

**MINUTES OF THE MEETING OF THE ATLANTIC COAST SECTION OF THE
NEW JERSEY SHELLFISHERIES COUNCIL**

Meeting was held at the Nacote Creek Research Station (360 N New York Road, Port Republic NJ)
Attendance was in-person or online via Microsoft TEAMS

Monday, February 10, 2025

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: Vacant (Monmouth County)
 **Denotes virtual attendance*

DEP Representatives: Russell Babb, Bureau of Marine Habitat & Shellfisheries
 Jeff Normant, Bureau of Marine Habitat & Shellfisheries
 Megan Swain, Bureau of Marine Habitat & Shellfisheries
 Scott Stueber, Bureau of Marine Habitat & Shellfisheries
 Richard DiVaccaro, Bureau of Marine Habitat & Shellfisheries*
 Sarah Gentile, Bureau of Marine Water Monitoring
 Brian Scott, Marine Enforcement
 **Denotes virtual attendance*

Ms. Swain read the State’s compliance with the Open Public Meetings Act and that a notice of the meeting was filed with the Secretary of State’s Office, State House, Trenton, NJ, and sent to the Atlantic City Press and NJ Advanced Media news outlets. The meeting was recorded.

1. Total Revenue for January 2025 \$ 2,078.30
 Shellfisheries Law Enforcement Fund \$ 592.00
2. Presentation of January 13, 2025 minutes for approval.

The January 13, 2025 meeting minutes were approved on a motion by Mr. Mathis and seconded by Mr. Felder.

3. Applications for Consideration

LESSEE	LOT	SEC	ACRES/FT	LOCATION	MAP	Species	Proposed Activity
Jennifer Resciniti	2330	B	2.21	Dry Bay	24.2	Hard Clam	Traditional/On-Bottom Planting

Ms. Resciniti was present at the meeting and fulfilled the regulatory requirement to attend one of two consecutive Council meetings.

4. Applications for Transfer

LESSEE	APPLICANT	LOT	SEC	ACRES/FT	LOCATION	MAP	Species	Proposed Activity
James Jenks & Luke Jenks	Luke Jenks*	1	D	5.00 ac	Metedeconk River	N/A	None/ Hard Clam	None/Traditional On-Bottom Planting (waiting for water quality to improve)
James Jenks & Luke Jenks	Luke Jenks*	25	D	1.00 ac	Manasquan River	N/A	None/ Hard Clam	None/Traditional On-Bottom Planting (waiting for water quality to improve)

James Jenks & Luke Jenks	Luke Jenks*	15	E	0.95 ac	Shark River	1	None/ Hard Clam	None/Traditional On-Bottom Planting(waiting for water quality to improve)
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*May require hydrographic survey

Per Council recommendation at the January Council meeting, Mr. Luke Jenks provided an updated proposed activity form to clarify his intentions for the use of the leases in the future at the request of the Council. Mr. Jenks had originally proposed “none” for his proposed activity.

The above-referenced transfers were approved on a motion by Mr. Mathis and seconded by Mr. Felder. Mr. Jenks was notified that he was required to come to the office to sign the lease agreement and pay lease fees. In addition, since it has been a significant amount of time since the leases have been surveyed, prior to using the leases, a hydrographic survey may be required.

5. Old Business

Regulatory Committee

The Regulatory Committee met on January 30th and a summary would be provided when it was completed. The Committee was nearing the end of its original charge in discussing and providing input on shellfish regulation amendments. It was anticipated that the Committee would need one or two additional meetings to finish discussions. A final Committee report should be completed for the Council’s review sometime by the end of March or April. The next meeting was scheduled for the end of February.

Leasing Committee

The Leasing Committee was originally scheduled for February 11th, but due to inclement weather the meeting was cancelled. The meeting would be rescheduled for the earliest available date.

Bureau staff presented two PowerPoint slides related to the Leasing Committee (LC). The first was an LC charge for the Council to consider prior to the first meeting and the second showed a list of outstanding lease topics that were pending because an LC had not been in place. Mr. Gaine stated that he felt it was appropriate to charge the LC and was supportive of language. Mr. Johnson stated that he wanted to discuss the proposal from the Barnegat Bay Oyster Cooperative and the lease area issue in Great Egg Harbor Bay, near Drag Island, from Martin Schlembach. The latter of which was presented to Council in September 2024. He added that it was unacceptable to make the leaseholder wait and asked for some Council input on the lease proposals Mr. Gaine stated that he was comfortable with those proposals going to the LC and discussing it following a recommendation from the LC. Mr. Mathis said he did feel for these growers because it is holding them up from making business decisions as it was already February, and the Council still did not have an answer or recommendation. He added that the LC should make this a priority so all parties can move on. Mr. Johnson replied that he felt that the two leasing situations were in duress and asked Mr. Mathis if he felt the need to discuss it at Council level or did, he want to wait for the LC. Mr. Mathis suggested that the LC should provide recommendations back to Council for their consideration no later than mid-March. Mr. Felder agreed, adding that he had not yet had an opportunity to review the proposal because he had not received it. Mr. Johnson expressed frustration that he had been watching time go by without a resolution to this matter and they were asking the Council for help/relief for their situation. Further discussion ensued.

