

**N.C. Division of Marine Fisheries – Habitat and Enhancement
Shellfish Lease and Aquaculture Program – Public Hearing**

December 22, 2023

Present: Owen Mulvey-McFerron – Program Coordinator, Shellfish Lease Program
Stephen Johnson – Shellfish Lease Biologist
Mike Loeffler – Deputy Director
Zach Nelson – Marine Patrol Officer
Scottie Tripp – Staff (online)
Robert Farnell – Staff (online)
Elizabeth McCormick – Staff (online)
Zach Harrison – Staff (online)

Attendees:

Dean Graham, Tammy Nobles, Hannah Chadwick, Tyler Chadwick, Larry Kellum, Joe Harnes, James Morris, Alex Chadwick

Meeting: 14 Dec 2023, 6:01-6:09 PM via in Person and WebEx for Carteret County proposed shellfish lease. Location at Central District Office, 5285 Hwy 70 W, Morehead City

Applicant(s): Roy Graham and Tammy Nobles, James Tyler Chadwick, Larry G. Kellum, Jr., Salt Air Ventures, Inc, Charles S. Merritt, Alexander E. Chadwick, James A. Morris, Sr., Sea Level Shellfish Company, LLC, James A. Morris, Jr.

I. Meeting

Owen: “Alright everybody I’ve got the time as 6:01 so I would like to call this public hearing to order. My name is Owen Mulvey-McFerron, and I am the Shellfish Aquaculture Coordinator for the North Carolina Division of Marine Fisheries. I’ll be serving as the hearing officer tonight.

The purpose of this public hearing is to receive public comments on proposed shellfish leases in Carteret County. Site investigations by Division staff have determined that these proposed shellfish leases generally meet the standards for shellfish leasing under NC General Statutes and NC Marine Fisheries Commission rules. The Division director has authorized this hearing to receive public comment.

Tonight’s hearing is also being conducted virtually, so we have folks participating by telephone and through the WebEx virtual meeting application. PowerPoint slides presented tonight are also available on the Division’s website for those participating by telephone.

This hearing is being recorded and is a public record. All verbal comments, or written

communications between members of the public body regarding the transaction of business during this meeting are deemed a public record.

This hearing is a formalized process where we only take public comment on the proposed shellfish leases that have been noticed in the Carteret News Times Newspaper on November 15th and 22nd, 2023, and on the Division's website. No decisions will be made at tonight's hearing. This hearing is also not a dialogue or forum. Any discussion or discourse should be held until after the hearing concludes. At that point once we are done with the hearing if anybody has any questions for me or other staff or wants to chat, we can do that as long as we need to. Written comments on these shellfish leases can be submitted to the Division up to 5 o'clock tomorrow.

If you wish to speak tonight and are not already on the speakers list, you will get a chance to speak after we have gone through the registered speakers.

Based on the list of folks that have joined online, we've already got a chance to ask if any of them would like to speak and nobody's indicated that they would so I'm going to skip that part of the script.

Alright, so, now I will go through the information for the proposed shellfish leases and then I will give the lease applicants an opportunity to speak, then I will open the comments up to anyone else who wishes to be heard. I will call on commentors by name in the order they signed up to speak.

So with that, I will read the information on the proposed shellfish leases:

First we have a 1.59-acre shellfish bottom and water column lease applied for on May 2nd, 2023, by Roy Graham and Tammy Nobles, located in Harlowe Creek. The management plan indicates the use of floating gear for the commercial production of oysters.

Division staff conducted a site investigation on June 13th, 2023, which found 1.16 bushels of shellfish per acre and zero submerged aquatic vegetation, which I will refer to as SAV.

Next we have a 5.57-acre shellfish bottom and water column lease applied for on May 31st, 2023, by James Tyler Chadwick, located in Adams Creek. The management plan indicates the use of bottom gear for the commercial production of oysters.

Division staff conducted a site investigation on June 13th, 14th, and 15th, 2023, which found zero bushels of shellfish and zero SAV.

