

MINUTES OF THE MEETING
OF THE
DELAWARE BAY SECTION OF THE NEW JERSEY SHELLFISHERIES COUNCIL MEETING

Haskin Shellfish Research Laboratory
MS Teams Conference Call
Bivalve, NJ 08349
Tuesday, January 7, 2025
6:00 P.M.

Present were: Chairman: Warren Hollinger (Cumberland County)
Vice Chairman: Steven Fleetwood (Cumberland County)*
Councilman: Scott Sheppard (Cumberland County)
Councilman: Vacant (Cape May/Salem County)

Absent were: Councilman: Richard Malinowski (Salem County)

State/Fed Reps: Craig Tomlin, Bureau of Marine Habitat & Shellfisheries
Joseph Cimino, Bureau of Marine Habitat & Shellfisheries*
Russell Babb, Bureau of Marine Habitat & Shellfisheries*
Jeff Normant, Bureau of Marine Habitat & Shellfisheries *
Alissa Wilson, Bureau of Marine Habitat & Shellfisheries
Karen Bates, Bureau of Marine Habitat & Shellfisheries*
Michael Lindner, Bureau of Marine Habitat & Shellfisheries*
Amanda Wenczel, Department of Agriculture*

Haskin Lab: Jen Gius, Laboratory Researcher IV
Iris Burt, Laboratory Technician*
**Virtual Attendance*

General Public

In compliance with the Open Public Meetings Act (N.J.S.A. 13:1B-30 et. seq), a notice of this meeting was posted January 2, 2025 with the Secretary of State's Office, State House, Trenton, NJ and sent to the NJ Advanced Media news outlets. This meeting will be recorded.

Mr. Tomlin welcomed everyone to the January 7th meeting of the Delaware Bay Section of the NJ Shellfisheries Council stating the meeting was held under the Open Public Meetings Act (N.J.S.A 13:1B-30 et seq.) as mentioned above. Mr. Tomlin then performed a roll call for Council members noting that Councilman Malinowski was absent and stated that representatives from Haskin Shellfish Research Lab and NJDEP were also present.

1. Annual Election of Council Chairman and Vice Chairman – Council

Mr. Tomlin stated the Council would hold nominations for Chairman and Vice Chairman of the Council for the 2025 year.

Councilman Sheppard nominated Councilman Hollinger for position of Chairman. Councilman Fleetwood seconded the nomination. Both Councilman voted in favor of the nomination and Councilman Hollinger was appointed as Chairman for the 2025.

Mr. Tomlin then called for a nomination for Vice Chairman for 2025. **Councilman Sheppard nominated Councilman Fleetwood as Vice Chairman and Chairman Hollinger seconded the**

nomination. Both the Councilman and Chairman voted in favor of the nomination and Councilman Fleetwood was appointed Vice Chairman for 2025.

2. Review of minutes: September and November 2024 – B. Hollinger

Chairman Hollinger addressed his fellow Council members stating they had just received the November minutes, and he would like time to review these minutes but asked for a motion to approve the minutes from the September meeting. Councilman Sheppard stated he had not reviewed the September minutes yet and as a result Chairman Hollinger tabled the approval of both meeting minutes until the next meeting in March.

3. Delaware Bay Office Revenue Collected – B. Hollinger

Chairman Hollinger presented the Revenue collected by the Delaware Bay Shellfisheries office for the months of November and December of 2024 as detailed below.

