

ECSGA
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Volume 1:06
May 2006

From the Mouth of the Bay

We had a very fruitful visit to DC this February. Ed Rhodes and I were joined by members Tom Kehoe, Mike Garvey, Lori Howell and A.J. Erskine. Working together with the National Fisheries Institute we joined colleagues from the Gulf and Pacific Coasts and visited dozens of congressional delegates from coastal states to discuss our issues. Now that we have been making the trip for several years we are starting to get a warm reception and staffers are starting to remember our faces and our issues. It would be helpful to have some new faces from other states join us next time so staffers can make contact with local constituents and we can broaden our impact.

The reception at Phillips Flagship for the Congressional Shellfish Caucus was a great success with about 300 guests attending. Many fine oysters and seafood was served and everyone enjoyed a great time. These events provide a great opportunity to meet with congressmen and women and their staff to reinforce the issues we discussed in their offices. The Caucus has grown to about 30 members and will continue to grow.

We have been encouraged to submit requests for a possible congressional appropriation to fund research on our priority issues. In order to create a mechanism to accept public funds the Board has voted to form a non-profit 501-c3 corporation called the East Coast Shellfish Research Institute (ECSRI) exclusively for

research and education. In this way we can accept public funds from government agencies and private foundations and retain creative control over the research and educational projects that we feel need to be funded.

The ECSRI will study research priorities identified by the shellfish aquaculture industry and develop and disseminate shellfish-related scientific and technical information of value to shellfish farmers, the general public, and public officials. A Steering Committee has been formed to determine how the ECSRI will function and to select members for the initial Board of Directors from industry, academia and extension. Research priorities will be identified by the industry membership of the ECSGA.

The ECSGA has come a long way in the past 12 months. We have had a major impact on several important issues that impact our industry. The organization continues to grow both in membership and professionalism, but we need the support of more of our industry if we are to become fully effective. Growers who are contemplating whether or not to join should ask themselves if they are prepared to do what we are doing on their own and consider what would happen if we were not there looking out for them. We are an association of members, and as such we are only as strong as the sum of our parts. Together we can achieve great things, but we need your support. *Bob Rheault*

ECSGA Goes to Washington, Again

This was the third year in which we joined with our Gulf and West Coast industry partners for a week of discussions with our Congressional delegates and with Federal agencies on issues important to us. This year we were there from February 6th to the 9th, just as Congress returned from a recess and we visited 23 congressional offices during the four day period.

It is important to compliment the work of the National Fisheries Institute in organizing this annual trek. Not only do they help to put together a national agenda and hold the kick-off, all-coasts session in their offices, but they schedule our meetings with members of Congress that make the week highly efficient and they accompany us on as many visits to legislators as they can. John Connelly, Margaret Black and Frank Vitello from NFI are key to making this happen.

The ECSGA “legislative agenda” this year was topped with the Army Corps issue, NOAA funding for our BMP proposal, shellfish

marketing and crop insurance. We also had talking points for H2-B waivers, support for the Gulf Coast shellfish industry recovery, definitions of “wild” and “farmed” under the Country of Origin Labeling Act and follow-up on sewage blending.



Progress on National Issues

A number of national issues affecting shellfish were resolved favorably in the past twelve months. ECSGA can't take all of the credit – but we can say that our work helped and that we have created a number of strategic alliances that will help us move issues forward in the future.

ESA Petition: High on our agenda at the beginning of 2005 was the petition to NOAA to list the American oyster as threatened or endangered under the Endangered Species Act (ESA). ECSGA worked intensely against the petition with help from the National Fisheries Institute and with the Gulf and West Coast shellfish industry groups. We wrote letters to NOAA and to Congress went to D.C. to meet with key congressional staff and participated in a House of Representatives Resources Committee on hearing on the issue. Bob

Rheault presented testimony at that hearing and to the NOAA technical committee studying the potential listing. Most important to the campaign to defeat the petition was the support of the Gulf Oyster Industry Council. In the end the petitioner withdrew his petition, in large part because he saw that the shellfish industry united against the ESA listing. NOAA will complete the status review they started as part of the ESA process, but there will be no listing of the oyster.

Sewage Blending: The ECSGA also opposed a proposed strategy by the Environmental Protection Agency (EPA) to ease rules pertaining to sewage treatment during periods of heavy rain or floods. They called the policy “sewage blending” and would have resulted in more human sewage entering our waterways.

