

MINUTES OF THE MEETING
OF THE
DELAWARE BAY SECTION OF THE NEW JERSEY SHELLFISHERIES COUNCIL

MS Teams Conference Call
Bivalve, NJ
Tuesday, March 1, 2022
6:00 PM

Present were: Chairman: Warren Hollinger (Cumberland County)
Vice Chairman: Steven Fleetwood (Cumberland County)
Councilman: Richard Malinowski (Salem County)
Councilman: Scott Sheppard (Cumberland County)
Councilman: Vacant (Cape May/Salem County)

State/Fed Reps: Joe Cimino, Marine Fisheries Administration
Russ Babb, Bureau of Shellfisheries
Jeff Normant, Bureau of Shellfisheries
Craig Tomlin, Bureau of Shellfisheries
Andrew Hassall, Bureau of Shellfisheries
Conor Davis, Bureau of Shellfisheries
Megan Kelly, Bureau of Shellfisheries
Robert Schuster, Bureau of Marine Water Monitoring
Amanda Wenczel, NJ Dept. of Agriculture

Haskin Lab: Jason Morson, Laboratory Researcher
Iris Burt, Laboratory Researcher

General Public

Compliance with the Sunshine Law

Notice of this meeting was posted February 23, 2022, with the Secretary of State's Office, State House, Trenton, NJ and the Bridgeton Evening News, and Daily Journal pursuant to L. 1975 c. 231.

Mr. Tomlin welcomed everyone to the meeting, performed roll call, then read the above compliance.

1. Revenue collected for January totaled \$5,135.00 and is summarized as follows:

License Type	Total	License Type	Total
Assigned Fees	\$2,000.00	Commercial Shellfish	\$50.00
DB & AC Crab Dredge	\$900.00	Menhaden	\$382.00
NETS	\$859.00	Otter Trawl	\$100.00
Commercial Crab Pot	\$400.00	Application Fees	\$44.00
Tonging Tags	\$400.00		

Revenue collected for February totaled \$5,236.00 and is summarized as follows:

License Type	Total	License Type	Total
Dredge Renewal	\$2,340.00	Menhaden	\$154.00
Tonging Tags	\$700.00	Dealer License	\$100.00

Nets	\$694.00	Commercial Shellfish	\$100.00
DB & AC Crab Dredge	\$600.00	Application Fees	\$38.00
Commercial Crab Pot	\$500.00	Recreational Shellfish	\$10.00

Oyster Resource Development Account (082):

(as of 01/07/20)

Expended	\$ 163,728.31	Budget authority less expenditures <i>(total spendable dollars currently in account)</i>
Unexpended	\$614,321.27	

2. Lease Ground Transactions:

2.1 Lease Ground Transfers:

Transfer from Gerald Hoffman to Diane Bacon, Barbara Wright

Leaseholder	Applicant	Section	Lot	Acres	Acreage Fee	Application Fee
Gerald Hoffman	Diane Bacon Barbara Wright	D	116	23	\$11.50	\$5.00
		Total		23	\$11.50	\$5.00

Mr. Tomlin reviewed the lease transfer details to the Council. **Councilman Sheppard motioned to approve the lease transfer. Councilman Malinowski seconded the motion. The motion passed.**

2.2 Application for Decision

Applicant	Section	Lot	Acreage	Acreage Fee	Application Fee
Edward Gaine	B	282	172	\$86.00	\$250.00

Mr. Hollinger noted that Edward Gaine was in attendance and had attended the meeting in January 2022 when his application was on the agenda for Consideration, thus fulfilling the aforementioned requirement. **Councilman Fleetwood made a motion to approve the lease application. Councilman Sheppard seconded the motion. The lease was approved.**

3. Old Business

3.1 Red Knot/Aquaculture Update

Councilman Hollinger informed the Council that the Stakeholder Committee had not met recently, and that the conservation measures for 2022 were the same as the conservation measures for 2021. Mr. Tomlin added that a copy of the 2022 conservation measures were emailed from the Delaware Bay office on February 15th.

3.2 Leasing Committee Update

Mr. Davis stated that the Delaware Bay Leasing Committee met on February 17th. The Committee discussed making a recommendation for a license requirement for obtaining and renewing leases to the Council. The Committee also discussed recommending a reporting requirement for Delaware Bay leases similar to what is required for Atlantic Coast leases. The next Committee meeting should be in late March of 2022.