3.1. Revenue Collected for November 2024: \$24,088.50

License Type	Total	License Type	Total
Lease Fees	\$10,440.50	Possession in Excess	\$400.00
Assigned Fees	\$6,200.00	Tonging Tags*	*\$400.00
Nets	\$2,033.00	Menhaden	\$310.00
AC & DB Dredge	\$1,900.00	Dealer License	\$100.00
Commercial Crab Pot	\$1,400.00	Application Fees	\$95.00
Commercial Shellfish	\$800.00	Recreational Shellfish	\$10.00

*Revenue towards Oyster Resource Development Account

3.2. Revenue Collected for December 2024: \$40,357.24

License Type	Total	License Type	Total
Assigned Fees	\$12,200.00	Menhaden	\$1,290.00
Nets	\$8,046.00	Tonging Tags*	*\$500.00
Lease Fees	\$6,982.24	Dealer/Shucker/Planter	\$400.00
Commercial Crab Pot	\$4,300.00	Application Fees	\$308.00
DB/AC Crab Dredge	\$4,515.00	Dredge Boat Renewal	\$36.00
Commercial Shellfish	\$1,750.00	Recreational Shellfish	\$30.00

4. Oyster Resource Development Account (*as of 01/06/2025*) – B. Hollinger

Encumbered: \$0.00
Expended: \$56,541.24
Uncommitted: \$148,263.15

5. Lease Ground Transactions

5.1. Transfer from Glen D. Robbins to Michael Hickman

Chairman Hollinger presented a transfer application of two lease grounds from Glen Robbins to Michael Hickman as shown below. Mr. Tomlin added that the lessee had paid the assigned fees for the 2024 and the 2025 year. **Councilman Sheppard made a motion to approve the transfer. Vice**

Chairman Fleetwood seconded the motion. All present Council members voted in favor of approving the transfer and the motion passed.

Section	Lot	Acres	Transfer Fee
A	109	42	\$5.00
A	140	39	\$1.00

5.2. Lease Ground Applications for Consideration

Chairman Hollinger presented two applications for new leases for the Council’s consideration. One application was for Mr. Moro on the Aquaculture Development Zone (ADZ) 4 (Cape Shore) and one for Mr. Bowne on ADZ-2 (Offshore). Mrs. Wilson stated that both Mr. Moro and Mr. Bowne were in attendance online, fulfilling the obligation to attend one of the two meetings for consideration or decision. Chairman Hollinger thanked both applicants for attending and stated the Council will review the application and motion for approval will follow at the next Council meeting.

Applicant	Section	Lot	Acreage	Acreage Fee	Application Fee
Joseph Moro	ADZ-4	14	3	\$300.00	\$2,000.00
Jason Bowne	ADZ-2	4	10	\$100.00	\$250.00

6. Old Business

6.1. 2025 Lease Renewals – Council

Mr. Tomlin informed the Council that only one lease holder had not renewed their lease for the year 2025. Mr. Tomlin said that if anyone who would like to apply to lease this ground in ADZ-2 would have to go through the new lease applicant process.

6.2. Red Knot Stakeholder Committee Update – B. Hollinger

Chairman Hollinger told the Council and the public that he had no update from the Red Knot Stakeholder Committee. Mr. Tomlin added that when representatives from the Department last met with the Army Corp of Engineers and US Fish and Wildlife Service, all parties agreed to continue moving forward with the guidelines set in the past Programmatic Biological Opinion. Chairman Hollinger informed the Council that the Endangered and Non-Game Species Program (ENSP) had an open comment period on a proposed rule that restricts access to areas that the Department deemed as critical habitat for endangered species. Mr. Gaine stated that he had read the proposed rule, and it did specifically mention Cape Shore and ADZ’s with no proposed changes to the management strategy of the area unless deemed necessary by the Department in the future. Mr. Gaine also mentioned that restricted areas were to have signage posted on land to deter those from using the area but they may not be visible from the water and thus not deterring watermen from traversing the affected area. Mr. Gaine also raised concerns about the maps for the aforementioned areas being solely distributed to the affected landowners and not notifying other stakeholders and the public. Mr. Gaine then asked if during the Marine Fisheries Council meeting if Chairman Hollinger who was a sitting member of the Council could reraise the concern of map distribution to the public and other stakeholders for awareness. Mr. Babb commented that during discussion with ENSP pertaining to the proposed rule, he brought forward concerns from the watermen and the public, but was assured that the rule would not change how access was governed in the past.

