



Hyde County Shellfish Lease Hearing Meeting Minutes

Tuesday, March 18, 2026

Hyde County Courthouse
40 Oyster Creek Rd, Swan Quarter, NC 27885
In Person and virtually via Webex

Attendees

Staff

IN PERSON

Casey Silva
Program Coordinator

Kristina Flanigan
Program Leasing Biologist

Mitch Melkonian
Program Administrative Specialist

Matthew Glass
Marine Patrol Officer

Scott Nesbit
Marine Patrol Officer

Dawson Cagle
Marine Patrol Officer

VIA WEBEX

Stephen Johnson
Program Mapping Biologist

Robert "Scottie" Tripp
Program Environmental Tech

Marla Chuffo
Program Administrative Officer

Elizabeth McCormick
Section Administrative Specialist

Applicants

IN PERSON

Good Time Charlie's Fisheries LLC
Mary E. Van Salisbury, Agent

Angel's Breath Oyster Company LLC
Michael L. D'Amelio, Agent

Oasis Oyster Company LLC
Maxwell A. D'Amelio, Agent

VIA WEBEX

None

Public

IN PERSON

Charles Van Salisbury

VIA WEBEX

John

Tia

9193**82**

Official Transcript

[00:00] Casey Silva

“Alrighty, so the time is six p.m., and I would like to call this Shellfish Lease Public Hearing to order. My name is Casey Silva, and I’m the Shellfish Lease and Aquaculture Program Coordinator for the North Carolina Division of Marine Fisheries Habitat and Enhancement Section. I will be serving as the hearing officer tonight.

The Director of the Division authorizes a public hearing for all proposed shellfish leases that meet all biological standards outlined under North Carolina General Statutes and Marine Fisheries Commission rule. DMF staff have already conducted the necessary biological investigations and found the leases generally compliant. The purpose of tonight’s hearing is to receive public comment on the proposed shellfish leases in Hyde County.

Tonight’s hearing is also being conducted virtually, so we have participants joining via telephone and Webex. PowerPoint slides presented tonight are also available on the Division’s website for those participating virtually.

This hearing is being recorded and is a part of the public record. All verbal and written communication between members of the public body and division staff regarding the proposed Hyde County leases are deemed public record.

This hearing is a formal process in which we accept public comment only on the proposed shellfish leases that were noticed in the Coastland Times on February 15th and February 22nd, 2026, and on the Division’s website. No decisions will be made at tonight’s hearing.

This hearing is also not a forum. Each registered speaker will have three minutes to speak and all public comments should be directed towards me. Any discussion or discourse should be held until after the hearing concludes. Written comments on these shellfish leases can be submitted to the Division by five p.m. 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.

Now, we will do a roll call of the folks participating on Webex or by phone. Please be advised, all participants will be recorded. Mitch has been taking attendance as people have signed on to the meeting. He will now finalize that and go over the information on how to participate.”

[01:57] Mitch Melkonian:

“Thank you, Casey. We currently have three participants joining online. I have recorded their names for our attendance records and inquired if they wish to provide public comment. Later in the meeting, I will call on the participants to provide public comment. I will request them to unmute and indicate they may speak. They will be allowed to speak for three minutes. After the participants have had a chance to speak, I will ask if anyone else wishes to provide public comment. If anyone does, they will need to raise their hand via Webex. Will post the instructions in the chat on how to do that now. For participants joining by phone, use star three on the keypad to raise your hand. If any participants join later, I will confirm during the public comment portion of tonight’s hearing. Back to you, Casey.”

[02:42] Casey Silva:

"Alrighty. So, before we begin the public hearing, I will provide a brief overview of the shellfish leasing process and the role of public comment."

[02:50] Casey Silva:

"First, some shellfish lease basics. Shellfish leases are public trust waters leased for shellfish aquaculture. When we talk about shellfish aquaculture, we are referring to artificially propagated stocks reared in a controlled environment. This differs from wild shellfish harvesting, as leaseholders actively manage their sites to grow shellfish. Shellfish leases grant private rights to cultivate shellfish in specific areas of public trust waters. These areas remain navigable at your own risk, but the leaseholders have exclusive rights to the shellfish within their designated lease."

[03:20] Casey Silva:

"Shellfish leasing is governed by North Carolina law, primarily outlined in NCGS Chapter 113, Article 16. This includes all legislative changes, including changes from over 20 session laws since 1997. Additionally, regulations from the Marine Fisheries Commission and specific decisions made by the Division Director influence lease approvals. These laws and rules establish the standards that must be met for a lease to be granted."

[03:48] Casey Silva:

"The shellfish lease application process is comprehensive and includes multiple steps before a lease can be approved. Currently, we are at the stage of the public comment period, which lasts for 30 days and includes this public hearing. Prior to this hearing, we have already published two legal notices to ensure transparency."

