

# Meeting Minutes

Craven County Shellfish Lease Hearing

Wednesday, April 2, 2025

6:00 PM - 6:10 PM



North Carolina Department of Environmental Quality  
Division of Marine Fisheries  
Habitat and Enhancement Section  
Shellfish Lease and Aquaculture Program

# Meeting Minutes

## Craven County Shellfish Lease Hearing

Wednesday, April 2, 2025  
6:00 PM — 6:10 PM  
In Person and via Webex

Craven Community College – Havelock Campus  
STEM Building, Room 134  
305 Cunningham Blvd, Havelock, NC 28532

### Attendees

#### Staff

##### In Person

Zach Harrison, Habitat & Enhancement Section Chief  
Elizabeth McCormick, Section Administrative Specialist  
Casey Silva, Shellfish Lease and Aquaculture Program Coordinator  
Marla Chuffo, Program Administrative Officer  
Mitch Melkonian, Program Administrative Specialist  
Kristina Flanigan, Program Conservation Biologist  
Stephen Johnson, Program Conservation Biologist  
Vernon Parish, Marine Patrol Officer

##### Via Webex

Elizabeth McCormick, Section Administrative Specialist  
Robert “Scottie” Tripp, Environmental Tech II  
Cole Grady, Environmental Tech I

#### Applicants

##### Via Webex

Jacob Milchuck  
24-003BL/24-004WC

#### General Public

##### Via Webex

Frank Milchuck

## Official Transcript

### CALL TO ORDER (6:00 p.m.)

#### **Casey Silva (Hearing Officer, Shellfish Lease and Aquaculture Program Coordinator):**

“The time is 6:00 o’clock, and I’d like to call this shellfish lease public hearing to order. My name is Casey Silva, and I’m the Shellfish Lease Coordinator for the North Carolina Division of Marine Fisheries, and I will be serving as the hearing officer tonight.

The purpose of this public hearing is to receive public comment on the proposed shellfish lease in Craven County. Site investigations by division staff have determined that the proposed shellfish lease generally meets the standards for shellfish leasing under NC General Statutes and NC Marine Fisheries Commission rules evaluated so far. The Director of the Division authorizes a public hearing for proposed shellfish leases that likely meet all standards for shellfish leasing or for proposed shellfish leases where it is unclear if they meet all standards for shellfish leasing. 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 only take public comment on the proposed shellfish lease that has been noticed in the New Bern Sun Times on March 8 and March 15, 2025, 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 by 5pm 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 into the meeting. He will now finalize that and go over the information on how to participate.”

---

## **ATTENDANCE AND SPEAKER INSTRUCTIONS**

### **Mitch (DMF Staff):**

“Thank you, Casey. As people signed on, I've been taking your names for our attendance records and asking if you would like to speak.

I have Frank Milchuck and Jacob Milchuck currently signed on. Later in the meeting, I will go down the list of those who indicated they wanted to speak.

When I call your name, I will unmute you and let you know you can go ahead. You will have three minutes. After everyone on the list has spoken, I will ask if anyone else wants to speak. If you do, you will need to raise your hand.

I will post instructions in the chat on how to do that now. Turning the meeting back over to Casey.”

---

## **OVERVIEW OF THE SHELLFISH LEASING PROCESS**

### **Casey Silva (Hearing Officer):**

“Before we begin the public hearing, I will provide a brief overview of the shellfish leasing process and the role of public comments.

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 sites to grow shellfish.

Shellfish leases grant private rights to cultivate shellfish in a specific area of public trust water. These areas remain navigable at your own risk, but the leaseholder has exclusive rights to shellfish within their designated lease. Shellfish leasing is governed by North Carolina law, primarily outlined in North Carolina General Statutes Chapter 113, Article 16, including changes in over 20 session laws since 1997. Additionally, regulations from the Marine Fisheries Commission and specific decisions by the Division Director influence lease approvals. These laws and rules establish the standards that must be met for a lease to be granted.

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 30-day public comment period, which includes this public hearing. Prior to this hearing, we have published two legal notices to ensure transparency.

Before this hearing, Division technicians conducted thorough site investigations. These include marking and acreage verification, biological assessments for submerged aquatic vegetation or SAV and natural shellfish populations using patent tongs, and navigation and depth analyses. The day of inspection is just a snapshot—it does not capture year-round public trust usage. The purpose of tonight’s hearing is to evaluate whether these proposed shellfish leases are compatible with public trust usage. This hearing is not a vote; it is an opportunity to collect relevant information about potential impacts on navigation, fishing, and recreation.

Public comments may be submitted tonight, online through the Division’s website, or by letter until the public comment period closes tomorrow at 5:00 p.m. The Director will use this input to determine compatibility with public trust usages and make an informed decision. Possible outcomes include approval, conditional approval with modifications, or denial if the lease is deemed not to meet defined standards.

When providing comments, please focus on specific uses of the proposed lease footprint, rather than broad statements about the water body. Examples: “I use this shoal for recreation seasonally,” “I use this specific footprint for recreational fishing,” or “This footprint is the only navigable channel to another area.” We do not need general opinions on shellfish leasing; site-specific comments help us determine potential conflicts.”

---

## **PUBLIC COMMENT SESSION**

### **Casey Silva (Hearing Officer):**

"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 lease.
2. Next, I will invite members of the public who signed up to speak.
3. Finally, I will give each lease applicant the opportunity to make a statement.

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

The proposed shellfish lease receiving public comment at this hearing is 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.

Tonight’s sole lease application is for a 9.05-acre shellfish bottom and water column lease, applied for on March 4th, 2024, by Jacob Milchuck, located in Adams Creek.

The management plan indicates the use of oyster seed and floating gear for the commercial production of oysters.

Division staff conducted site investigations on April 18th and April 23rd, 2024, which found zero bushels of shellfish per acre and zero submerged aquatic vegetation, which I will refer to as SAV.”

---

**Casey Silva (Hearing Officer):**

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

Please direct your comments to me, as the representative of the Division, and not the audience. Your comments are being recorded through the microphone on the podium. If you do not speak directly into the microphone, we may not be able to accurately transcribe your remarks. You will have three minutes to speak. I will hold up my finger when you have one minute remaining, and my hand when you reach three minutes.

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 or you can write it down from the last slide.”

*(No speakers to call)*

---

**Webex/Phone Speakers**

**Mitch (DMF Staff):**

“We have Jacob Milchuck who has indicated he does not want to speak, and then Frank Milchuck I am uncertain of.

Frank, please go ahead if you wish to speak.”

*(Pause. No response.)*

“All right, that's everyone on the list.”

---

**APPLICANT STATEMENTS**

**Casey Silva (Hearing Officer):**

“That concludes the registered speakers.

Was there anyone I missed or anyone who has changed their mind and would like to speak? If so, please raise your hand. Instructions are posted in the chat.

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

As a reminder, you will have three minutes to speak. I will hold up my finger when you have one minute remaining, and my hand when you reach three minutes.

And Mitch, you said Jacob Millchuck online does not want to speak?"

**Mitch (DMF Staff):**

"That's correct."

---

### **FINAL CALL FOR COMMENTS AND CLOSING**

**Casey Silva (Hearing Officer):**

"Okay. "Is there anyone else who would like to comment on any of these proposed shellfish leases?"

*(Pause for final comments. No response.)*

"If no one else wishes to speak, I will close this public hearing. I would like to thank you for your time and participation in this process. Time of closure is 6:10 PM."