6.3. 27th Stock Assessment Workshop 2025 – B. Hollinger

Chairman Hollinger informed the public that the 27th annual Oyster Stock Assessment Workshop would be held on February 3rd and 4th. Mr. Reeves asked why the dates for the Workshop were moved from the end of January to early February. The Chairman explained that Rutgers was hosting an aquaculture symposium at the end of January so the date for the Stock Assessment Workshop had to be moved.

6.4. 2024 Direct Market Update – C. Tomlin

2024 Harvest Summary - by Reef, Region, and Totals						
Bed	Region	Days	Bushels	% Region	% Total	CPUE
Cohansey	MMM	20	2,053	12.8%	3.1%	97.67
Ship John	MMM	137	13,931	87.2%	21.0%	102.52
Shell Rock	SR	112	17,862	100.0%	26.9%	159.17
Bennies Sand	HMM	42	8,310	25.5%	12.5%	192.12
Bennies	HMM	107	17,414	53.4%	26.2%	162.05
Nantuxent	HMM	53	6,901	21.2%	10.4%	127.80
Total MMM						
		156	15,984		24.0%	101.87
Total SR						
		113	17,862		26.9%	159.17
Total HMM						
		206	32,625		49.1%	158.56
TOTAL						
		475	66,471			140.08

Mr. Tomlin presented the final Direct Market Update for the 2024 fishery, showing that CPUE (Catch Per Unit Effort) was relatively high compared to past years and a majority of the High Mortality Market Region harvest came from Bennies, and the majority of the Medium Mortality Market Region harvest came from Ship John. Chairman Hollinger and Councilman Sheppard agreed that the market bed Bennies Sand showed very high potential for the 2025 season with a 192 CPUE. Chairman Hollinger opened the floor to questions from the public.

Mr. Gaine asked how the harvest strategy of all licenses having to harvest a portion of their quota from the Medium Mortality region played out from a harvest and a management standpoint. Mr. Tomlin stated from a management standpoint it went smoothly with few reminders having to be sent out throughout the season. Mr. Reeves added that he liked the strategy from the harvest perspective as it made it fair for everyone, Mr. McConnell said he agreed with Mr. Reeves with the caveat that harvesters, including himself, ran into certain days where it could become confusing having multiple sets of harvest tags to work from on the same day. McConnell asked if two sets of tags could be purchased of different colors, one tag specifically for the harvest requirement from the medium mortality region and the other set for either High Mortality or Shell Rock regions. Mr. Tomlin said he could investigate using multicolor tags and check pricing. Mr. Reeves suggested each vessel be able to consolidate their minimum harvest requirements for the Medium Mortality market region into one or two licenses, rather than having it spread out over every license. Mr. Reeves suggested this example 200 bushels per license over 10 licenses having 2000 bushels solely harvested under one license. Mr. Tomlin said that if everyone was okay with last year’s harvest scenario he would investigate the possibilities and present scenarios to the Council and industry following the Stock Assessment Workshop.

6.5. Dermo Update – D. Bushek

Ms. Burt gave the Dermo Update to the Council stating that in November the presence of dermo was high and the salinity through the bay was also higher than normal for the time-period. She also noted that Rutgers had not seen a mortality event associated with the increased Dermo levels. Ms. Gius added that a final report was to be given at the stock assessment, clarifying that the week before Thanksgiving was the last monitoring day for the year.

6.6. Oyster Tonging Fishery Update – C. Tomlin

Mr. Tomlin gave the Tonging Fishery update stating that 450 tags were sold with 186 bushels landed so far. He added that most of the harvest came from Nantuxent cove.

