) were unable to travel and attend the meeting in person, which they had strongly preferred to engage directly with the growers. The USACE hoped to attend the November meeting if the shutdown was lifted. The Council suggested that perhaps they consider the possibility of scheduling a December meeting, if necessary, to accommodate their visit before the end of the year. Mr. Normant noted that the reauthorization of Nationwide Permit-48 (NWP-48) and subsequent changes would not become effective until March 2026, suggesting that a January meeting could also be a viable option. Mr. Normant added that the Bureau and the USACE have been collaborating to potentially streamline the permitting process, particularly for traditional aquaculture operations. Mr. Normant also clarified that NWP-48 has already been required for traditional growers for many years. The goal of the Bureau’s meeting with USACE was to find areas where the application process could be simplified for growers seeking coverage under the NWP-48, especially in terms of impact statement language in the permit applications. Mr. Normant added that the USACE had been receptive to these efforts.

Bureau of Marine Water Monitoring Update

Ms. Gentile stated that the High Bar Harbor leases in Barnegat Bay had been reopened from Suspension status. However, growers were advised to proceed with caution when redeploying floating gear, as the 90<sup>th</sup> percentile threshold for water quality was just under the limit at 30.2 (with the threshold being 31). Ms. Gentile added that continued low sampling values were necessary to maintain the Approved status. However, she noted that Ludlam Bay, which had been on the same trajectory as High Bar Harbor, recently experienced a setback due to the presence of floating gear in the Suspended area with no deterrents. Bird activity had been noted on floating gear during sampling and the data collected resulted in a value of 50. Due to this last data point, Ms. Gentile stated the Ludlam Bay lease area could not be reopened at this time.

Ms. Gentile also noted that Swan Point’s water quality was trending negatively, with recent samples showing increasing numbers impacting the 90<sup>th</sup> percentile threshold. While no decisions have been made yet, Ms. Gentile stated that it was not trending in the right direction. Ms. Gentile emphasized the Department’s commitment to transparency and

announced that they were now taking enforcement action on some growers for non-compliance with permit conditions, particularly regarding bird deterrents. Commercial Shellfish Aquaculture Permits (CSAP) would be suspended for non-compliance with bird deterrents and would prohibit all shellfish aquaculture gear related activities, relative to their CSAP, until resolved. Non-compliance would result in a 14-day window to remove gear. The grower could file an appeal within 30 days.

Ms. Gentile provided updates on the 2026 Commercial Shellfish Aquaculture Permit (CSAP) process. The application process remains unchanged except for two new conditions that were added: (1) all gear must be labeled, aligning with already existing NWP-48 permit requirements, and (2) growers must notify the Department if gear was to be overturned for more than 48 hours. These changes aim to improve accountability and monitoring without imposing additional burdens on growers. Mr. Normant clarified that the gear marking requirements at the USACE level already applied to all aquaculture gear. Ms. Gentile clarified that the overturning notification would be required every time gear was overturned for more than 48 hours and that it was not their intention to enforce the marking of “minor gear accessories”, such as straps, etc.

Mr. Gaine expressed his appreciation to the Department and shellfish industry for working to the best of their ability to reopen High Bar Harbor lease area as soon as possible. Mr. Parsons requested clarification on the implications of gear marking, especially in cases of gear loss due to weather events. Ms. Gentile clarified that the intent of labeling was for identification during inspections, not to penalize growers for lost gear. A lengthy discussion ensued.

A request was made for the Department to post the September water quality numbers as they were not yet available to the public on the website.

#### 2026 Lease Renewal

Ms. Swain stated that the lease renewal period began on October 15, 2025. Leaseholders were reminded to submit documentation early and schedule appointments to avoid delays or potential non-renewal as all leases must be renewed by December 31st.

#### Viking Yacht Meeting

Mr. Stueber and Mr. Fleetwood reported on a recent meeting with representatives from Viking Yachts, during which they toured the facility and engaged in productive discussions regarding wake-related concerns on the Mullica River. The primary focus of the conversation was the potential impact of vessel wakes on riverbank erosion in the Mullica River and the safety of commercial shellfish operations. Mr. Fleetwood noted that Viking Yachts’ representative expressed the view that their vessels had minimal impact on the riverbanks. However, he also stated that Viking had voluntarily implemented a no-wake policy in the Bass River for the past 12 years. While the stretch of river between Bass River and the Blood Point Ditches requires more time to navigate at reduced speeds, Viking agreed to instruct their captains to slow down when commercial vessels are present in that area.

