

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

December 29, 2023

Present: Owen Mulvey-McFerron – Program Coordinator, Shellfish Lease Program
Stephen Johnson – Shellfish Lease Biologist

Attendees:

Marina Bundy, John Bundy, Henry Harrison, Jeff Credle, Zack Credle (via WebEx/phone) Brant Harrison

Meeting: 18 December 2023, 6:00-6:06PM via in Person and Webex for Hyde County proposed shellfish leases. Location at Hyde Government Center, 30 Oyster Creek Road, Swan Quarter

Applicant(s): JJandB, LLC, Jennifer Dixon, Zack Credle, Ocracoke Salt Company, LLC, Dylan L. Bennink

I. Meeting

Owen: “The time is 6:00 and I’d like to call this Shellfish Lease Public Hearing to order. My name is Owen Mulvey-McFerron, I’m with the North Carolina Division of Marine Fisheries and I will be serving as the hearing officer this evening.

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

This hearing is a formalized process where we take only public comment on the proposed shellfish leases that have been noticed in Coastland Times Newspaper on November 15th and November 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. Written comments on these shellfish leases can be submitted to the Division up to 5 o’clock tomorrow evening.

If you wish to speak tonight and are not already on the speakers list, you will get a

chance to speak after we go through on the list if there is anybody who changes their mind and wants to speak we can accommodate that as well.

Now we will do a roll call of the folks participating on Webex. Stephen, I believe you've gotten everybody on that's logged on. Is that correct?"

Stephen: "Yeah, it looks like it to me. Um, yeah."

Owen: "Okay. Cool. And nobody wanted to speak?"

Stephen: "No."

Owen: "Perfect. So, for folks that are online, at the end of the hearing there'll be a chance where if you do change your mind and you want to speak, you'll be able to raise your hand then we can unmute you for some comments. That being said, now I am going to go over the information on the proposed shellfish leases.

So, we have three leases. First, we have a 9.96-acre water column lease applied for on March 15th, 2023, by JJandB, LLC, agent Jennifer Dixon, located in Spencer Bay. The management plan indicates the use of floating gear for the commercial production of oysters.

Division staff conducted a site investigation on June 29th, 2023. Poles and signs were in place, and no samples were collected because there is an existing bottom lease.

Second, we have a 1.26-acre shellfish bottom and water column lease applied for on March 31st, 2023, by Zack Credle, located in Germantown Bay. The management plan indicates the use of floating gear for the commercial production of oysters.

Division staff conducted a site investigation on April 25th, 2023, which found 1.31 bushels of shellfish per acre and zero submerged aquatic vegetation, which I will refer to as SAV.

And finally, we have a 3.00-acre shellfish water column lease applied for on March 14th, 2023, by Ocracoke Salt Company, LLC, agent Dylan Bennink, located in Howard Reef. The management plan indicates the use of floating gear for the commercial production of oysters.

Division staff conducted a site investigation on July 18th, 2023. Poles and signs were in place, and no samples were collected because there is an existing bottom lease.

I will now call on the applicants and give them an opportunity if they wish to speak to their proposed shellfish lease. This is not a requirement of the applicants.

You will have three minutes to speak. I will hold up a finger when you have one minute left, and my whole hand when your time is expired. At that point, please wrap up your remarks.

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

So, first I'll call on Jenn Dixon or a representative of JJandB to present their proposed shellfish lease."

Unknown Speaker: "[We] don't really have anything to say."

Owen: "Alright, well that makes it pretty quick. Next, I'll call on Zack Credle to present their proposed shellfish lease."

Zack Credle: [inaudible]

Owen: "Alright, fair enough. And third I'll call on Dylan Bennink to present their proposed shellfish lease. Dylan, I know you said you didn't have any comments but if you have changed your mind, you are welcome to speak.

Pause

Alright, cool so now we will move to comments from the public."

Dylan Bennink: [inaudible]

Owen: "Oops, sorry about that."

Dylan Bennink: "I was just going to say I had nothing to say. Thank you very much."

Owen: "Alright. Perfect. Thanks Dylan.

So now we will move to comments from the public. Doesn't look like anybody has signed up on that form. I did have three people pre-register. I have, a John Bundy."

Pause

[inaudible] have any comments?

John Bundy: "I think we are all right."

Owen: "Alright. Fair enough. And then I have a Brant Harrison."

Brant Harrison: *Declined to speak.*

Owen: "Okay. Perfect. That's everybody here. Anybody that's calling in online, Stephen posted instructions in the chat if you would like to raise your hand and request to be unmuted so you can provide comments. Otherwise, the Division will be accepting written comments through five o'clock tomorrow evening, through the portal on our website."

Pause

Owen: "Hearing no comments and seeing no hands, I believe that's everyone who wanted to speak. If no one else wishes to speak, I will close this public hearing. I'd like to thank you for your time and participation in the process. Time of closure is 6:06 PM. Tied for the shortest public hearing ever. Thank you everybody for coming out tonight."

Closure: 6:06 PM