2024 – 2025 Oyster Tonging Harvest Summary	
Month	Bushels
November 2024	105
December 2024	81
Total	186

6.7. Regulatory Committee Update – B. Hollinger

Mrs. Wilson gave an update for the Regulatory Committee stating the last meeting was held December 5th and the next meeting would be January 14th where the Committee was to discuss the ADZ's. Chairman Hollinger stated that he had been happy with the discussions regarding lease transfers and that the Committee's progress was in line with the Atlantic Coast Council's Regulatory Committee. He also added that once the rule was written, the stakeholders and public were to be addressed in a Council meeting for comments. Mr. Gaine asked Mr. Tomlin, Mr. Babb, and Chairman Hollinger if the Council could present the recommendations from the Regulatory Committee to get the feedback to the public. Mr. Babb addressed the question stating the Council meetings could be used to express the Committee's recommendations, and the executive summaries from the meetings could be made available for the stakeholders and the public.

6.8. Re-cap of December 17th Council Meeting – B. Hollinger

Chairman Hollinger told the Council and members of the public that on December 17th a meeting was held with Senator Testa, Vice Chairman Fleetwood, Councilman Sheppard, Mr. Gaine, and himself to discuss the wild caught oyster fishery. Chairman Hollinger expressed his gratitude towards the Senator to make time to have this discussion with Council and industry members. The Chairman then elaborated on the discussion which included funding toward shell planting in the Delaware Bay and the possibility of an incentive to keep the shell resource in State. He also highlighted the DEP's shell recycling program in Atlantic City, with a possibility of expanding the program into the Delaware Bay. Mr. Gaine explained the request from the Senator to generate a wish list of the big ticket items the industry would like to see addressed. Mr. Gaine presented the Council with 4 items that he would like to submit through the New Jersey Shellfisheries Association with the Council's approval. The 4 items include:

- 1: The addition of funds to the Oyster Resource Development Account to sustain 500,000 bushels per year for shell plant and all transplant activity in the estimated area of \$2.5 Million.
- 2: Increase funding to Rutgers University to directly support the stock assessment and monthly monitoring programs from \$116,000 to \$250,000 a year.
- 3: Create a tax incentivize for a statewide shell recycling program from homeowners to restaurants to incentivize the shell resource staying local for local habitats.

4: Change Title 50 harvest start times to match the hunting regulations where start and end time are a half an hour before sunrise and a half an hour after sunset.

Vice Chairman Fleetwood addressed the final wish list item and stated only the half an hour before sunrise change and not post sunset would affect the wild caught fishery. Mr. Gaine then added that the current regulation covered all shellfish work including aquaculture and with the change would cover aquaculturists as well.

The Council members thanked Mr. Gaine for putting the list together. Vice Chairman Fleetwood added to the conversation saying that it was overall a good meeting and the Senator, and his staff were impressed by the amount of information brought before him pertaining to the industry. Councilman Sheppard agreed with the Vice Chairman and asked his fellow Council members if Senator Van Drew's office and staff should also be made aware of requests. Chairman Hollinger along with Mr. Gaine concluded that for now the wish list was to just be sent to Senator Testa, but that following the Aquaculture Round Table at the end of the month a letter may be sent to Senator Van Drew's office if deemed necessary.

Chairman Hollinger made a motion to accept the itemized points as presented by Mr. Gaine as the wish list items to be sent to Senator Testa. Councilman Sheppard seconded the motion. All Council members were in favor and the motion passed.

Chairman Hollinger made another motion to send a letter to Senator Testa and his staff thanking them for sitting down with the industry to hear their concerns. Councilman Sheppard seconded the motion. All Council members were in favor and the motion passed.

Vice Chairman Fleetwood asked to back track following the approval of the motion and asked how to get the process rolling on the tax incentive proposal. Chairman Hollinger explained that was out of the Council's hands to construct the terms and was to be dealt with by a person in the Division of Taxation. He continued that the language was to be brought to the legislators. Chairman Hollinger went on to say the incentive might give a bump to the state to set up public drop off locations for citizens to partake in the program. Mr. Fleetwood Jr. began to detail his experience while working with the Department the previous year for the 2024 shell plant conducted by the state on the Atlantic Coast as part of the Shell Recycling Program. The Council members, Mr. Fleetwood Jr., and Mr. Gaine agreed for the shell deriving from only one county within the state was quite an impressive amount, and they were excited to see where the program can go in the future.

