

MINUTES OF THE MEETING OF THE ATLANTIC COAST SECTION OF THE  
NEW JERSEY SHELLFISHERIES COUNCIL  
Monday, May 19, 2025  
6:00 P.M.  
Nacote Creek Research Station (360 N New York Rd, Port Republic, NJ 08205)  
and virtually via Microsoft Teams

ROLL CALL:      Chairman:              Walter L. Johnson III      (Ocean County)  
                    Vice-Chairman:          George Mathis Jr.      (Burlington County)  
                    Councilman:            Edward W. Gaine      (Atlantic County)  
                    Councilman:            Vacant                  (Monmouth County)

ABSENT:          Councilman:            Paul T. Felder            (Cape May County)

DEP Representatives:      Russell Babb, Bureau of Marine Habitat & Shellfisheries\*  
\*Attended virtually      Jeffrey Normant, Bureau of Marine Habitat & Shellfisheries  
                                 Megan Swain, Bureau of Marine Habitat & Shellfisheries  
                                 Richard DiVaccaro, Bureau of Marine Habitat & Shellfisheries  
                                 Michael Auriemma, Bureau of Marine Habitat & Shellfisheries  
                                 Nina Colagiovanni, Bureau of Marine Habitat & Shellfisheries\*  
                                 Sarah Gentile, Bureau of Marine Water Monitoring\*

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

1.    Total Revenue for April 2025                              \$ 650.00  
      Shellfisheries Law Enforcement Fund                   \$ 270.00
2.    Presentation of the April 2025 meeting minutes for approval.

Mr. Gaine requested revision of the April 2025 minutes and all future meeting minutes to include agency representation of additional State representatives in attendance at Council meetings. The April 2025 minutes, with revisions, were approved on a motion by Mr. Gaine and seconded by Mr. Mathis.

3.    Applications for Consideration

APPLICANT	LOT	SEC	ACRES	LOCATION	MAP	SPECIES	PROPOSED ACTIVITY
Eggert Olafsson	659	B	2.00	Little Egg Harbor Bay – Jeremy Point	12	Oyster	Floating Cages/Bags – “Flip Farm System”
Asa Ragnarsdottir	660	B	2.00	Little Egg Harbor Bay – Jeremy Point	12	Oyster	Floating Cages/Bags – “Flip Farm System”

Mr. Olafsson and Ms. Ragnarsdottir were present at the meeting. Concerns were raised regarding bird interactions with the proposed “flip farm system”. The Council requested the applicants attend the next meeting and provide more information on how they plan to implement effective bird deterrents on the flip farm system. Mr. Gaine encouraged the applicants to attend the upcoming Growers Forum hosted by Rutgers on May 20<sup>th</sup>. It was discussed that types of bird deterrents varied depending on gear type, but there was currently no specific solution for deterring birds off a flip farm system which is relatively new to the industry. The applicants noted they were in the planning phase and would be open to hearing feedback from other growers on their approaches.

Mr. Genna provided public comment as a neighboring leaseholder expressed concerns about bird interactions and the use of the flip farm system.

The Council received written comments from Mr. Schramm, who expressed concerns about bird deterrents for the two proposed leases. Mr. Schramm noted he has not seen an effective way of deterring birds from a flip farm and had concerns about the issuance of a Commercial Shellfish Aquaculture Permit if spikes were not used. Two adjacent growers near Mr. Schramm utilized metal spikes and had no issues with birds on floating gear. His comments emphasized concern for potential suspensions and the associated economic impacts.

It was not clear what type of bird deterrent would need to be used on a flip farm, but that all growers were required to provide plans for the use of bird deterrents to obtain a Commercial Shellfish Aquaculture Permit from the Bureau of Marine Water Monitoring. Mr. Gaine added that he was a member of the Bird Risk Assessment Committee for the Interstate Shellfish Sanitation Conference (ISSC), which discussed these issues. That committee remained uncertain about effective bird deterrents for Flip Farm gear.

#### 4. Applications for Decision

APPLICANT	LOT	SEC	ACRES/FT	LOCATION	MAP	SPECIES	PROPOSED ACTIVITY
Todd Kostka*	2504	B	2.02	Scull Bay	27	Hard Clam	Traditional On-Bottom Planting

\*Was in attendance at the April 21, 2025 meeting

The application was approved on a motion by Mr. Mathis and seconded by Mr. Gaine. Mr. Kostka had 30-days to come to the Nacote Creek Research Station to sign the lease agreement.

#### 5. Application for Temporary Lease – Withdrawn

LESSEE	LOT	SEC	ACRES	LOCATION	MAP	SPECIES	PROPOSED ACTIVITY
Lucky Mother Shuckers LLC (Daniel Grace)	TBD	A	2.00	Ludlam Bay	N/A	Oysters	Grow-out of Oysters from Suspended Area Floating Cages/Bags, Bottom Cages

The Council was notified that the Mr. Grace withdrew his application for a temporary lease.