Third we have a 1.07-acre shellfish bottom lease applied for on July 17th, 2023, by Larry Kellum Jr., located in North River. The management plan indicates the use of cultch on-bottom for the commercial production of oysters.

Division staff conducted a site investigation on August 23rd, 2023, which found 0.72 bushels of shellfish per acre and no SAV.

Fourth is a 2.62-acre shellfish bottom lease applied for on July 24th, 2023, by Salt Air Ventures, Inc, agent Charles Merritt located in Newport River. The management plan indicates the use of clam seed and predator netting for the commercial production of clams.

Division staff conducted a site investigation on August 28th, 2023, which found zero bushels of shellfish per acre and zero SAV.

Fifth is a 1.05-acre shellfish bottom lease applied for on July 31st, 2023, by Alexander Chadwick, located in Lower North River. The management plan indicates the use of cultch-on-bottom, clam seed, and predator netting for the commercial production of oysters and clams.

Division staff conducted a site investigation on August 23rd, 2023, which found zero bushels of shellfish per acre and zero SAV.

Next is a 8.87-acre shellfish bottom and water column lease applied for on July 31st, 2023, by James Morris Sr., located in Long Bay. The management plan indicates the use of floating gear for the commercial production of oysters.

Division staff conducted a site investigation on September 5th, 7th, 18th, and 19th of 2023, which found 0.04 bushels of shellfish per acre and no SAV.

And finally we a 6.62-acre shellfish bottom and water column lease applied for on July 31st, 2023, by Sea Level Shellfish Co., agent James Morris Jr., located in Long Bay. The management plan indicates the use of floating gear for the commercial production of oysters.

Division staff conducted a site investigation on August 29th, 2023, which found zero bushels of shellfish per acre and zero SAV.

Now, I will call on the applicants and give them an opportunity to speak about their proposed shellfish leases. This is not a requirement. You'll have three minutes to speak. I will hold up one finger when you have one minute left, and my hand when you reach three

minutes at which point please conclude your remarks and we'll move to the next person.

As a reminder for all speakers this evening, please be courteous and respectful. If you are disruptive or discourteous, I will have to ask you to leave.

So first I would like to call on Roy Graham or Tammy Nobles to present on their proposed shellfish leases.”

Roy Graham: “I’m going to say no”

Owen: “Fair enough. Alright. Moving right along. Next, I’ll call on Tyler Chadwick to present on their proposed shellfish leases.”

Tyler Chadwick: “No comment at this time.”

Owen: “No comment. Alright. Third I’ll call on Larry Kellum Jr.”

Larry Kellum, Jr: “No comment [inaudible]”

Owen: “No Comment. Alright. Fourth I’ll call on Charles Merritt.”

Charles Merritt: [Declined]

Owen: “Fifth I’ll call on Alexander Chadwick to present on their proposed shellfish lease.”

Alexander Chadwick: “I don’t really have anything to say. I just wanted to introduce myself. That’s why I signed up for the public comment. I thought it was part of this. Anyway, I’m Alexander Chadwick and I’m a full-time commercial fisherman. And I feel like this is a new direction to go. So, I appreciate it. “

Owen: “Alright thank you. Next, I would like to call James Morris Sr. to present on their proposed shellfish leases.”

James Morris, Sr: [Declined]

Owen: “Alright. And lastly, I’ll call on James Morris Jr. I don’t see . . .”

James Morris, Sr: [unintelligible]

[James Morris Jr. was not in attendance]

Owen: “Alright. So now with the comments from the public. I did not have any registered comments on the speakers list. Is there anybody here who would like to comment? Alrighty. [inaudible] Folks online let me just check to see if anybody else has joined us who I did not see from earlier and nobody else has. So that makes this a very easy meeting. Since there’s no one else that would like to comment on these proposed shellfish leases I will close the public hearing. I would like to thank you for your time and participation in the process. Time of closure is 6:09 PM. Everybody have a good evening.”

Closure: 6:09 PM