

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

Nacote Creek Law Enforcement
Port Republic, NJ
January 12, 2015

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

Absent was: Councilman: Walter Hughes (Monmouth County)

DEP Representatives: Russell Babb, Bureau of Shellfisheries
 Jenny Tomko, Bureau of Shellfisheries
 Kira Dacanay, Bureau of Shellfisheries
 Bruce Friedman, Bureau of Marine Water Monitoring
 Bob Shuster, Bureau of Marine Water Monitoring
 Tracy Fay, Bureau of Marine Water Monitoring

Mr. Babb read the State's compliance with the Sunshine Law and announced that the meeting would be recorded. Notice was filed with the Secretary of State Office and newspapers designated by the Department.

1. Total Revenue for November 2014: \$ 4,106.10
 Shellfisheries Law Enforcement Fund \$ 1,854.00

 Total Revenue for December 2014 \$ 1,218.18
 Shellfisheries Law Enforcement Fund \$ 910.00

2. Presentation of November 17, 2014 minutes for approval.

Approval of the minutes of the November 17, 2014 meeting were tabled until the next Council meeting since Mr. Hughes was not present at this meeting.

3. Annual election of Chair and Vice-Chair

The election of Chair and Vice-Chair was postponed until the next Council meeting since Mr. Hughes was not present at this meeting.

4. Applications for Transfer

LESSEE	APPLICANT	LOT #	SECTION	ACRES	LOCATION	MAP #
Thomas J. Daffin	John P. Daffin	1028	A	2.00	Great Sound	5D
Thomas J. Daffin	John P. Daffin	1046	A	2.01	Great Sound	5D
Thomas C. Daffin	John P. Daffin	1030	A	2.00	Great Sound	5D
Patricia Foglia	John P. Daffin	1032	A	2.00	Great Sound	5D
Robert A. Fricke	Robert D. Fricke	1422	B	0.86	Middle Island	6.1
Gary Courtney	Dale S. Parsons	1408	B	1.73	Middle Island	6.1
Thomas D. Marks	Dale S. Parsons	1411	B	2.00	Middle Island	6.1
Brent Buzby	Dale S. Parsons	1433	B	2.00	Middle Island	6.1
Erin Collins	Richard Collins	2731	B	1.55	Shelter Island Channel	28
George Mathis Sr. & George Mathis Jr	George Mathis Jr.	2567	B	2.00	Scull Bay	27
George Mathis Sr.	George Mathis Jr.	2545	B	2.00	Scull Bay	27

George Mathis Sr.	George Mathis Jr.	2511	B	2.00	Scull Bay	27
George Mathis Sr.	George Mathis Jr.	2289	B	0.29	Dry Bay	24.2
George Mathis Sr.	George Mathis Jr.	479	B	2.00	Jenny's Creek	15

Without discussion, the lease transfers were approved on a motion by Mr. Johnson and seconded by Mr. Maxwell.

5. Applications for Consideration

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Edward W. Gaine	401.1	B	2.00	Great Bay-Big Creek	10
Crystal Bryant	1099	A	2.06	Great Sound	5
Douglas E. Price	1029	A	2.08	Great Sound	5

Mr. Babb provided the Council with copies of the lease applications. Messrs. Gaine and Price were present. Ms. Bryant was not present. Pursuant to leasing regulations, N.J.A.C.7:25-24.6, the applicants must attend one of two meetings at which the Council reviews their applications. A decision on the above applications would be rendered at the next meeting. Note: Mr. Price's and Ms. Bryant's lease applications were inadvertently listed on the meeting agenda under "Applications for Decision". Ms. Bryant must attend the next meeting or her lease application would be cancelled.

5. Applications for Decision

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
John Gregg	887	B	1.35	Parker Cove, LEHB	7

Mr. Gregg was present at the last meeting and this meeting. Mr. Gregg's lease application was unanimously approved on a motion by Mr. Maxwell and a second by Mr. Johnson. Mr. Babb stated that the applicants have 30 days to sign their lease agreements.

