

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

Nacote Creek Law Enforcement  
Port Republic, NJ  
October 16, 2017

Present were: Chairman: John J. Maxwell (Atlantic County)  
 Vice Chairman: Walter L. Johnson III (Ocean 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  
 Jenny Tomko, Bureau of Shellfisheries  
 Lloyd Lomelino, Bureau of Shellfisheries  
 Brett Nicklow, Marine Law Enforcement

Mr. Normant 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 September 2017: \$ 2,029.20  
 Shellfisheries Law Enforcement Fund \$ 155.00
2. Presentation of the September 18, 2017 minutes for approval.

The September 18, 2017 meeting minutes were presented for consideration and approved on a motion by Mr. Johnson and seconded by Mr. Hughes.

3. Applications for Transfer

LESSEE	APPLICANT	LOT #	SECTION	ACRES	LOCATION	MAP #
William C. Falkinburg	Stephen Suralik	1418	B	1.00	L.E.H.B Middle Is.	6.1
William Barnish	William Mayer	2010	B	2.00	Obes Thorofare	3
William Barnish	William Mayer	2013	B	2.65	Obes Thorofare	3
George Mathis Jr. & Ronald Voorhis	George Mathis Jr.	2211.1	B	2.06	Dry Bay	24.2
Ronald Voorhis	George Mathis Jr.	2223	B	1.90	Dry Bay	24.2
Ronald Voorhis	Scott Sheppard	53	B	1.88	G.B. Graveling Point	1
Ronald Voorhis	Scott Sheppard	54	B	2.55	G.B. Graveling Point	1

Without discussion, all lease transfers were unanimously approved on a motion by Mr. Johnson, which was seconded by Mr. Hughes.

4. Applications for Consideration

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Adam Sprague Blood Point Oysters LLC	400.1	B	2.25	G.B. Big Creek	TBD
Marc Zitter Northern Cape Sea Farms	802	B	2.00	Rose Cove	7

Mr. Normant provided the Council with copies of the lease applications. Messrs. Zitter and Sprague were present at the meeting. Pursuant to N.J.A.C. 7.25-24.6 lease applicants shall attend at least one of the two Council meetings at which the Council reviews their applications. If the applicant fails to attend at least one of the meetings at which the lease application is discussed, the area applied for shall revert to public bottom.

5. Applications for Decision

LESSEE	LOT #	SECTION	ACRES	LOCATION	MAP#
Howard Mason	50	B	1.68	G.B.-Graveling Pt.	1
Harry Emmel, Jr.	62	B	1.24	G.B.-Graveling Pt.	1
Phillip Romano	70	B	3.00	G.B.-Graveling Pt.	1
Tyler Zepp	78	B	1.24	G.B.-Graveling Pt.	1
Patrick Cecala	86	B	2.23	G.B.-Graveling Pt.	1
Thomas Burke	22	D	2.00	Swan Point	1
Donald Burke, Sr	23	D	1.60	Swan Point	1
Patricia F. Burke	24	D	2.00	Swan Point	1
Donald Burke, Jr	26	D	2.00	Swan Point	1
Stephen Burke	27	D	2.00	Swan Point	1
Charles DeVaul	223	A	2.00	Ludlam Bay	1
Michael Camp	224	A	2.00	Ludlam Bay	1
Jared O'Neal	225	A	2.00	Ludlam Bay	1
Edward Gaine	226	A	2.00	Ludlam Bay	1
Jeffrey Dilks	227	A	2.00	Ludlam Bay	1
Claire Zimmerman	1007	A	2.16	Great Sound	5
Paul Felder	1008	A	2.05	Great Sound	5
John Daffin	1009	A	2.24	Great Sound	5
Thomas Glenn	1010	A	1.93	Great Sound	5

Messrs. Mason, Zepp, T. Burke, D. Burke Sr, D. Burke Jr, S. Burke, DeVaul, Camp, Gaine, Dilks, Daffin, Glenn and Ms. Burke were present at the September 18th council meeting. Messrs. Cecala, O'Neal, Felder, and Ms. Zimmerman attended tonight's meeting. Messrs. Emmel and Romano were not present at both the September and October meetings. Mr. Normant stated that because Messrs. Emmel and Romano did not attend either of the meetings at which their applications were discussed, their applications would be cancelled. All other applications for decision were unanimously approved on a motion by Mr. Johnson and seconded by Mr. Hughes. Mr. Normant informed the applicants they have 30 days to sign their lease agreements and pay the lease fees.

6. Old Business:

Coastal Zone Management Rules

Mr. Normant informed the Council that there were no updates on the proposed amendments to the shellfish aquaculture sections of the Coastal Zone Management rules that addressed threatened and endangered (T & E) species. The amendments require shellfish aquaculturists to demonstrate through an “impact assessment” that their shellfish aquaculture activity would not impact T & E species habitat. Shellfish aquaculturist would be required to complete the assessment if the activity occurs within the highlighted areas on the Division’s Endangered and Nongame Species “Landscape Maps of Habitat for Endangered, Threatened, and Other Priority Wildlife”. Letters were submitted by both the Shellfish Council and Shellfish Association to the Department stating the implications the proposal would have on the shellfish aquaculture industry. Mr. Marc Zitter informed the Council that there was a phone number individuals could call to be placed on a list to attend the stakeholder meeting. Mr. Cecala asked if proposed change would eliminate structural aquaculture activities. Mr. Normant opined that the proposed rule would not eliminate structural aquaculture, but could complicate the permitting process. Mr. Maxwell requested Bureau staff stay involved with this issue. Mr. Normant stated he would update the Council regarding any new information he received.

Shellfish Gardening

Mr. Normant provided an update on the stakeholder meeting for shellfish gardening held on September 29 at the JCNERR. Bureau staff exchanged positive dialogue with those in attendance and provided information on some of the Statutory constraints regarding shellfish leasing in Monmouth county, and advised stakeholders to consult with the Shellfisheries Council for guidance and recommendations in developing shellfish enhancement and restoration projects.

Lease Renewals

Mr. Normant informed the audience that lease renewals would begin on October 17, 2017 and reiterated that the harvester training requirement must be completed prior to coming into the office to renew. The \$100 lessee renewal fee would be in effect at time of renewal.

7. New Business:

New Great Sound Leases

Mr. Luke Williams inquired about developing new lease area in Great Sound outside of the expansion area. Mr. Maxwell suggested he should present his proposal to the leasing committee at their next meeting in the spring of 2018.

November Council Meeting

A motion was made by Mr. Johnson to change the date of the November Council meeting from November 20<sup>th</sup> to November 27<sup>th</sup>, which was seconded by Mr. Hughes.

Having no further new business the meeting was adjourned on a motion by Mr. Johnson, and seconded by Mr. Hughes.

8. Date, time and place of next meeting:

DATE: November 27, 2017  
TIME: 7 PM  
LOCATION: Law Enforcement Office  
360 New York Rd. Rte. Port Republic, NJ 08241