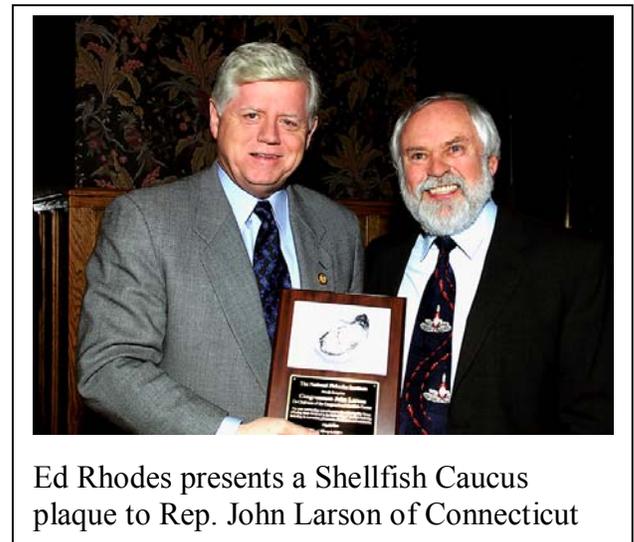
We organized a letter writing campaign to provide comments to EPA in response to their Federal Register notice proposing “sewage blending”. In response to our opposition and other groups and individuals opposing the policy, the EPA decided to put the sewage blending idea on hold.

Byrd Amendment: The ECSGA also got involved in a broad effort to repeal the Byrd Amendment, a law passed some years back to allow industries that are harmed by imports to share in the tariffs levied by our government for these commodities. The tariffs weren’t illegal, but the World Trade Organization had ruled that it was illegal to pass the tariffs on to the affected industries. In retaliation, Canada placed a 20% tariff on imports of U.S. produced oysters. We did some letter writing urging repeal of the Byrd Amendment, and it was high on our legislative agenda when we visited Congress. The Byrd Amendment was repealed in February 2006 as part of a larger deficit reduction bill. We are now working on getting Canada to end their retaliatory tariffs on our oysters.

NOAA Funding: The ECSGA has supported increased funding for aquaculture in both the Department of Commerce/NOAA and in the U.S. Department of Agriculture. NOAA did get about \$4.6 million for their marine aquaculture initiative for FY 2006, and we would like to think that our support for their program was, in part, responsible for this success. The ECSGA has recently written support letters for the Northeast Regional Aquaculture Center, now

located at the University of Maryland, and for the National Sea Grant College Program.

Shellfish Caucus: One of the most significant achievements of our combined shellfish industry groups (ECSGA, PCSGA and GOIC), working with NFI, has been the creation of the Shellfish Caucus in the House of Representatives. The Caucus has 6 co-chairs, and more than 35 other members. The co-chairs from the east coast are John Larson, D-CT, Thelma Drake, R-VA and Henry Brown, R-SC. We kicked off the Caucus in January with a seminar on shellfish sanitation in one of the House hearing rooms followed by a reception at Phillips Flagship restaurant in D.C. The Caucus can provide focus for our shellfish issues, and gives us better access to House members with an interest in the shellfish industry.



Ed Rhodes presents a Shellfish Caucus plaque to Rep. John Larson of Connecticut

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Upcoming Events



Nantucket Wine Fest 2005

Once again ECSGA will be participating in the Nantucket Wine Festival www.nantucketwinefestival.com the weekend of May 20. For information, contact Rob Garrison rdgarrison@comcast.net

Aquaculture Canada^{OM} 2006: November 19-22, 2006, Westin Nova Scotian Hotel, Halifax, Nova Scotia, Canada. This is the 23rd annual meeting of the Aquaculture Association of Canada (AAC) and the conference theme will be "Culturing Quality and Confidence". For more information, please contact AAC President, Chris Hendry, at chendry@gov.nl.ca or see the AAC website (www.aquacultureassociation.ca).

Successful Annual Meeting in Ocean City

The ECSGA held its annual meeting in conjunction with the East Coast Commercial Fishermen's and Aquaculture Trade Exposition (aka, Maryland Waterman's Show) in Ocean City, Maryland on January 28th. We have the meeting minutes posted on our website. Most importantly, we elected our officers to serve a two-year term. Our by-laws allow three consecutive terms and the officers elected were all current officers. They are: President – Bob Rheault, Vice-President – Tommy Leggett, Secretary

– Karen Rivara, Treasurer – Gef Flimlin, Ex-officio Board members – Rick Karney and Leslie Sturmer, Dealer/distributor delegate to the Board – Tom Kehoe and Equipment supplier delegate to the Board – Brian Bowes.

The liveliest discussion concerned the ECSGA position on the ESA petition to list the oyster as threatened or endangered. Read the minutes on our website for more detail!