[04:07] Casey Silva:

"Before this hearing, Division technicians conducted thorough site investigations. These investigations include:

- Marking and Acreage Verification – Ensuring the lease boundaries are properly marked and measured.
- Biological Assessments – Sampling for submerged aquatic vegetation (SAV) and natural shellfish populations using patent tongs to capture both surface and subsurface samples.
- Navigation and Depth Analysis – Evaluating navigational impact at the proposed site on the day of inspection. However, this is only a snapshot and does not characterize year-round public trust usage."

[04:40] Casey Silva:

"The purpose of this public hearing is to evaluate whether this proposed shellfish lease is compatible with public trust usage. This hearing is not a vote, it is an opportunity for the Division to collect relevant information about potential impacts on navigation, fishing, and recreation.

Public comment may be submitted in three ways:

1. Tonight, during this hearing.
2. Online through the Division's website.
3. Or by letter, until the public comment period closes tomorrow at five."

[05:06] Casey Silva:

“The Director will use your comments to assess the lease application's compatibility with existing public trust uses and make an informed decision. The possible outcomes include:

- Approval – The lease is granted as proposed.
- Conditional Approval – The lease is approved with required adjustments to address identified concerns.
- Denial – The lease is determined not to meet the defined siting standards.”

[05:29] Casey Silva:

"When providing comments, please focus on specific uses of the proposed lease footprint, rather than general concerns about the waterbody. Examples of helpful comments include:

- I use this shoal for recreation seasonally.
- I use this specific footprint for recreational fishing.
- The specific footprint is the only navigable channel to another area.

We are not looking for broad statements about the waterbody or general opinions on shellfish leasing. Comments should be site-specific to help us determine potential conflicts."

[05:58] Casey Silva:

"We will now begin the public comment portion of the hearing. Here's how it will proceed:

1. First, I will present information on the proposed shellfish leases.
2. Then, I will invite members of the public who signed up to speak.
3. And finally, I will give the lease applicant the opportunity to make a statement.

With that, I will read the information on the proposed shellfish leases.”

[06:18] Casey Silva:

“The proposed shellfish leases receiving public comment at this hearing are listed here. 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. I don't think we'll have that problem.”

[06:34] Casey Silva:

“Tonight's first lease application is for a 2.12-acre shellfish bottom lease and water column, applied for on July 21st, 2025, by Good Time Charlie's Fisheries, LLC, agent Mary Ellen Van Salisbury, located in Back Creek.

The management plan indicates the use of oyster seeds on bottom and water column with bottom cages, floating bags, and floating cages for the commercial production of oysters.

Division staff conducted site investigations on August 12th, and August 18th, 2025, which found zero bushels of shellfish and zero submerged aquatic vegetation, which I will refer to as SAV.”

[07:10] Casey Silva:

“Next, a lease application for a 4.04-acre shellfish bottom and water column lease, applied for on July 25th, 2025, by Angel’s Breath Oyster Company LLC, agent Michael L. D’Amelio, located in Rose Bay.

The management plan indicates the use of oyster seed, and floating cages for the commercial production of oysters within the footprint of the proposed bottom.

Division staff conducted a site investigation on September 23rd, 2025 which found zero bushels of shellfish per acre and zero SAV.”

[07:41] Casey Silva:

“And last, a lease application for a 4.09-acre shellfish bottom and water column lease, applied for on July 25th, 2025, by Oasis Oyster Company, LLC, agent Maxwell A. D’Amelio, located in Rose Bay.

The management plan indicates the use of oyster seed and floating cages for the commercial production of oysters within the footprint of the proposed bottom and water column lease.

Division staff conducted a site investigation on September 17th, 2025, which found zero bushels of shellfish per acre and zero SAV.”

[08:12] Casey Silva:

“Now, I will call on the public for comments on the shellfish leases. When I call your name, please come to the podium, state your name, if you are representing an organization, where you are from, and the lease or leases you are commenting on, and then your comments.

Please address your comments directly to me as the Division representative and not to the audience. Your remarks are being recorded; speak loudly and clearly to ensure accurate transcription. You will have three minutes to speak. Kristina will signal when you have one minute remaining by raising one finger and will raise her hand when your time expires.

If anyone has questions, staff and I will be happy to meet with you after the hearing. For those on Webex, if you have any questions not pertaining to the leases mentioned tonight, please call or email us. Mitch will place our contact information in the chat for you and you can write it down from the last slide.”

[09:00] Casey Silva:

“Alrighty. Anybody? I don’t think we have anybody signed up.

[09:06] Charles Van Salisbury:

“I’ll speak. Shall I come up there?”

[09:07] Casey Silva:

“Yeah.”

