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2017 Legislative Priorities

Aquaculture is the fastest-growing food-production system globally, and shellfish aquaculture is the largest and fastest-growing marine aquaculture sector in the U.S. Over 1,300 shellfish farms on the East Coast provide thousands of jobs in rural coastal communities, harvesting over \$150 million worth of wholesome, nutritious shellfish. Oyster production on the East Coast has doubled in the past five years and is poised to double again. Expanding production will create more jobs, improve public health and provide tangible environmental benefits. But shellfish farmers face a variety of challenging issues.

FDA Inaction Stymies Trade with the European Union

Since 2009 a trade dispute between FDA shellfish regulators and their EU counterparts has blocked our access to lucrative European markets. The FDA maintains that EU shellfish sanitation standards do not provide adequate public health protection, barring EU exporters from selling to U.S. markets. In an effort to restore the resumption of trade, industry asked the FDA to allow imports from pristine growing areas in Europe. Inspectors audited appropriate facilities in their counterpart's nation states, and in the fall of 2015 a deal was reached to allow the resumption of limited reciprocal trade, pending an announcement in the Federal Register that was slated for the summer of 2016. It appears that nothing has happened to move us closer to a resolution since that agreement was announced.

- **Direct the FDA to expedite restoration of a reciprocal trade agreement with the EU**

USDA – Farm Bill

Shellfish Farmers need access to programs for marketing, breeding and crop insurance

Continued rapid growth in production threatens to collapse prices unless the industry develops significant new market demand. Because the industry is composed of thousands of small businesses, it is challenging to come up with generic marketing programs that will generate and expand markets for shellfish products in the nation's heartland. Designating farmed shellfish as "specialty crops" under the Farm Bill would allow growers to access small research and marketing grants through state block grants under the Specialty Crop Title of the Farm Bill.

- **Support an amendment to the Farm Bill that would designate farmed fish and shellfish as "specialty crops"**

Shellfish farmers are exposed to a high risk of catastrophic losses from storm damage, disease and harmful algal blooms. To ensure continued growth, the industry requires a workable, affordable crop-insurance program similar to those available to land farmers.

- **Direct the USDA / RMA to develop revenue-based crop insurance for cultured fish and shellfish livestock under the Farm Bill – 508H product**

Selective breeding is a proven, effective means of improving disease resistance and increasing production.

- **Direct the USDA ARS to enhance funding support for selective breeding of shellfish**

Protected Resources Issues – USFWS

Listing of the Red Knot as “threatened” jeopardizes coastal activity.

The Red Knot is a small shore bird that migrates from South America to Arctic Canada. Because its numbers have declined 75% in recent decades, the USFWS has mandated several unworkable new restrictions on shellfish farms in Delaware Bay, while blocking coastal restoration and shoreline-management work in coastal states such as Mass., N.C. and Tex. Evidence of the negative impacts of oyster farming on Red Knot populations is based on flawed, agenda-driven studies (a negligible 1% of the habitat overlaps with farms). It is likely that shellfish farms and Red Knots can coexist with only minor modifications to growing practices.

- **Direct USFWS to study bird-farm interactions and develop science-based regulations**

Protected Resources Issues – NOAA

Concerns about potential entanglement of whales, turtles and sturgeon blocks new farms.

Despite a lack of evidence that whales, turtles or sturgeons are at risk of entanglement from shellfish culture lines, precautionary rules are preventing the establishment of new offshore mussel farms and certain oyster farms.

- **Direct NOAA to allow the permitting of farms so that entanglement risk can be properly evaluated**

Critical Research Funding – USDA and NOAA

Federal shellfish aquaculture research is funded through a patchwork of USDA and NOAA programs that have suffered deep cuts in recent years. Shellfish farmers (predominately small in scale) are unable to self-fund critical research **in shellfish disease and food safety**. NOAA Fisheries spends **less than 1% of its annual budget on aquaculture research**, even though 91% of the seafood consumed in the U.S. is imported and half of that is farmed.

- **Support funding for NOAA aquaculture research, Sea Grant and the NOAA Shellfish Initiative**
- **Direct the FDA and the CDC to fund additional research on *Vibrio* pathogens to improve risk-assessment models and to develop rapid detection methods for virulent *Vibrio* strains**

Clean Water is Critical for Shellfish – EPA

Excess nutrients can lead to algal blooms, low-oxygen conditions and fish kills. Agricultural runoff of nitrogen is the leading cause of degraded rivers and coastal waters. 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 market-based incentives to expand and integrate shellfish aquaculture with other sustainable development.

- **Support nutrient-credit trading and in-stream treatment (EPA)**
- **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.**