

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

Nacote Creek Law Enforcement
Port Republic, NJ
November 18, 2013

Present Were: Chairman: Walter L. Johnson III (Ocean County)
 Vice Chairman: John Maxwell (Atlantic County)
 Councilman: Walter Hughes (Monmouth County)
 Councilman: Vacant (Cape May County)
 Councilman: Vacant (Burlington County)

DEP Representatives: Jeffrey Normant, Bureau of Shellfisheries
 Kira Dacanay, Bureau of Shellfisheries

Mr. Normant read the State's compliance with Sunshine Law and announced that the meeting would be recorded.

1. Total Revenue for October 2013: \$ 3,324.01
 Shellfisheries Law Enforcement Fund: \$ 1,300.00

2. Presentation of October 21, 2013 minutes for approval.

The minutes of the October 21, 2013 meeting were approved on a motion by Mr. Maxwell and a second by Mr. Hughes.

3. Applications for Transfer

LESSEE	APPLICANT	LOT #	SECTION	ACRES/FT	LOCATION	MAP #
Harold E. Bickings	John J. Maxwell	363	B	1.84	Great Bay-Cape Horn	10
Harold E. Bickings	John J. Maxwell	368	B	2.32	Great Bay-Cape Horn	10
Harold E. Bickings	John J. Maxwell	369	B	2.47	Great Bay-Cape Horn	10
Harold E. Bickings	John J. Maxwell	370	B	2.63	Great Bay-Cape Horn	10
Harold E. Bickings	John J. Maxwell	381	B	3.28	Great Bay-Cape Horn	10
Harold E. Bickings	John J. Maxwell	386	B	13.26	Great Bay-Cape Horn	10
Harold E. Bickings	John J. Maxwell	29	B	2.94	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	31	B	2.83	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	7	B	1.81	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	17	B	3.29	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	28	B	2.77	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	30	B	1.06	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	32	B	2.07	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	33	B	4.20	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	99	B	18.2	Great Bay-Graveling Pt.	1D
Harold E. Bickings	John J. Maxwell	150	B	204.55 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	151	B	293.72 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	153	B	480.6 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	158	B	1.90	Mullica River	1A
Harold E. Bickings	John J. Maxwell	160	B	1.50	Mullica River	1A
Harold E. Bickings	John J. Maxwell	162	B	1.20	Mullica River	1A
Harold E. Bickings	John J. Maxwell	166	B	3.40	Mullica River	1A
Harold E. Bickings	John J. Maxwell	178	B	300. ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	190	B	196.5 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	203	B	201.6 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	204	B	432.6 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	205	B	323. ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	218	B	408.9 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	219	B	205.9 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	223	B	316.5 ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	227	B	293 ft.	Mullica River	1A

Harold E. Bickings	John J. Maxwell	230	B	792. ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	233	B	510. ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	239	B	635. ft.	Mullica River	1A
Harold E. Bickings	John J. Maxwell	248	B	4.85	Mullica River	1A
Harold E. Bickings	John J. Maxwell	266	B	445 ft.	Mullica River	1A
Earl Huskey	William K. Avery	2286	B	2.56	Dry Bay	24.2
Earl Huskey	William K. Avery	2287	B	2.00	Dry Bay	24.2
Earl Huskey	William K. Avery	373	B	3.39	Great Bay-Cape Horn	10
Earl Huskey	William K. Avery	382	B	3.11	Great Bay-Cape Horn	10
Earl Huskey	William K. Avery	382.1	B	3.18	Great Bay-Cape Horn	10
Earl Huskey	William K. Avery	382.2	B	3.28	Great Bay-Cape Horn	10
Earl Huskey	William K. Avery	382.3	B	1.68	Great Bay-Cape Horn	10
Earl Huskey	William K. Avery	82	B	2.36	Great Bay-Graveling Pt.	1D
Earl Huskey	William K. Avery	180	B	207.7ft	Mullica River	1A

The lease transfers from Mr. Bickings to Mr. Maxwell were approved on a motion by Mr. Hughes and seconded by Mr. Johnson. Mr. Maxwell abstained. The remaining lease transfers were approved on a motion by Mr. Maxwell and seconded by Mr. Hughes.

4. Applications for Consideration

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Peter McCarthy	16	D	2.00	Swan Point	1

Mr. Normant provided the Council with copies of the lease application. Mr. McCarthy was present. Pursuant to leasing regulations at N.J.A.C. 7:25-24.6, applicants must attend one of two meetings at which the Council reviews their application. A decision on the lease application will be rendered at the next meeting.

5. Applications for Decision

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Rellie Prickett	305	A	2.00	Stites Sound	
Michael Snyder	306	A	2.00	Stites Sound	
Gary E. Courtney	1408	B	1.73	Middle Island	6.1
Thomas D. Marks	1411	B	2.00	Middle Island	6.1
Dale S. Parsons	1414	B	2.00	Middle Island	6.1
Jeff Panella	1432	B	1.90	Middle Island	6.1
Brent N. Buzby	1433	B	2.00	Middle Island	6.1

Messrs. Snyder and Marks were present at this meeting. Messrs. Courtney, Parsons, Panella and Buzby and Ms. Prickett were present at the prior meeting. All lease applications were approved on a motion by Mr. Maxwell and a second by Mr. Hughes. Mr. Normant stated that the applicants had 30 days to sign their lease agreements and they could renew these leases for 2014 at the same time. Mr. Normant stated that the office would have both the lease agreement and extension prepared to streamline the process.

Mr. Normant announced that any leaseholder wishing to renew a lease for 2014 must do so by December 31, 2013.

6. Old Business:

No old business was discussed.

7. New Business:

Barneгат Bay Oyster Lease

Mr. Matt Gregg stated that he had been working with the Bureau in trying to identify a shallow water location in Barneгат Bay to establish a new lease area for oyster aquaculture. Mr. Gregg stated that he had explored several areas within Barneгат Bay trying to find a suitable area that does not conflict with existing

leasing or coastal zone management regulations, such as establishing a shellfish lease in natural productive shellfish beds or within submerged aquatic vegetation (SAV) habitat. To assist Mr. Gregg in locating a suitable area, the Bureau had created and a chart that illustrates productive shellfish habitat, SAV beds and shellfish growing water classifications. Mr. Gregg had identified and mapped three areas behind Barnegat Light along the south shore of the High Bar “dike” (known as Sea Dog Island).

Mr. Normant opined that Areas 2 and 3 on Mr. Gregg’s map look to be located in areas delineated as SAV habitat. However, Area 1 seemed to be the most feasible in terms of its location relative to shellfish and sensitive SAV habitat. Mr. Normant stated that a biological investigation would have to be performed to assess both shellfish and SAV habitat pursuant to the regulations at N.J.A.C 7:25-24.6 (Leasing of Atlantic Coast Bottom for Aquaculture). Other potential user group conflicts would also have to be addressed, since this would be new lease area. Mr. Normant also asserted that if the establishment of a new lease area were pursued, it would have to be large enough to allow other individuals the opportunity to also acquire a lease. Mr. Johnson suggested that such an endeavor would be similar to the establishment of an Aquaculture Development Zone. Mr. Normant stated that he would discuss this proposal with Bureau staff and be in contact with Mr. Gregg.

The meeting was adjourned on a motion by Mr. Hughes and a second by Mr. Maxwell.

8. Date, time and place of next meeting:

DATE: December 16, 2013
TIME: 7 PM
LOCATION: Law Enforcement Office
360 New York Rd. Rte. 9
Port Republic, NJ 08241