Following the meeting, Mr. Fleetwood contacted Viking, to propose the idea of establishing a formal “No Wake Zone” from the Bass River to the Blood Point Ditches. Mr. Fleetwood emphasized the importance of consistent enforcement for all vessels, noting that it would be unreasonable to expect Viking vessels to reduce speed while other boats continued to travel at high speeds. Viking’s representative responded positively, indicating that the proposal was reasonable and that he would discuss it further. Although no formal commitment was made, Viking Yachts appeared receptive to the idea. Mr. Fleetwood committed to following up and reporting back to the Council. If Viking does not oppose the proposal, the Council may request that staff explore next steps — such as coordination with Aids to Navigation to formally request the establishment of a no-wake zone. The Council expressed optimism that this initiative could lead to a positive outcome for safety and protection of the seed beds.

## Shell Recycling Program Update

Mr. Stueber provided a brief update on the Shell Recycling Program, noting that a more comprehensive report was planned for the winter meeting. The update focused on spat recruitment data collected during August and September 2025 in the Mullica River and Great Bay, comparing natural reef sites to areas where recycled shell had been planted. While the overall spat counts were lower than the exceptional spawning event observed in 2024, the data still showed a significant increase in spat recruited to natural shell compared to natural reefs. For example, at the Upriver site, the planted shell yielded 903 spat per bushel compared to 432 on natural reef, and at Fitney Bit, the planted shell yielded 225 spat per bushel versus 46 on natural unplanted reef. These results were seen as encouraging signs of the program's effectiveness and supports the need and value of consistent shell planting.

In addition to spat recruitment, disease monitoring was conducted in July. The results indicated generally low prevalence and intensity of infections, except for Fitney Bit, which showed an intensity score of 3.8. All other sites remained below a score of 3. Mr. Gainé asked if Mr. Stueber could provide data on what an average year for disease looked like in this system, for context. Mr. Stueber noted that the Bureau has increased the frequency of disease sampling from once annually to three times per year, which will allow for more robust year-to-year comparisons moving forward. Although historical data was limited, efforts are underway to establish baseline averages to better contextualize future results. Mr. Gainé asked about representative sampling for disease, which currently includes 20 adult oysters per site. Mr. Stueber confirmed that while the sample was skewed toward adult individuals, it was consistent with standard monitoring protocols. Mr. Parsons noted unusually high levels of wild oyster recruitment on his leases, particularly in Middle Island, where juvenile oysters were observed setting on both shell and cage surfaces. Mr. Stueber added that he had heard similar results echoed by others in those areas.

Mr. Parsons asked if the Bureau had entertained planting on areas other than the Mullica River. Mr. Stueber mentioned that the program remains focused on the Mullica River due to current grant funding, but there was interest in expanding to other areas as shell availability and partnerships grow. This year marked the program's largest shell planting effort to date, with 26,000 bushels deployed up from 10,000 the previous year. The Bureau would continue to target 25,000 bushels annually for the next two years. In response to a question from Mr. Avery about the potential for reopening oyster harvest areas, Mr. Stueber stated that no immediate openings are planned, but the Bureau was working toward a more comprehensive assessment of oyster populations in the Mullica River to inform future decisions.

## 8. New Business

Ms. Wheatley from the New Jersey Department of Health (NJDOH) provided an update on *Vibrio*-related illnesses and the associated public health response. She began by explaining the reporting and investigation process for *Vibrio* cases, which involves multiple steps including medical diagnosis, entry into the state's disease reporting system (CDRSS), food history interviews, and notification to NJDOH. To date in 2025, there were 39 reported *Vibrio* cases, a slight increase from the typical annual range of 30–35. However, Ms. Wheatley emphasized that this number includes all cases reported to NJDOH, including harvest areas that were single source (New Jersey only cases), multi-source (New Jersey and out-of-state shellfish), involving shellfish harvested out of state, consumed at New Jersey restaurants, etc. Only single-source cases involving New Jersey-harvested shellfish were considered when evaluating potential water closures. Of the 39 cases, five were culture-confirmed *Vibrio* infections linked to New Jersey shellfish. One case involved only raw clams, while another involved both raw clams and sushi.