3.3 Oyster TONGING Industry Update

Mr. Tomlin reported that the total number of tags sold was 1,750. At the time of the meeting 1022 bushels were harvested, mostly from Nantuxent Cove.

3.4 Shell Plant Contract Update

Mr. Tomlin explained that the current T2699 contract has been extended through the 2022 planting season. There was a price increase for approximately 20 to 30%.

A new T2699 contract is out for bid, which can be found on the NJ start website.

The Bureau has begun making efforts to purchase shell for the 2022 planting season and is seeking the Council's approval to purchase the first barge-loads worth.

Councilman Fleetwood made a motion to purchase the first barge load. Councilman Sheppard seconded the motion. All were in favor and the motion passed.

Councilman Fleetwood added that the shell company should be informed that more barge loads should be purchased as they become available.

4 New Business

4.1 Review of the 24th Stock Assessment Workshop, February 8, 2022

Dr. Morson began by sharing a presentation summarizing what was discussed at the 2022 Stock Assessment Workshop. The presentation began by reviewing how the natural seed beds are divided up into six mortality regions. The mortality is based on the prevalence and effects of Dermo disease (*Perkinsus marinus*), which is greatly affected by the salinity gradient found in the Delaware Bay. The High Mortality region is the southernmost or down-bay region where salinity is greater. Moving up-bay the regions are Shell Rock, Medium Mortality Market, Medium Mortality Transplant, Low Mortality and Very Low Mortality where salinity levels are at their lowest.

Each Region is surveyed yearly. These findings are presented to the Stock Assessment Review Committee (SARC). The SARC critiques the survey and assessment methods, and the SARC makes recommendations on quota allocation. Also, to aid the SARC in their decision making are formalized reference points, which were recommended and developed in 2006. The reference points are based off a long-term time series of abundance in each region. The time series for the reference points are from 1990 to 2005. There is a target reference point and threshold reference point for each region. The target reference points are based on the average abundance in the time series and the threshold is half of the target point for the region.

Prior to discussing each region individually, Dr. Morson gave a description of the Bay as a whole. To do so a slide with four graphs was shown. The first graph showed the total number of oysters (any oyster measured over 20 mm) for the past ten years. For the past ten years the total abundance

of oysters has been greater than the threshold but only above the target for two years. The next graph was similar but split market sized oysters (2.5 inches or greater) for the past ten years. For the past ten years oysters greater than two- and one-half inches has been above the threshold and target. The number of market size oysters has been stable with greater fluctuation in abundance of sub-legal oysters. The third graph showed the natural mortality rate throughout the bay, which has been on a downward trend for the past ten years. Lastly, the fourth graph showed recruitment for the past ten years. Recruitment has been highly variable with the largest occurrences in 2016 and 2017. The effect of this large recruitment event could also be seen in the other graphs as well. That is, total abundance was at its highest at this time and reached above the target level. This also corresponded with a dip in mortality.

After describing the Bay as a whole, each region was described in a similar way. The following is a summary of the health of each region and the SARC's recommendations for each region:

Very Low Mortality: In 2018 a large mortality event occurred due to high precipitation. The population looks to be rebounding with rises in both market and submarket abundance since 2018. The SARC recommended an exploitation rate of 1.93% with the product being transplanted to the Low Mortality region. This transplant would not impact the quota, given that the Low Mortality region is a transplant bed and does not provide product directly to the market. There was a great amount of discussion between SARC members to recommend a transplant from this area given that it is prone to low salinity/high mortality events. As such, science advice given at the SAW was to come up with a unique management plan for this region.

Low Mortality: Total abundance is above the threshold and market abundance is above the target, but both are very near those reference points and have been trending down for the past few years. The exploitation rate for this region was recommended at the minimal rate of 0.76%, which would result in an increase of ~723 bushels added to the quota. If a transplant from the Very Low Mortality region to the Low Mortality region occurred, the exploitation rate would be increased to 1.49%, which would result in an increase of ~1,417 bushels added to the quota.

Medium Mortality Transplant: The region has been stable in total abundance, market abundance, mortality, and recruitment for the past few years. The SARC recommended the maximum exploitation rate of 2.46%, which would result in an increase of ~9,040 bushels added to the quota.

Medium Mortality Market: The region has been stable in total abundance, market abundance, mortality, and recruitment for the past few years. The SARC recommended the median exploitation rate of 3.03%, which would result in 24,960 bushels of quota. No transplant to the area was required or recommended.