6.9. Vessel Tracking Device Update – A. Wilson

Mrs. Wilson gave an update on the vessel tracking device systems exclaiming the units were working and one unit was installed on the Department's vessel, the R/V James W. Joseph, and one on a state vehicle for testing. Mrs. Wilson presented some data gathered from the device that was installed on the Joseph, showing it gave quality in depth data for speed and position. Chairman Hollinger asked about the points presented in the data for when the vessel showed it was stopped, Mrs. Wilson explained that these were points where the vessel was not in motion due to a survey being conducted where participants were hauling gear, so the vessel was not actively moving. Mrs. Wilson then added that within the program's dashboard she was able to add maps for bed outlines and grid locations to give more information for all enhancement efforts in the future.

Vice Chairman Fleetwood asked Mrs. Wilson about the minimum speed requirement for the units to track a vessel underway and how accurate the units were going to be? Mrs. Wilson stated that the Bureau's current perspective was that the units were very accurate as she was communicating with the boat captain to get an idea of relative position the days the vessel was out on the bay while recording the data presented. Mrs. Wilson was not able to give a minimum speed requirement for the units at the time but was going to continue to monitor and check the settings of

the units and said she would get back to the Council with an answer. Mr. Tomlin addressed the Council saying the images depicted in the presentation showed more information than what was being presented. He stated that the survey being conducted while the data was being recorded had stations spread out by approximately a mile and the thicker line that's depicted around the "stop events" are the boat in motion dragging for a lost line with a dredge catcher or conducting deployments, so the units are very accurate. Mr. Tomlin also said the unit was moved from in the cabin to in the bilge and transmitted data consistently but that may not be the case for every boat due to various materials being used. Following the in-depth explanation from Mr. Tomlin, Mr. Gaine noted that the units provide speed data to the observer and asked if this could be used by enforcement for fines for the restriction of speed for boats that exceed the 10-knot speed limit set by NOAA (National Oceanic and Atmospheric Administration) to protect right whales. Mr. Tomlin stated the harvest vessels do not travel fast enough for it to be a concern. Ms. Gius asked Mrs. Wilson if the units output raw position data and speed to a flat file for further review, Mrs. Wilson confirmed that data can be accessed and used to geo-reference the data.

The Vice Chairman asked about total cost for the units, Mrs. Wilson said the yearly cost is \$2,100 per year for the subscription to access the data and the 13 units. Mr. Reeves asked if the data was public or if the owners and captains were going to be able to look at the data generated by their vessel. Mr. Tomlin stated that owners and captains were able to access data if they would like.

Chairman Hollinger asked to expand this program to the tongers harvesters down the road. Mr. Tomlin stated that the main highlight from this program will be how the data will influence the sampling, monitoring, and enhancement programs. He then noted that there was a possibility of expansion down the road. Mr. Gaine asked if this industry was the first to implement this type of monitoring system, Vice Chairman Fleetwood stated that the industry was not the first as he knew industry vessels in Connecticut had vessel trackers, but the price of these units was drastically cheaper. The Vice Chairman personally thanked Mrs. Wilson for going through the process of getting these trackers purchased and starting to set them up for the industry.

7. Public Comment

Councilman Sheppard asked representatives from the Haskin Lab if the stock assessment was going to be open to the public this year. Ms. Gius stated the meeting was to be open to the public in person and online via Teams but space in the venue was to be prioritized for the Stock Assessment Review Committee and industry members.

8. Meeting Schedule – B. Hollinger

Date, time, and place of next meeting:

DATE: March 4, 2025

TIME: 6:00 PM

PLACE: Haskin Shellfish Research Laboratory and MS Teams

9. Adjournment – Council

Councilman Sheppard motioned to adjourn the meeting. Chairman Hollinger seconded the motion. All Councilmen were in favor and the motion passed. The meeting was adjourned at 6:56pm.

Attendees

Ned Gaine

Tim Reeves

Steve Fleetwood Jr.
Tasker Robbins
Todd McConnell