Mr. Normant provided some background on the Great Egg Harbor lease issue as well as some procedural committee-council information. He stated that discussing the topics at the LC level made sense, adding that it would be handled

before the March Council meeting. Mr. Johnson stated that he felt like the Council was not doing what they are charged to do because it is their responsibility to deliberate these matters and try to provide relief, where possible. Mr. Gaine stated that he understood the general concern and added that it would be the co-chair’s responsibility to get this done and clarified that while there was a proposal for High Bar Harbor, no proposal had yet been received for Ludlam Bay. Mr. Gaine said he was hoping to discuss options for Ludlam Bay as well and bring it to Council. The Council agreed that both areas should be discussed proportionately. He echoed that he agreed with Mr. Johnson and Mr. Mathis about the need to get this done quickly but wanted to get it done with the most information at hand. Mr. Gaine stated that he was comfortable in prioritizing the more urgent topics that were time-sensitive and stated that the LC was formed to deal with these types of issues. He expressed concern over the complexity of what “relief” would look like, if a proposal was appropriate, and what the alternative proposals would be expected to be discussed in LC. Additional discussion ensued and the Council ultimately chose to send the proposals to the LC with a priority on the issues that have accumulated over the past year. The LC would be expected to provide recommendations in time for the March 17th meeting.

Mr. Parsons stated that he understood there was some urgency involved to provide potential new lease areas but also urged the Council to weigh industry risk overall as a result and supported having the discussion with the Leasing Committee rather than at this Council meeting.

Hard Clam Management Plan Committee

Mr. Auriemma commented that the Hard Clam Management Plan development process was currently compiling information on historical surveys and fisheries data to support the development of the plan. The Bureau was in the process of finalizing a contract with the Rutgers Haskin Research Lab to provide supporting materials for the plan as well. The Council approved Jared O’Neal’s application to participate in the Hard Clam Management Plan Committee to represent the wild harvest sector on a motion by Mr. Mathis and seconded by Mr. Felder.

NJ Fish & Wildlife Rule N.J.A.C. 7:25-4A – Public Comment

Comments from the Council were sent to the Department regarding the Endangered and Non-Game Species rule proposal that outlined the procedure for the Department to restrict access to tidal waters and adjacent shorelines to protect species on the New Jersey Endangered Species List. Comment included concerns and comments raised by the Council at the January Council meeting. The public comment period deadline was February 13, 2025. In addition, a letter was sent to the NJDEP Endangered and Nongame Species Program requesting that the Council receive regular updates regarding public access restrictions designations.

6. New Business

Mullica River Sampling Update

Mr. Stueber provided an update on the Mullica River seed bed condition monitoring for 2024. Samples were collected on December 9, 2024 at French’s Point and Moss Point beds as a part of a qualitative evaluation of bed health. Since 2021, the Bureau had planted shell on eight acres of the approximate 28-acre Moss Point bed.

	December 2024		December 2023	
	French Point	Moss Point	French Point	Moss Point
Bed Condition (% oyster)	65%	44%	73%	53%
Recent Mortality (%)	0	6%	0%	0%
Total Mortality (%)	13%	21%	19%	32%
Spat per 37 qt bu.	549	66	530	38

Mean Length (mm)	52	75	71	73
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The Bureau planted approximately 10,000 bushels of shell across two acres within Moss Point Reef in 2024. Samples were collected monthly from August to November and the November samples resulted in an average of 2,380 spat per 37-quart bushel. The planted shell received a substantially higher set rate than the natural, existing shell. It was noted that 25,000 bushels were to be planted in 2025.

	Moss Point (Natural)	Moss Point 2024 (Planted)
Bed Condition (% oyster)	44%	64%
Spat per 37 qt Bushel	66	2380

Mr. Stueber said that disease monitoring results showed an increase in Dermo prevalence from previous years but noted that weighted prevalence remained low and that a lack of rain may have been a large contributor to the numbers. Mr. Stueber planned to provide an update on the shell planting plan in the Spring.

John Maxwell – Recognition of Council Service

A plaque was presented from the DEP NJ Fish and Wildlife and the Shellfisheries Council to John J. Maxwell in recognition of Councilmen John J. Maxwell’s over 21 years of service on the NJ Shellfisheries Council representing the shellfishermen of Atlantic County. He served as chairmen of the Council from 2001-2011 and again from 2016-2022 while also serving as the Shellfisheries representative at the NJ Marine Fisheries Council. His lifelong commitment to protecting and enhancing marine and shellfish resources of NJ will be greatly remised by staff of the NJ Fish and Wildlife, the Council, and the citizens of the state. Mr. Maxwell was not present at the meeting to accept the plaque. Mr. Johnson stated that he would provide the plaque to Mr. Maxwell.

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

7. Date time and place of next meeting:

DATE: March 17, 2025

TIME: 6:00 PM

LOCATION: Rutgers Cooperative Extension of Ocean County, Toms River

Public Attendees (In-Person)	Public Attendees (Virtual)	Other DEP Attendees (Virtual)
Jennifer Resciniti	Amanda Wenzel-Arians	Natalie Dragos
Donold Otto	Billy Mayer	Michael Lindner
Dale Parsons	Craig Stoneking	Michael Auriemma
	Matt Gregg	Nina Colagiovanni
	Nick Rossi	Victor Poretti
	Phil Mankey	Lisa DiElmo
	Matthew Matusky	Jenny Tomko
	Dan Torre	Sunday Ogunsola
	Tommy Burke	Lauren Strazzeri
	Chris Carroll	Les Frie
	Emma Resciniti	
	Steve Frost	
	Todd Kostka	
	Luke Jenks	