

# NEW JERSEY SHELL FISHERIES COUNCIL - DELAWARE BAY SECTION -

## MINUTES OF JULY 15, 2008

NJDEP, Division of Fish and Wildlife  
Bureau of Shellfisheries  
1672 E Buckshutem Rd, Millville, NJ 08332  
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ADVISORY COUNCIL

Warren Hollinger, Chair, Cumberland Co.  
Scott Bailey, Cumberland Co.  
Stephen Fleetwood, Cumberland Co.

STATE REPRESENTATIVES

James W. Joseph, Shellfisheries  
Russell Babb, Shellfisheries  
Jason Hearon, Shellfisheries  
Craig Tomlin, Shellfisheries  
Robert Connell, Marine Water Monitoring

HASKIN SHELLFISH LABORATORY

Eric Powell, Director  
John Kraeuter, Assoc. Director  
David Bushek, Research Professor

*Compliance with Sunshine Law:*

Notice of this meeting was posted with the Secretary of State's Office, State House, Trenton, NJ and the Bridgeton Evening News, The Press, and Daily Journal on June 21, 2008 pursuant to L. 1975 c. 231.

Mr. Joseph notified the Council that this meeting would be recorded.

Revenue collected for June 2008, \$14,409.00. The revenue collected is itemized as follows:

License Type	Total	License Type	Total
Commercial Crab Pot License	1,600.00	Oyster Dredge Boat License	32.00
Commercial Shellfish License	350.00	Cultch Fees	9,880.00
Recreational Shellfish License	280.00	Nets	2,027.00
Juvenile Shellfish License	14.00	Application Fees	126.00
Non-Res. Shellfish License	100.00		

- Oyster Resource Development Account balance as of June, 2008: \$620,989.77

1. Leased Ground Transfers

Everett Marino and Earl Marino have transferred the follow grounds to Bivalve Packing Co. Inc.:

SECT.	LOT#	ACRES		SECT.	LOT#	ACRES
A	9	20		C	466	20
A	14	8		C	479	27
A	15	194		C	523	19
A	16	162		D	181	15
A	25	66		D	314	41
A	147	40		D	326	21
B	6	102		D	331	23

C	68	21		D	385	28
C	97	18		D	494	50
C	299	9		E	16	12
C	340	14		E	46	12
C	342	8		E	223	12
C	399	13		E	243	38
C	401	31		E	261	37
C	409	17		E	342	24
C	421	45				

### 3.5. *Vibrio parahaemolyticus* Update

Mr. Wolf stated that he and Mr. Connell worked together in order to maintain the time of harvest for New Jersey oysterman while remaining compliant with the new International Shellfish Sanitation Conference standards. Mr. Wolf stated that the current standards are set forth by a calculation using ambient air temperature, water temperature and time until refrigeration. In order to maintain the current hours of harvest, Mr. Connell used bottom water temperatures as well as the protective tarping of products as justification. Mr. Wolf stated that he had some reservations about accepting the plan as presented by Mr. Connell. He explained that the State of New Jersey would have the longest time from first harvest to refrigeration when compared to the surrounding states that were being more conservative while establishing their periods of harvest. Mr. Connell stated that the harvest times would be from sunrise until noon with the product in refrigeration no later than 3 p.m. The issue of enforcement of the time constraints had been raised. Mr. Wolf noted that it would be a punishable violation if a harvester did not adhere to the time limits. A lengthy conversation ensued.

### 3.6 Leasing Fee Update

Mr. Joseph stated he along with members of the industry had recently attended a number of meetings regarding the proposed increase in shellfish lease fees. He stated that the leasing program generates approximately \$20,000 while it takes \$140,000 a year to administer the program. Mr. Joseph stated that the proposed fees for the Delaware Bay are between \$4 and \$5 per acre and between \$16 and \$20 per acre on the Atlantic Coast. He stated that the Bureau had applied for permits for leaseholders from Army Corps of Engineers, Land Use Regulation Program, and the Bureau of Tidelands Management. A very lengthy conversation ensued on the proposed lease fees. Following this discussion Mr. Joseph stated that the Aquaculture Advisory Council's Leasing Committee would be holding a series of meetings that would discuss a number of issues related to the Aquaculture Development Zones, including lease fees.

## 2. Vessel Transactions

For Council's information, William P. Riggins & Son replaced the oyster dredge boat *Sea Hunt*, License #33 (11 GRT) with the oyster dredge boat *Sheriff* (11 GRT).

## 3. Old Business

### 3.1. 2008 Direct Market Program Update

Mr. Tomlin stated that the Shellrock seedbed had the highest concentration of effort and had accounted for 50 percent of the harvest to date. He stated that Ship John and Cohansey had also undergone significant harvest.

### 3.2. Intermediate Transplant Summary

Mr. Hearon stated that the Bureau, utilizing the oyster vessels *Britt Ann Marcher* and *Peter Paynter* had conducted two intermediate transplants. He stated that the first transplant moved oysters from the Middle seed bed to Bennies Sand seed bed and the second transplant moved oysters from the Arnolds seed bed to Cohansey seed bed. He stated that in total, 18,000 bushels were moved and the increase to the industry harvest would be 14,498 bushels.

### 3.3. Maurice River Transplant Summary

Mr. Hearon stated that the same oyster dredge vessels were also involved in another transplant that took place in the Maurice River Cove. The Maurice River Cove transplant moved 4,450 bushels of oysters from the inshore special restricted waters to seasonally approved waters. He stated that the Bureau also conducted a small-scale shell plant in the special restricted area where the transplanted oysters originated. Mr. Hearon stated that half of the shell plant was paid for out of the Donald Lumpton Fund, via the Maurice Rive Oyster Culture Foundation.

### 3.4. Delaware Bay Shell Planting Update

Mr. Hearon stated that New Jersey and Delaware had planted 390,000 bushels of shell to date. He then noted that 175,000 of those bushels had been planted in New Jersey waters. A lengthy conversation ensued.

## 4. New Business

### 4.1. Dermo Report

Mr. Bushek stated that the recent heat wave could have caused

the recently observed spike in Dermo prevalence. He stated that the oysters were in good shape and seemed to be ready to spawn or were already spawning. He stated that oysters from the 2006 and 2007 shell plants were growing well.

#### 4.2. Quota Reallocation

*(Recording ended briefly).* Mr. Mason asked the Council to allow him to purchase the rest of his tags and continue oystering even though he did not meet the minimum tag-purchasing requirement by the established deadline. **Chairman Hollinger made a motion to allow Mr. Mason to purchase the balance of his initial allotment and to continue to harvest. All were in favor.** Mr. Babb stated that 75 dredge boats actively participating in the fishery and would receive an additional 220-bushel increase in quota. He noted that this increase came from a combination of remitted quota as well as the intermediate transplant.

#### 4.3 Notices of Failure to Report

Mr. Robinson requested that the Division and Council address the issue of crab harvest reporting. A lengthy conversation ensued. Mr. Robison suggested that the reports should mirror the oyster dredge boat reporting. Mr. Joseph stated that he would pass his concerns to the Marine Fisheries Administration.

#### 4.4 Cultch Counts

Mr. Babb continued to express his concern over the high amount of cultch being transplanted during the intermediate transplant programs. He stated that it continued to be a difficult problem to address. He stated that this issue needed to be discussed prior to any 2009 transplants. Lengthy conversation ensued.

#### Next Scheduled Meeting - Date & Time:

The next meeting of the Delaware Bay Section of the New Jersey Shell Fisheries Council would be held on Tuesday, August 5, 2008 at 6 pm in the library of the Haskin Shellfish Research Laboratory, Port Norris, New Jersey.