#### 6. Applications for Temporary Lease Decision

LESSEE	LOT	SEC	ACRES	LOCATION	MAP	SPECIES	PROPOSED ACTIVITY
Scott Lennox*	101.1	C	2.00	Barnegat Bay (Off Sunrise Beach)	N/A	Oysters	Grow-out of Oysters from Suspended Area Floating Cages/Bags, Bottom Cages
Matthew Gregg*	102.1	C	2.00	Barnegat Bay (Off Sunrise Beach)	N/A	Oysters	Grow-out of Oysters from Suspended Area Floating Cages/Bags, Bottom Cages

\*Was in attendance at the April 21, 2025 meeting

The Council commended the lease site inspection report produced by Ms. Colagiovanni and Mr. DiVaccaro containing marine habitat survey results to inform the Council’s decision on the temporary leases.

It was questioned what the next steps would be after Council decision. Mr. Babb stated that the Bureau had not received an official decision from the Commissioner. The Bureau would be in contact with the applicants to keep them apprised of next steps.

The temporary leases were approved on a motion by Mr. Mathis and seconded by Mr. Gaine.

#### 7. Applications for Transfer

LESSEE	APPLICANT	LOT	SEC	ACRES	LOCATION	MAP	SPECIES	PROPOSED ACTIVITY
Richard Vansalisbury	Valhalla Shellfisheries LLC -Arthur Gant	30	D	2.00	Swan Point	1	Oyster	Floating Cages/Bags, Bottom Cages
Arthur Gant	Valhalla Shellfisheries LLC -Arthur Gant	7	D	2.00	Swan Point	2	Oyster	Floating Cages/Bags, Bottom Cages
Arthur Gant	Valhalla Shellfisheries LLC -Arthur Gant	15	D	2.00	Swan Point	1	Oyster	Floating Cages/Bags, Bottom Cages
Peter Drukas	Joseph McGee*	2543	B	1.85	Scull Bay	27	Hard Clam	Traditional On-Bottom Planting
Peter Drukas	Joseph McGee*	2558	B	1.57	Scull Bay	27	Hard Clam	Traditional On-Bottom Planting
Glen Heuman	John Daffin	2502	B	1.80	Scull Bay	27	Oyster/Hard Clam	Traditional On-Bottom Planting, Floating Cages/Bags, Other
Glen Heuman	John Daffin	2528	B	1.99	Scull Bay	27	Oyster/Hard Clam	Traditional On-Bottom Planting, Floating Cages/Bags, Other
Raymond Seyler	John Daffin	2509	B	1.91	Scull Bay	27	Oyster/Hard Clam	Traditional On-Bottom Planting, Floating Cages/Bags, Other
Raymond Seyler	John Daffin	2530	B	1.98	Scull Bay	27	Oyster/Hard Clam	Traditional On-Bottom Planting, Floating Cages/Bags, Other
Michael Dear	John Daffin	2503	B	1.97	Scull Bay	27	Oyster/Hard Clam	Traditional On-Bottom Planting, Floating Cages/Bags, Other
Michael Dear	John Daffin	2529	B	2.01	Scull Bay	27	Oyster/Hard Clam	Traditional On-Bottom Planting, Floating Cages/Bags, Other

\*Hydrographic Survey Required

It was noted that the Bureau will require hydrographic surveys for Lots 2543 and 2558 in Scull Bay, as these have not been surveyed in many years.

Given the various types of gear used for floating aquaculture, Mr. Gaine recommended that the proposed lease activity form, as part of the application, be revised to include a wider range of selections for applicants to provide more specific information regarding the proposed gear type, such as separating out the type of floating gear. Mr. Normant also suggested adding a section for bird deterrent plans. Mr. Gaine agreed and stated that the Council should be doing this type of review, at least on the lease application level. Mr. Johnson inquired if Ms. Gentile would require this information on the CSAP application. Ms. Gentile concurred. Mr. Normant stated that the Bureau of Marine Water Monitoring (BMWM) would benefit from this information. This information would also allow neighbors to weigh in during the application process. Mr. Johnson countered that the bird deterrent plans were already required in the CSAP application and questioned the relevance of including this additional information with the lease application process. Mr. Gaine argued that the Council has the charge to represent the public, adding that there are a lot of stakeholders in these waterbodies and it seemed fair to ask the applicant how they planned to deal with birds on their leases. Mr. Gaine and Mr. Normant agreed it would be beneficial for the Council to have this information early during the leasing process to make informed decisions, provide advice and increase public transparency.