We will hold our next annual meeting in Mystic, Connecticut as part of the Northeast Aquaculture Conference and Exposition in December, 2006.

In the afternoon following the annual meeting, the ECSGA sponsored a seminar as part of the Exposition. It was organized by John Ewart and was well attended. Thanks especially to Mike Voisin from Louisiana who talked about the effects of Hurricanes Katrina and Rita on the Gulf oyster industry.

Also in the program Rich Takacs from NOAA gave an update on the oyster ESA petition, Susan Bunsick from NOAA spoke of their aquaculture program, Ed Rhodes discussed the ECSGA policy issues, NFI's Margaret Black gave a national shellfish aquaculture policy outlook, Gary Richards from USDA described a rapid test method for *Vibrio*, and Bob Rheault presented a talk on the ecological benefits of shellfish aquaculture.

Shellfish Caucus Briefing on Shellfish Sanitation

We have highlighted the formation of the Congressional Shellfish Caucus elsewhere in this newsletter. As part of our D.C. trip in February, the Caucus sponsored a briefing on shellfish sanitation for congressional staff with the help of NFI and the industry organizations from the 3 coasts. Ed Rhodes emceed the event, and got to introduce Congressman Baird from Washington as well as the two speakers. Ed's intro went something like "We have two interesting speakers this afternoon, but first let me introduce Congressman Brian Baird." Needless to say, Congressman Baird humorously picked up on the line, promising to "at least be brief even if he couldn't be interesting!"

The briefing was held at noon in one of the House hearing rooms; we provided a pizza lunch and the event was well attended. Ken Moore, Executive Director of the ISSC talked about the role of the ISSC in shellfish sanitation and its coordinating activities with the states. Don Kraemer, Acting Director of FDA's Office of Seafood spoke of FDA's overall role in food safety, and its specific activities related to the National Shellfish Sanitation Program.

Our intention is to hold at least one congressional briefing each year under the auspices of the Shellfish Caucus. If you have ideas for future briefings, let Ed Rhodes or Bob Rheault know what you have in mind.

Update on Army Corps Shellfish Permits

This is the hottest issue on our plate. Lawyers for the Army Corps of Engineers (ACOE) have concluded recently that the Corps has legal authority to regulate shellfish activities under both the Clean Water Act and the Rivers and Harbors Act. We have information that at least one regional ACOE office has placed a freeze on issuing new shellfish permits until there is additional clarification at the national level.

The PCSGA has been involved with this issue for more than two years, since the Coast Oyster Company ran amuck of the ACOE and NMFS with a permit in Humboldt Bay, California.

They have met with Assistant Secretary Woodley of the ACOE at the Pentagon at least three times, and the ECSGA participated in one of those meetings in December.

The ACOE has apparently drafted a new Nationwide Permit #4 (NWP) under which most shellfish "harvesting and enhancement" activities have previously been permitted. We expect to see this as a Federal Register notice in May or June. Because the draft is under Federal review, its contents cannot be revealed and so we are in the dark about what it may contain.

In addition to the NWP, the ACOE has started some activity on the west coast to develop a Regional General Permit (RGP) to cover shellfish culture activities in growing areas that may contain threatened or endangered species, or could require consultation under Essential Fish Habitat regulation. Of interest is the statement by Secretary Woodley that the ACOE wants to use the Environmental Codes of Practice developed by the PCSGA as the foundation for the RGP. The PCSGA is currently seeking funding from NOAA for the development of such an environmental code for our east coast shellfish farms.

Obviously the new NWP #4 is important to what happens next. When we see it in the next few weeks we will decide how to act. Meanwhile, if you hear that the ACOE or NMFS is withholding action on permits, please let Ed Rhodes (ecsga@optonline.net 203-878-0510) know. We will also continue to work with the ACOE, PCSGA, the Gulf Oyster Industry Council and the National Fisheries Institute on this critical issue.

New link for Shellfishermen Through NSA

The Industry Committee of the National Shellfisheries Association (NSA) is starting to produce a yearly Report to Industry. This listing will include the titles of papers published in the Journal of Shellfish Research, of presentations at the NSA Annual Meeting and of posters from that meeting which have an "applied" focus to them. These selected items will be listed with the authors and the address of the primary author so that shellfishermen interested in the information in those papers could contact the people who did the research for more information. Those interested could also contact their local extension agent or specialist for a copy of the article or actually join NSA and receive JSR with the rest of the members.

It is planned to have this Report to Industry placed on the NSA, East Coast Shellfish Growers Association, and Pacific Coast Shellfish Growers Association websites. It will also be distributed to shellfish extension agents by email so that they could also distribute it electronically to growers or harvesters in their particular state.