Shell Rock: The data showed declining trends for this region. Total abundance is very close to the threshold. Recruitment has been very low for the past four years. Also, mortality is tracking upwards since 2018. With that said, while the total abundance is down from record levels in 2018, from 2019 to present the market abundance is well above the target. The SARC recommended the median exploitation rate of 3.7%, which would result in 18,231 bushels of quota prior to a transplant. If a transplant to the area occurred the exploitation rate could go to the maximum of 4.88%, which would result in 24,046 bushels of quota. Lastly, the data showed a decline in submarket abundance. Therefore, a shell planting effort is recommended for the area.

High Mortality: The data showed that the market abundance is above the target and submarket abundance is just below the threshold, both of which have shown little fluctuation for the past few years. Mortality has also been stable for the past few years. The SARC recommended the median

exploitation rate of 7.49%, which would result in 32,816 bushels of quota prior to a transplant. If a transplant to the area occurred the exploitation rate could go to the maximum of 9.82%, which would result in 43,025 bushels of quota.

4.2 2022 Direct Market Season

Councilman Hollinger reviewed the SARC recommendations. **Councilman Sheppard motioned to follow the SARC recommendations which were as follows: the MMM region was recommended at the median exploitation rate of 0.0303 to harvest 24,960 bushels (bu.); Shell Rock was recommended the median rate of 0.0370 to harvest 18,231 bu. prior to transplant operations with the potential to be increased to the rate of 0.0488 to harvest 24,046 bu. after an intermediate transplant.; and the High Mortality region was recommended the median exploitation rate of 0.0749 to harvest 32,816 bu., prior to transplant operations with the potential to be increased to the rate of 0.0982 to harvest 43,025 bu. after an intermediate transplant. Councilman Fleetwood Second the motion. All were in favor and the motion passed.**

Having set the DMHP quota, the initial industry allocation would be **76,007 bu.**, which allowed each currently licensed boat to harvest 950 bu. The potential industry allocation if a transplant occurred would be **102,488 bu.** which would allow each currently licensed boat to harvest 1,281 bu.

4.3 Intermediate Transplant Program (ITP)

While reviewing the DMHP recommendations, Councilman Hollinger reviewed the ITP recommendations. The recommendations for the transplant regions were as follows: the VLM region was recommended the exploitation rate of 0.0193 to transplant 2,951 bu. to the LM region, which would result in no quota increase; the LM region was recommended the minimum exploitation rate of 0.0076 to transplant 3,442 prior to a transplant from the VLM for a potential quota increase of 723 bu. The exploitation rate would increase to 0.0149 following a transplant allowing 6,749 bu. to be move for a potential quota increase of 1,417 bu. post-transplant; and the MMT region was recommended the maximum exploitation rate of 0.0246 to transplant 16,740 bu. with the potential quota increase of 9,040 bu. post-transplant.

Note that all proceeding intermediate transplant bushel amounts are approximate/estimated values. Councilman Sheppard motioned to follow the SARC recommendations. Councilman Fleetwood seconded the motion. All were in favor and the motion passed.

Councilman Hollinger motioned that the State buy as much shell as possible for the 2022 shellplanting season. Councilman Malinowski seconded the motion. All were in favor and the motion passed.

4.4 Intermediate Transplant Program Fee and Start Date

Mr. Tomlin and the Council reviewed and set the dates for actions to take place regarding the program. Mr. Tomlin informed the Council of the following information: sign-up for the program was from March 7 – 18; sign-up to participate in transplant operations was from March 7 – 18; bushel and cage tags would be available March 21; beds would be open for the program from April 4 to November 25, pending water temperature. The Council decided to schedule the intermediate transplant to start April 25, and to keep the transplant fee at \$3.00 per transplanted bushel.

Councilman Malinowski made a motion to approve the dates and price per bushel. Councilman Sheppard seconded the motion. All were in favor and the motion passed.

Councilman Fleetwood made a motion that transplant quoted would not be allocated until all of the initial pre-transplant quota had been used up. After a lengthy discussion, Councilman Malinowski seconded the motion. The motion passed with a vote of three to one.

Councilman Hollinger motioned to adjourn the meeting. Councilman Malinowski seconded the motion. All were in favor and the motion passed.

- 5 The NJ Shellfisheries Council, Delaware Bay Section meeting adjourned at 7:07 PM.
The tentative date, time and place of the next Council meeting will be:

Date: May 3, 2022
Time: 6:00 PM
Place: Via M.S. Teams