[09:15] Charles Van Salisbury:

“Alright, my name’s Charlie Van Salisbury. I work with Mary Ellen at Good Time Charlie’s Fisheries. That lease that we’re applying for right now will be right next to a lease we already have up there in Back Creek. It’s a real shallow creek. It doesn’t interfere with no duck hunting. It doesn’t interfere with any recreational fishing. Matter of fact, it’s probably enhanced recreational fishing there. The guys actually come fish around our gear now. You know, they’re little artificial reefs. Again, the only commercial fisherman there is me. I set crab pots just outside of them. So, it’s not gonna interfere with anybody. That’s why nobody’s here. And like I said, the reason we need that is, as we’re getting older, we’ve been doing this seven years now. We’re seeing that if we reduce our gear down, it’s easier to handle. We started out with six bag cages. We went down to four bag cages. Now, we’re going single bags because we just can’t handle them. So, we need more room. We produce about 300,000 oysters. We’re planned at 400 and then produce about 300,000 a year and again, it’s not really produce more, it’s just to give us a little breathing room. We’re cramped right up together, and you know just to lighten things up for us. That’s pretty much it.

[10:29] Casey Silva:

“Great, thank you. Alrighty. So now, Mitch will call the folks who are joining us via Webex or by phone who wish to speak. He will unmute you after he calls your name.”

[10:42] Mitch Melkonian:

“First, I have John. Please unmute at my request and go ahead. You have three minutes.”

[10:51] John Klein:

“Hello, yes, thank you. This is John Klein. I’m one of the major riparian owners that this lease at Back Creek is going to border at this point. And looking at the proposed lease structure, we are recreation fishing the entire Back Creek area from the banks and from boat. Currently, there is already a oyster farm there that was approved previously that we did not have any knowledge of that has been in conflict of our duck blinds that we currently lease along Back Creek. And as a result of the prior and current oyster farm that’s in Back Creek, we’ve lost our tenants that we were making money off of from a lease perspective that we’re leasing our two creek blinds. The oyster pots are detrimental to our duck hunting and pose a major problem to our lease generation in revenue from our duck lease. The duck hunting lease we’re essentially losing at this point, the two members that were in have now forfeited their right due to the lack of ducks that are now coming into the creek. It also has hindered us and will hinder us even further from accessing the actual creek to access different parts of the property that I own back here. So, we are highly against the additional oyster lease that is being proposed at this point.”

[12:26] Mitch Melkonian:

“Thank you, John. Next, I have Tia. If you wish to speak, please unmute at my request. You have three minutes...”

Alright. Lastly, I have a participant joining by phone starting with 919 and ending with eight two. If you wish to speak, please feel free to unmute at my request using star six and go ahead. You have three minutes...

Alright. That is all participants who are joining by Webex. Back to you, Casey.

[13:09] Casey Silva:

“Okay. So, that concludes registered speakers. Was there anybody I missed or anybody who has changed their mind and would like to speak? I’m getting to you since you’re an applicant. Okay. So, now I will call on the applicants and give them an opportunity if they wish to speak on their proposed shellfish lease. This is not a requirement. As a reminder, you have three minutes to speak. Kristina will hold up one finger when you have one minute remaining and her hand when you reach three minutes. First, I would like to call on Mary Ellen Van Salisbury of Good Time Charlie’s Fisheries to present their proposed shellfish lease. Oh, you gotta come on up. No, you’re good. Just gotta get you closer to the mic.”

[13:52] Mary Ellen Van Salisbury:

“There are no duck blinds in Back Creek. As of today, there were none. There was one that had fallen down before we ever did our lease back there. And I’m sure Mr. Dawson Cagle with Marine Fisheries could confirm that because he’s back there too. We don’t have any duck blinds back there. And that’s all I’ve got to say. Thank you.”

[14:18] Casey Silva:

“Thank you.”

[14:19] Charles Van Salisbury:

“Can I speak again, too?”

[14:20] Casey Silva:

“No. Unfortunately, I can only allow one time. I apologize. Next, I would like to call on Michael D’Amelio of Angel’s Breath Oyster Company to present their proposed shellfish lease.”

[14:32] Michael L. D’Amelio:

“I just want to say thanks for y’all being here and giving us an opportunity.”

[14:36] Casey Silva:

“Absolutely. Thank you. And lastly, I will call on Maxwell D’Amelio of Oasis Oyster Company to present their proposed shellfish lease.”

[14:45] Maxwell A. D’Amelio:

“I just want to say thank you guys for being here and thank you for the opportunity.”

[14:50] Casey Silva:

“Thank you. Is there anybody else who would like to comment?”

Okay, if nobody else wishes to speak, I will close this public hearing.

I would like to thank you all for your time and participation in the process.

The time of closure is 6:15 PM.”