The growing use of culture-independent diagnostic testing (CIDT), which could quickly identify *Vibrio* presence but does not specify the species, was also discussed. It is possible that this testing had led to an increase in reported cases, though not all were relevant for regulatory action. Ms. Wheatley noted that many of the affected individuals were immunocompromised or had underlying health conditions, making them more susceptible to severe illness such as in the case involving a 27-year-old individual who was an alcoholic and had liver disease. Ms. Wheatley shared that the individual

had consumed raw oysters in New Mexico, which were traced back to a New Jersey dealer. Although the case resulted in death, the dealer was able to demonstrate proper temperature control and recordkeeping. Ms. Wheatley stressed the importance of maintaining accurate records and temperature logs, as these records are critical in investigations and can protect dealers from unwarranted implications.

Ms. Wheatley acknowledged that the slight increase in cases could be due to various factors, including climate change, increased shellfish consumption, etc. However, she cautioned against drawing definitive conclusions without further evidence. Ms. Wheatley also addressed a question from Mr. Parsons about potential changes from the FDA, noting that the new regional shellfish specialist, Ms. Sutton, was still acclimating to her role and no immediate regulatory changes were anticipated. Ms. Wheatley concluded by encouraging open communication with her office and reiterated that investigations are not meant to be accusatory but are part of a broader effort to ensure public health and safety. She provided her contact information and reminded attendees of the importance of compliance and cooperation during investigations.

#### 9. Public Comment

Mr. Hammell raised concerns regarding commercial clamming licenses and lease security. A discussion ensued about whether all individuals working on a lease should hold a commercial license. Mr. Normant stated that people working under a permission-to-work (PTW) authorization from the lessee were required to have a commercial shellfish license and the PTW lists were shared with enforcement, and that only licensed individuals may harvest shellfish. Mr. Hammell's point was workers that were unlicensed workers "off the street" could come back later to the lease area and poach the clams. The Council acknowledged the concerns and noted they could potentially be considered in future regulatory discussions. Ms. Strazzeri added that all permission-to-work forms must be processed through the office to verify that whomever the leaseholder was giving permission to has a current commercial shellfish license. A copy is sent to enforcement, so they know who the individuals were that have permission to work on the lease. This process is typically done annually but Mr. Gaine noted that, in his experience, the leaseholder can set the term of the PTW. Mr. Johnson asked about the process if the office were notified of an individual who no longer had permission to work on a lease. Ms. Strazzeri replied that the information could be updated, and enforcement notified. Discussion ensued about the topic. The meeting was adjourned on a motion by Mr. Kirk and a second by Mr. Gaine.

#### 10. Date time and place of next meeting:

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

**Public Attendees:**

Daniel Grace  
Jen Resciniti  
Bobby Resciniti  
Ryan McCuhe  
Steve Fleetwood  
Chuck Gehman  
Bill Avery  
Ron Hammall  
Jordan LoPinto  
David Goheen  
Will Shoemaker  
Dale Parsons  
Mike Acquafredda  
Jack Welsh  
Ken Hanson\*  
Justin Cardinali\*  
Shaughn Juckett\*  
Donald F. Burke\*  
Derek\*  
Nick Rossi\*  
Bayside\*  
Amanda Wenczel-Arians\*  
Emma\*  
Nick Peroni\*  
Scott Lennox\*  
Ryan J. Gordon\*  
Matthew Matusky\*  
Darren Youmans\*  
Tommy Burke\*  
Chris Wilson\*  
Art Gant\*  
Brett Nicklow\*  
Professor Wilson\*  
*\*Attended Virtually*

**State Representative Attendees:**

Michael Auriemma\*, Bureau of Marine Habitat & Shellfisheries  
Alissa Wilson\*, Bureau of Marine Habitat & Shellfisheries  
Lauren Strazzeri\*, Bureau of Marine Habitat & Shellfisheries  
Victor Poretti\*, Bureau of Marine Water Monitoring  
Natalie Dragos\*, Bureau of Marine Habitat & Shellfisheries  
Jenny Tomko\*, Bureau of Marine Habitat & Shellfisheries  
Virginia Wheatley\*, New Jersey Department of Health (NJDOH)  
Les Frie\*, Bureau of Marine Habitat & Shellfisheries  
Lisa DiElmo\*, Bureau of Marine Water Monitoring  
Brian Scott\*, Marine Law Enforcement