We hope that this new form of communicating research results will be a two-way street in that potential users will have better access to the information and researchers might also hear

back from those who are impacted by their work.

NSA was founded in 1908 and is an international organization of scientists, management officials and members of industry that is deeply concerned and dedicated to the formulation of ideas and promotion of knowledge pertinent to the biology, ecology, production, economics and management of shellfish resources. The Association has a membership of almost 1000 from all parts of the

USA, Canada, and 18 other nations. It's members address issues related to clams, oysters, mussels, scallops, snails, shrimp, lobsters, crabs, abalone, and many other species of commercial importance.

If you would like to become an NSA member and get the information first hand we have more details on the benefits of membership on our ECSGA website, or for more information contact:

Gef Flimlin (flimlin@aesop.rutgers.edu),

Joth Davis, (jdavis@bainbridge.net) or

Rick Karney (mvsq@capecod.net).

26th Annual Milford Aquaculture Seminar

The Milford Aquaculture Seminars began in 1978 as a way to get shellfish biologists and the shellfish aquaculture industry together in an informal atmosphere. The first meetings had only a dozen or so participants, but the series has blossomed over the years and now about 150 folks gather each February for these. Walt Blogoslawski, a NMFS Milford microbiologist, has been the organizational force for the seminars, and he has successfully worked to keep the costs to a bare minimum.

This year's seminar was held between February 27th – March 1st in Meriden, CT.

Concurrently with the “regular” seminar, a parallel session on juvenile oyster disease was held. Between the two sessions participants heard 69 presentations. Attendees came from 13 states and 5 countries and at least 20 shellfish companies were represented.

Walt gets the speaker abstracts into the Journal of Shellfish Research, so look for these in the next few months. The 2006 program with titles and authors is linked on our ECSGA website.



Gregg Rivara (Cornell Coop. Extension), Dave Relyea (F.M. Flower), Walt Canonzier (Aquarius, Inc.) and John Jraeuter (Rutgers) shucking shellfish donated by Frank Flower Shellfish Co. at the "poster social" of the 26 Annual MAS.

Milford Oyster Festival

The ECSGA will have the only oyster booth at the Milford, CT Oyster Festival on Saturday, August 19th. This was the largest single fund raiser for us in 2005, and we plan to do it bigger and better this year. The Festival plans to have an oyster shucking contest and we will be able to get professional shucking help from some of the competitors. But we need you and your oysters to make this a success. As we did last year, we will be able to pay for your oysters if you prefer not to donate them. Contact Ed Rhodes at 203-878-0510 or e-mail him at ecsga@optonline.net, if you can participate.



Milford Oyster Festival, 2005

ECSGA Membership – Numbers Count!

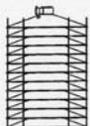
ECSGA is in the midst of a membership drive. And numbers really count. Of course more members means more revenue from dues that allows us to have a part-time executive director, produce newsletters and other publications, pay for some travel to represent the east coast shellfish industry in D.C., and to stay on top of and respond to the nay-sayers out there. We did all this in 2005 with only \$15,000, but we could do a lot more things better in all of these areas with more revenue.

And membership numbers help immensely when we try and get things done in D.C. and elsewhere. We would get a lot more respect if we could say we have 500 company members – instead of the less than 100 that we currently have. Help us build muscle by helping build membership.

If you received this newsletter, you are probably a member already and we thank you for that. But you can help ECSGA grow into a more powerful force for our industry if you help us recruit new members. Pass this newsletter to a non-member or talk us up with your industry

contacts and in your local and state meetings. New members will increase our effectiveness and make your own membership more valuable.

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The ECSGA List

The ECSGA LIST is an online discussion group that serves ECSGA members and interested individuals with timely information on matters of interest to the shellfish growing community. We welcome posts on subjects relating to shellfish culture, epicurean discoveries, sales of used shellfish gear, nutritional info, market info etc. (Please keep unrelated materials to yourself, we don't want to hear about virus scares, Amber alerts, chain letters or personal attacks.)

To join the list, send an e-mail to the following address: LISTSERV@pete.uri.edu

Leave the subject field blank

In the body of the text include the following:
 SUBSCRIBE ECSGA yourname (where "yourname" is your first and last name)

You should receive a confirmation e-mail in a few minutes.

To send a message to the entire list, send it to ECSGA@pete.uri.edu.

Mail Membership form and dues to:

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Membership Application Form

Dues Schedule

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The mission of the ECSGA is to promote responsible commercial shellfish aquaculture through market research and promotion, active involvement in public education, participation in policy formation at the state and national levels, and directed research.

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