

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

June 3, 2021

Present: Owen Mulvey-McFerron – Program Coordinator, Shellfish Lease Program
Jacob Boyd – Section Chief
Teri Dane – Shellfish Lease Biologist
Marla Chuffo – Administrative Specialist I
Scottie Tripp – Staff
Andrew Wells - Staff
Elizabeth McCormick – Staff
Zach Harrison – Staff
Tina Moore - Staff
Patricia Smith - Staff

Attendees:

Jeffrey Milliken, Patrick Valentine

Meeting: 25 May 2021, 6:00-6:09 PM via WebEx for Brunswick County proposed shellfish lease

Applicant(s): Healing Waters Oyster Farm, LLC, Jeffrey Milliken (Agent)

I. Meeting

At 6:00 pm the public hearing was called to order by Owen Mulvey-McFerron:

“I’d like to call this Shellfish Lease Public Hearing to order. My name is Owen Mulvey-McFerron and I am the Shellfish Lease and Aquaculture Program Coordinator of the North Carolina Division of Marine Fisheries. I will be serving as the hearing officer tonight. Tonight’s hearing is being conducted virtually to minimize personal contact, and to maximize social distancing protocols in order to address public health concerns related to the COVID-19 pandemic. We have folks participating both by telephone and through the WebEx virtual meeting application. PowerPoint slides presented here on WebEx are also available on the division’s website for those participating by telephone. We would like to thank everyone participating in this adjusted format and appreciate your patience. Before we get started, we would like to explain how tonight’s hearing will work. Our first order will be a roll call to identify participants in these proceedings. Please be advised, all participants will be recorded. Patricia Smith has been taking attendance as people have signed into the meeting. She will now finalize that and go over the information on how to participate.”

Patricia Smith gave instructions for the WebEx and telephone participation and then took roll call of the participants on the call. (The attendees are listed in the above section)

Owen Mulvey-McFerron continued with the following statement:

“Now I will go over important information for tonight’s hearing. No decisions will be made at tonight’s hearing. All public comment received tonight and during the comment period will be taken into consideration. Once the applicants have had an opportunity to speak, I will open comments to anyone else who wishes to be heard. I will call on commentators by name in the order in which they were listed during roll call.”

“The purpose of this public hearing is to receive public comment on **1** proposed shellfish leases in Brunswick County. Applicable 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 director of the division has authorized this hearing to receive public comment.”

“I will give each of the shellfish lease applicants an opportunity to speak first and then will open the floor for public comment on these proposed sites.”

“First, I would like to review some hearing guidelines with you.”

- “This hearing is held in compliance with SL 704 Section 4.31 PUBLIC BODIES/REMOTE MEETINGS DURING DECLARED EMERGENCIES”
- “This hearing is a formalized process where we take only public comment on proposed shellfish leases that have been noticed in The Brunswick Beacon on April 14th, April 21st, and May 19th, 2021 and on the division’s website.”
- “This hearing is being recorded and is a public record. All chats, instant messages, texts, or other written communications between members of the public body regarding the transaction of the public business during the remote meeting are deemed a public record”
- “Written comments on these shellfish leases can be submitted to the division up to 24 hours after the public hearing.”
- “Comments from all speakers including the shellfish lease applicants should be limited to no more than three minutes. If a speaker exceeds this time-frame they will be asked to wrap up their remarks. Once you have made your comments for the record, please mute your phone or microphone to allow someone else an opportunity to speak.”
- “Once called, please state your name, where you are from, if you are representing any organization, what shellfish lease or leases you are commenting on, and whether you support, oppose, or have other comments on the advertised shellfish lease sites.”
- “Please be courteous and respect all persons who wish to speak.”
- “If hearing participants have questions about issues not directly related to the proposed shellfish leases, staff and I will be happy to meet with you after the hearing.”

“And with that, I will read the information on the proposed shellfish leases:”

- (1) A shellfish **bottom and water column** lease applied for on **August 17th, 2020** by **Healing Waters Oyster Farm, LLC, agent Jeffrey Milliken**, located in **Lockwoods Folly River to Shallotte Inlet**, and as proposed will cover approximately **3.39** acres. The management plan indicates the use of **floating gear** for the commercial production of **oysters**. Division staff conducted a site investigation on **October 19th, 2020**. The results of that investigation found **0.41** bushels of shellfish per acre and **zero** submerged aquatic vegetation.”

“Now, I will call on each applicant and give them an opportunity if they wish to speak to their proposed shellfish lease. This is not a requirement of the applicant. Please limit your comments to three minutes. Patricia will unmute each applicant after their name is called. Once the three minutes are up, I will inform the applicant and you will be muted for the next speaker.”

Jeffrey Milliken: “Okay, yeah my name is Jeffrey Milliken, and I am a fifth generation oysterman down in the Brunswick County area. Grandfather, he started the first oyster shucking house in this area, so we have a long line of history in the oyster industry. This proposed oyster lease is in the area that I know quite well.

It's in behind Monk Island. It is in the area that we like the location to because of its proximity to the ocean and the quality of oyster that it will produce be in a very solid oyster. This is the there's not been any oyster leases in in Brunswick County since the 1960s so this will be the first one to come up, this is this is actually a pilot program. It's gonna have a quite a bit of monitoring by the end reporting we have to do back to the state to meet the requirements of this lease. It's in we you know, we followed by all the rules and regulations up to this point to get the lease in place. It' doesn't affect any fishing areas, I mean is there's a crabbing that goes on in the Shallotte River but not as much as it used to be that doesn't it doesn't hinder the commercial fisherman and the environmental benefits of it is oysters are always good for the cleanliness of the water. This oyster farm will have probably close to a million oysters into it. The seed the oysters or produce will help the wild harvest tremendously in our river which has been suffering, you know, for many years now. And I said it if this is also no different than any other oyster lease in North Carolina, we hope to give this one up and growing and producing, and help the aquaculture industry in North Carolina, this should also provide between five to twelve jobs once it's in maximum production and hope that will be within the first three years. And is an excellent site will produce an excellent oyster and I'm, we're on you know, looking forward to producing this course in this part of the state again. Thank you.”

Public comment:

There was one person that had signed up prior to the public hearing to speak and did not attend.

Patricia Smith: Patricia states there is no one raising their hand to speak.

Owen Mulvey-McFerron: “So if no one else wishes to speak, I move to close the meeting.”

Closure: 6:09 P.M.