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2015 Legislative Priorities

Shellfish aquaculture is the largest and fastest-growing marine aquaculture sector in the U.S. Shellfish farming epitomizes sustainable seafood because shellfish clean coastal waters as they filter-feed. Despite challenging economic conditions, shellfish production has continued to grow, providing critical jobs and economic production in rural coastal areas hurt by declining wild-fisheries harvests. Resource managers understand that expanded production will yield green jobs, health benefits and environmental improvements. Yet shellfish farmers are challenged by a variety of issues:

1) EU trade embargo. In 2009 a trade dispute erupted between FDA regulators and their EU counterparts. FDA inspectors disputed the long-standing equivalency of EU shellfish sanitation protocols, blocking European product imports to the U.S. The EU retaliated by barring U.S. shellfish imports, blocking our access to lucrative European markets.

- **Direct the FDA to audit pristine growing areas in Europe (as they agreed to do three years ago) and approve these areas for import to the U.S. with a reciprocal trade agreement.**
- **Encourage including shellfish in Transatlantic Trade and Investment Partnership (TTIP) negotiations to eliminate non-tariff, regulatory trade barriers with the EU.**

2) Proposed FDA raw shellfish safety regulations threaten the industry and won't improve public health. The shellfish community is challenged by illnesses related to naturally occurring bacteria called *Vibrios*. These bacteria can accumulate in shellfish when waters are warm. Since our product is often consumed raw, *Vibrios* in shellfish pose a unique public health challenge.

In an effort to reduce illnesses the FDA has proposed crippling new regulations, but the science behind their proposals is weak and many unknowns about *Vibrios* remain. We need improved tools for rapid detection, tools to differentiate pathogenic from non-pathogenic strains, and treatment methods that allow us to sell safe, raw shellfish to consumers who demand this delicious, sustainable product.

- **Direct the FDA and the CDC to fund additional research on *Vibrios* to improve their risk assessment models and develop improved rapid detection methods for virulent *Vibrio* strains.**
- **Restore funding (\$1M) for education targeting at-risk consumers. FDA/ISSC (Interstate Shellfish Sanitation Conference).**

3) Restore critical research funding. Federal shellfish aquaculture research is funded through a patchwork of USDA and NOAA programs. Farmed shellfish production has been growing, but funding for federal research has been declining. Shellfish farming is dominated by thousands of small farmers who are challenged to fund critical research **in the fields of shellfish disease, food safety and climate change.**

NOAA Fisheries spends less than 1% of its annual budget on aquaculture research even though half the seafood consumed in the U.S. is cultured and 91% of that is imported. The World Bank and others project a global need to double aquaculture production by 2030.

- **Support funding for NOAA aquaculture research, Sea Grant and the NOAA Shellfish Initiative.**

USDA Regional Aquaculture Centers have been level-funded for over two decades at half the authorized spending level. USDA NIFA has suffered huge cuts in competitive grant offerings.

- **Fully fund the USDA Regional Aquaculture Centers to the amount authorized.**

Ocean acidification (OA) threatens shellfish populations and many other shell-building species, but it is still unclear how this threat will manifest and what steps we can take to lessen these impacts. The GAO concluded in a 2014 study that funding for OA research is inadequate and further action to address the issue is recommended.

- **Support Integrated Ocean Acidification research (NOAA-IOOS).**
- **Support USDA-ARS shellfish breeding studies to develop lines of shellfish that tolerate acidic waters.**
- **Support research at NOAA and USDA to study mitigation and adaptation opportunities.**
- **Reauthorize 2009 FOARAM Act, Support Rep. Pingree's Coastal Communities Ocean Acidification Act, Support Rep. Kilmer's Ocean Acidification Innovation Act.**

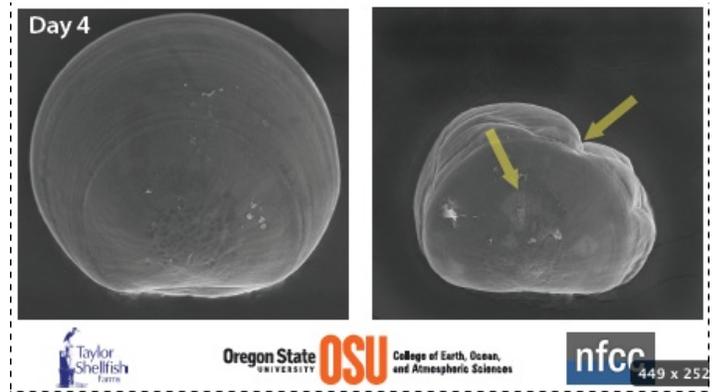


Image of 4-day-old oyster larvae grown in normal (left) and acidified (right) waters

4) Clean water Issues. Excess nutrients can lead to algal blooms, fish kills and low-oxygen conditions. Nitrogen is the major cause of degraded rivers and coastal waters. Non-point-source pollution from leaching septic systems and agricultural runoff is the major culprit. **By limiting fertilizer runoff and upgrading sewage treatment plants that discharge into estuaries we can create and protect critical jobs and shellfish growing areas.**

NOAA's new *Aquaculture Policy* and *Shellfish Initiative* call for advancing research and restoration of shellfish in our coastal waters. Unfortunately no funds were attached.

Shellfish improve water quality and remove many tons of nitrogen from sensitive coastal waters annually. Unfortunately, the CWA and EPA regulations do not currently allow for "in-stream treatment," which would allow nutrient-credit trading and provide further incentives to expand and integrate shellfish aquaculture with other sustainable development.

- **Support nutrient-credit trading and in-stream treatment (EPA).**
- **Expand NOAA's *Shellfish Initiative*, and continue to support the Chesapeake Clean Water and Ecosystem Restoration Act, the Long Island Sound Restoration and Stewardship Act, and the EPA's Clean Water State Revolving Fund.**

5) Listing of the shore bird Red Knot as "threatened" jeopardizes coastal activity.

The Red Knot is a shore bird that migrates from South America to Arctic Canada. Its numbers have declined 75% in recent decades. The USFWS has mandated an array of unworkable new restrictions on shellfish farms in Delaware Bay while blocking coastal restoration and shoreline management work in coastal states such as MA, NC and TX. It is likely that shellfish farms and Red Knots can coexist with only minor modifications to growing practices. Most wildlife will acclimate to human activity over time.

- **Ask USFWS to study farmer-bird interactions and develop science-based regulations.**