Mr. Johnson agreed that more information was helpful but was concerned about how to enforce it and about potential legal issues for the Council. He stated he is not comfortable adding another hurdle to lease applicants at the Council level, since other state agencies were responsible for permitting and enforcement of the activities occurring on leases. Mr. Gaine responded that it was Council's responsibility to provide the necessary information for stakeholders in the leasing process, and adding this information in the lease application would not replace authority of the other state agencies. Mr. Gaine stated that he cannot get behind approving a lease in which there was no plan. Mr. Normant and Mr. Gaine both made comments noting the importance of the Council being aware of potential issues related to bird interactions on floating gear and that the Council may be able to advise and discuss these issues with applicants if they were proactively made aware of them. Mr. Normant stated that the Council's statutory authority is to advise the Commissioner and help make informed decisions on all aquaculture industry issues; thus, requesting more specific gear information during the lease application process would be appropriate. This was important, especially considering the fact there were two water closures because of it and the potential for additional closures. Mr. Normant stated that the Department was already on record that they were deeply concerned about this issue and emphasized that the Council needed to be proactive. He added that the Council could also use this information to provide advice to applicants early in the process. Mr. Johnson emphasized that the Council cannot deny or approve a lease based on bird deterrent plans and expressed concern that the Council would take on inappropriate burden and authority to review the bird deterrent plans, which is the responsibility of the BMWM. Mr. Normant responded in stating that the process actually works as two growers have commented on applications in question. Mr. Johnson asked Ms. Gentile if this information would benefit in reviewing CSAP applications. Ms. Gentile responded the earlier in the process potential issues were raised, the better so issues can be addressed. The Council was supportive of providing information on proper bird deterrents to be made available to leaseholders with permitting guidance provided by the Bureau and DEP.

Ms. Resciniti provided public comment that this information and permitting guidance should be provided, as she was not given these materials upon issuance of a lease. Ms. Swain and Mr. Normant responded that contact lists and an extensive packet of other information for the other permitting agencies were provided to applicants during the lease application process. They added that even more detailed permit information was also available online, including a step-by-step guide. Ms. Strazzeri concurred that this information was provided to applicants. The Bureau agreed to review the existing information available to the public to make sure it was up to date and to provide additional information for administrative staff to include in the materials given to applicants. In addition, the Bureau would work with their counterparts in DEP to develop an information sheet regarding bird deterrents to be included in the packet as well.

The applications for transfer were approved on a motion by Mr. Mathis and seconded by Mr. Gaine.

## 8. Old Business

### Hard Clam Management Plan Committee

Mr. Auriemma announced that the Hard Clam Management Plan Committee was scheduled to meet on Thursday, June 5<sup>th</sup> at 6:00pm at the Nacote Creek facility, with a hybrid option available. The Committee was slated to discuss and determine the specific goals and objectives of the Plan.

Mr. Mathis recommended Mr. Jeff Pharo for the vacant commercial wild harvest position on the Committee, though Mr. Pharo had not yet applied. Mr. Mathis would provide Mr. Pharo with the application. Mr. Auriemma noted that remaining vacant seats on the Committee included one recreational seat and one commercial (depuration) seat. Mr. Mathis suggested reaching out to the Jersey Coast Anglers Association for possible candidates to serve in the recreational seat.

### Regulatory Committee Update

Ms. Swain stated that the Regulatory Committee met on April 29<sup>th</sup>, and the summary report would be available for the June Council meeting.

Mr. Johnson raised concerns to Mr. Babb over the suspicion of inappropriate conduct by committee members—that confidential proceedings were being discussed outside of the committee. Mr. Babb responded that Shellfish Council Guidelines provided the structure for how committees were intended to function and that the existing document outlined that meeting details were not to be discussed outside of committees until made public at a Council meeting. He added that the Council can review and revise those guidelines and make changes, if they deem necessary. Mr. Babb added that perhaps the guidelines should be redistributed to the Council and then to the committees via the Council; Mr. Babb added that ultimately enforcement or accountability of the guidelines by the Council may prove challenging. However, the document already addressed these expectations. Mr. Gaine agreed that review and understanding of the administrative guidelines review was important for committee members. He commented that the function of a committee depends on the members' ability to discuss all ideas, talk amongst themselves, and bring ideas to the Council in a constructive manner.

### Other Old Business

Mr. Johnson proposed the Council send a follow up letter to the Chairman of the Senate Judiciary Committee in regard to the Council's Monmouth County nominee Kevin Kirk, who's nomination has been pending since April of 2024. Mr. Gaine made a motion to send a follow up letter to the Senate Judiciary Committee Chairperson and copying the majority and minority leaders of the Senate, Senate coastal legislators, the Governors Appointment Office, the Commissioner of DEP and the Secretary of Agriculture in regarding the delay of the appointment of Mr. Kirk to Council. the Council. Mr. Mathis seconded the motion. The motion passed.