6. Leases Vacated – Non Payment

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Edward Ahern III	145	C	3.00	Barnegat Bay	6
William D Bartle	1048	A	2.02	Great Sound	5D
John Browne	1145	B	2.00	Mordecai Island	13.1
Gary Buttermark	86.1	B	3.00	Great Bay-Graveling Pt.	1
Gary Buttermark	86	B	2.32	Great Bay-Graveling Pt.	1
Rodney Chadwick	581	B	56.47	Little Egg Harbor Bay	6
John Getz	77	B	2.39	Great Bay- Graveling Pt.	1
John Getz	85	B	7.87	Great Bay- Graveling Pt.	1
David L. Goheen	621	B	2.76	Little Egg Harbor Bay	6
Roland J. Leeds	2512	B	2.10	Scull Bay	27
Roland J. Leeds	331	B	2.17	Great Bay-Cape Horn	10
Mark Onofrio	2546	B	2.00	Scull Bay	27
Mark Onofrio	2547	B	2.00	Scull Bay	27
Mark Onofrio	2548	B	2.00	Scull Bay	27

Messrs. Ahern III, Getz, Goheen were present. Messrs. Bartle, Browne, Buttermark, Chadwick, Leeds and Onofrio were not present.

Mr. Babb reminded the Council that lease renewals begin on October 15 of each year. As per the leasing regulations, N.J.A.C. 7:25-24.8, shellfish leases must be renewed annually by December 31st for the following year. If illness or extenuating circumstances had prevented a lessee from renewing their lease(s) by December 31st, the Council may extend the payment deadline by one month provided the request was made at the January meeting. On a motion by Mr. Maxwell and a second by Mr. Johnson, the Council granted a 30 day extension to Messrs. Ahern III, Getz and Goheen to renew their leases.

7. Old Business:

Atlantic Coast Section – Leasing Committee Update

Mr. Babb discussed that the Atlantic Coast Shellfisheries Council’s Leasing Committee met on January 7, 2015. Mr. Babb stated that it was a productive meeting. Two subcommittees were formed (Regulation and Policy committees).

The next meeting for the Regulation Subcommittee would be on January 21, 2015 at 2 PM at the Nacote Creek Enforcement Office. The committee members are: Messrs. John Maxwell (chair), George Mathis Jr., Steve Mastro Sr. and Joseph Rizzo.

The next meeting for the Policy Subcommittee would be on January 22, 2015 at 2 PM at the Nacote Creek Enforcement Office. The committee members are: Messrs. Walter L Johnson III. (chair), Raymond Crema, Richard Beckley Jr. and William Avery.

8. New Business:

NJDEP’s Bureau of Marine Water Monitoring (BMWM)

Water Classification Changes

Mr. Friedman discussed the 2015 Shellfish Water Classification changes. A Public Notice was posted on January 9, 2015 of the Suspension of Harvest from Shellfish Beds Dangerous to Health in the Navesink River, Upper Barnegat Bay and Ludlam Bay.

N.J.A.C. 7:12

Mr. Friedman stated that the BMWM had been working to resolve outstanding issues and proposed changes to the Shellfish Growing Water Classification rules at N.J.A.C. 7:12. The primary goals of the potential rule amendments were to rectify deficiencies identified by the U.S. Food and Drug Administration’s 2014 Annual Program Evaluation Report of New Jersey’s Shellfish Program.

2015 Vibrio Season

Mr. Friedman discussed New Jersey’s Vp Management Plan. The changes for the 2015 Vp season would be a shift in the timeframes for harvest (no reduction in hours).

7 hr. harvest June 1st – June 14th

6 hr. harvest June 15th- July 14th

7 hr. harvest July 15th – July 31st

7.5 hr. harvest August 1st- August 31st

Lease Staking

Mr. Prichard stated that an adjacent lease was not properly staked. Mr. Prichard explained that recreational clambers were encroaching on his lease. The Council recommended that Mr. Prichard contact Marine Enforcement regarding this issue.

2012 Barnegat Bay Hard Clam Stock Assessment

Ms. Dacanay from the Bureau of Shellfisheries stated that the results of the 2012 hard clam stock assessment of Barnegat Bay indicated that there was an approximate 25% decline in the 2012 stock compared to the 1985/86 stock estimate. Ms. Dacanay would provide a more detailed presentation at the next Council meeting.

9. Date, time and place of next meeting:

DATE: February 23, 2015

TIME: 7 PM

LOCATION: Law Enforcement Office
360 New York Rd. Rte. 9
Port Republic, NJ 08241