## 9. New Business

### Lease Discrepancy - Brigantine

Mr. Normant discussed lease discrepancies in Obes Thorofare in Brigantine, in which official corners were not aligned with leaseholder's corners. The Bureau researched the history of the leases in that area and found that the leases were issued in the late 1980s or 1990s and underwent several transfers over time, resulting in a discrepancy of the lease corners. The goal was to get the acreage back to where it should be. After consultation and engagement between the lessees, Atlantic County representative Mr. Gaine and the Bureau, the issue was resolved.

Mr. Normant reminded the Council and the attendees that lease coordinates housed in the Bureau's lease database were the official corners for all leases. Mr. Normant warned that any gear outside of the official bounds of the lease was considered over-staking. Leaseholders were reminded that they should contact the Bureau with any questions or discrepancies regarding their lease corners. Mr. Normant noted that this situation supported the Bureau's position to require hydrographic surveys for lease transfers, especially those leases which had not been surveyed in a long time. Mr. Johnson stated that the Bureau has provided coordinates to the leaseholders when requested, including himself, and they were accurate. Mr. Gaine appreciated that the leaseholder communicated with Council and the Bureau to resolve the discrepancy. Mr. Gaine stated the Council understood that that corner coordinates on record were the official coordinates. Mr. Gaine reiterated that many of these older leases have not had hydrographic surveys done in many years, sometimes even decades, and it was wise for the Council to advocate for surveys on all transfers moving forward. Leaseholders should contact the Bureau if they have questions about their leases.

#### Birds and Aquaculture Growers Forum

Mr. Acquafredda provided an announcement for the Birds and Aquaculture Growers Forum on May 20<sup>th</sup> at 6:30PM at the Jacques Cousteau Coastal Education Center (Tuckerton). The event was a farmer-led meeting for growers and state officials to engage in discussion and provide opportunities to learn and become more proactive on the issue regarding bird and floating gear.

#### Other New Business

Mr. Gaine shared that he sat on a hiring committee for the selection of a new Aquaculture Extension Specialist position through Rutgers University Cooperative Extension. The new position was not an Extension Agent, but a specialist focusing on aquaculture research and industry outreach. The committee reviewed several applications from highly qualified candidates, performed formal interviews, and the official hiring was pending final decision by Rutgers faculty.

Mr. Gaine raised that he has consistently heard of the need for hatchery expansion in New Jersey and other states. He has requested that the Bureau provide information on how much seed was imported in the state last year. The Bureau agreed to provide that information to the Council at the next meeting.

Mr. Normant noted that the Shell Recycling Program proudly received the Governor's Excellence Award earlier in May. Mr. Gaine stated that at a recent meeting he had quipped that the Bureau wasn't great at branding, but he stated that on second glance, they have actually done a great job branding some of their projects, namely the Shell Recycling Program. He applauded the Bureau for its success and highlighted its positive general promotion for the shellfish resources and industry. He requested updates and a quick presentation on the Program for the next meeting. Mr. Normant mentioned that the Bureau had other programs outside of shellfish aquaculture that should be highlighted at future meetings.

#### 10. Public Comment

No additional public comments were made.

The meeting was adjourned on a motion by Mr. Mathis and seconded by Mr. Gaine.

#### 11. Date time and place of next meeting:

DATE: June 16, 2025  
TIME: 6:00 PM  
LOCATION: Nacote Creek Research Station, Port Republic (in-person/virtual hybrid)

**Public Attendees:**

Jennifer Resciniti  
Jordan LoPinto  
Susan Bentley\*  
Eggert Olafsson\*  
Matthew Matusky\*  
Scott Lennox\*  
Steve Fleetwood Jr\*  
Matt Gregg\*  
Steve Fleetwood\*  
Emily Dalgauer\*  
Asa Ragnarsdottir\*  
Matt Genna\*  
Patrick Henderson\*  
Bill Avery\*  
Tommy Burke\*  
Dan Torre\*  
Mike Acquafredda\*  
Joseph Sabath\*  
Dale Parsons\*

*\*Attended virtually*

**State Representative Attendees**

Brian Scott, Bureau of Law Enforcement  
Liia Carpenter\*, Bureau of Marine Habitat & Shellfisheries  
Lauren Strazzeri\*, Bureau of Marine Habitat & Shellfisheries  
Natalie Dragos\*, Bureau of Marine Habitat & Shellfisheries  
Jenny Tomko\*, Bureau of Marine Habitat & Shellfisheries  
Alissa Wilson\*, Bureau of Marine Habitat & Shellfisheries  
Michael Lindner\*, Bureau of Marine Habitat & Shellfisheries  
Amanda Wenczel-Arians\*, Department of Agriculture