

ECSGA  
1623 Whitesville Rd.  
Toms River, NJ 08755  
www.ECSGA.org



Volume 1:07  
February 2007

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## From the Mouth of the Bay - Winter (Almost Spring) 2007

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### **Two steps forward...**

As the ice thaws on the pond where I work, I have the feeling that the ECSGA has made some important strides this past year. While occasionally it feels as if we are spinning our wheels, most of the time I think we are making good progress.

Our annual trip to DC gets better each year. We had record attendance at the annual oyster reception that we hosted with the Gulf and Pacific Coast Growers. We were also able to visit a record number of legislative offices this year. None of this would be possible without the assistance and logistical support of the National Fisheries Institute and our allies from the Pacific and Gulf Coasts.

We like to think of our issues as supported equally from both sides of the political isle, but the fact is that most coastal state legislatures are dominated by Democrats. Now in the majority, they hold key committee chairmanships, and this changes the tone in DC substantially.

Our proposal to develop Best Management Practices for the East Coast industry has finally received funding and you can expect to hear about workshops in a town near you soon.

The Congressional Shellfish Caucus continues to grow and has been helpful in applying legislative pressure on our key issues.

The East Coast Shellfish Research Institute is incorporated and getting organized. We are hopeful that the ECSRI will be able to earn an earmark in the '08 federal budget, but with the new emphasis on ethics and the budget problems we can take nothing for granted. Our top research priorities remain looking at the environmental interactions of shell planting and mechanical harvesting, but this year *Vibrio parahaemolyticus* detection was added to the list.

### **Two steps back...**

The most recent battle with the Army Corps over their proposed new nationwide permit for shellfish aquaculture has been time consuming and arduous. The Corps' contention that shell cultch and spat on cultch are "fill" (essentially a pollutant under the Clean Water Act) has left growers shaking their heads and pulling their hair out. We still don't know whether we won or lost this bout since the Corps has not published the final rule yet, but we expect an announcement any day now. We are cautiously optimistic that all of the letters, conference calls and legislative pressure will produce a permit we can live with, but if not we will join our comrades from the Pacific and Gulf Coasts in a push to set things right.

As is often the case we wonder why we had to fight this battle at all. Like the fight against the listing of the oyster as an endangered species, or the fight to keep the EPA from changing the rules to allow more sewage to be dumped into coastal waters, this fight with the

Corps seemed like one we should not have had to face. We are the good guys. We have the green stamp of approval and our crops have proven environmental benefits. How could shellfish ever be classified as a pollutant?

As we walked the Hill in DC this year we spent much of the time trying to secure funds. We were supporting NOAA's Marine Aquaculture Initiative and trying to secure an earmark for the ECSRI. At the same time we spoke to legislators about preserving two key laboratories whose budgets have been stripped bare. The NOAA Lab in Milford, CT has done critical work for our industry for decades and the USDA/ARS Lab in Delaware has been instrumental in looking at detection and control of *Vibrio* bacteria associated with shellfish-related food born illness.

The ECSGA has also written a fistful of letters to support local growers in state and local battles. A grower on the Cape drew the ire of a fantastically rich homeowner who grew tired of looking at his gear. We won the first round in that fight, but we are seriously out gunned if this guy decides to invest in a broader battle.

More recently, things have been getting ugly in my home state of Rhode Island. We have enjoyed model aquaculture regulations for several years, which have sparked strong growth in oyster production. Starting with next to nothing, we now have almost 100 acres under lease and just broke a million dollars in production. Suddenly faced with five simultaneous applications to expand, the State got cold feet and has decided they need to put a cap on the number of acres that can be leased for aquaculture. This despite the fact we have one of the smallest industries of any state and we have laws that give any other existing use preference over aquaculture.

## **Looking ahead**

I have to wonder what the next big crisis will be. It would be nice if we could just work on the farm and not have to worry about federal and state regulators crushing our business, but it seems that every year we are faced with issues that threaten our livelihoods. As if weather, predators, disease and theft were not enough to worry about!

The ECSGA is covering your back, but we need more resources to do the job right. Our membership has expanded every year as more growers hear about us and recognize the value of the work we have been doing. But we need to do better.

I have a challenge. I want every member to recruit one new member this year. If you know of a grower who is not a member yet, ask him why he is not investing in the future of his business. Dealers too!

## **Spat fall:**

Save the date Saturday, Aug 18 - Put the Milford Oyster Festival on your calendar.

If you are not a subscriber to the ECSGA e-mail LIST you are missing out on a great way to stay informed about issues in our industry. Follow the simple instructions on our website. It is free and if you don't like it you can always unsubscribe.

Special thanks to the growers who donated product for the DC Reception: Skip Bennett (Island Creek), Jim Markow and Karen Rivara (Mystic Oysters), Dan Grosse (Chincoteagues) and Cedar Key Aquaculture Assoc (clams), and especially to Tom Rossi of 4C's Breeding Technology for walking the Hill with us.

*Bob Rheault*

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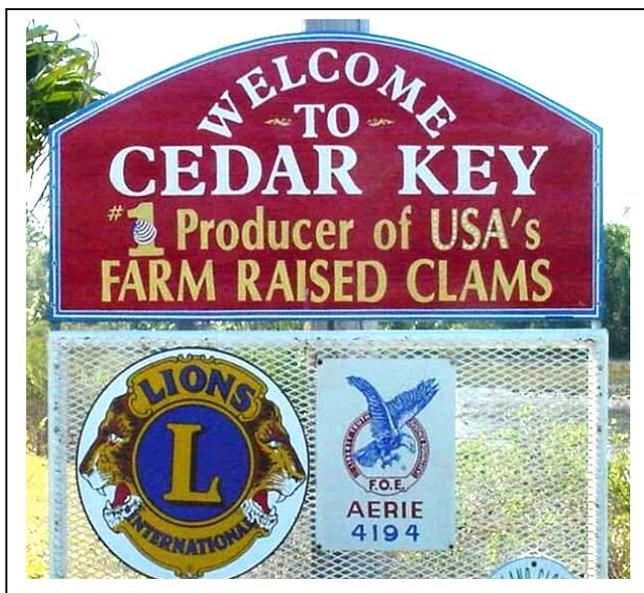
## **Cedar Key Aquaculture Association Joins ECSGA**

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The water dependant heritage of Cedar Key, a rural community along Florida's northwest coast, has been linked with commercial fisheries

for generations. During the 1990s, increasing regulations and a state-imposed ban on gill nets triggered economic decline and despair in this

area. A transition to shellfish aquaculture as an alternative employment opportunity was facilitated through efforts of federally funded, job-retraining programs. The first program graduates were placed onto leases in 1993. Now the industry supports over 200 clam operations on 750 acres of state-owned submerged lands with annual dockside sales estimated at \$10 million.



In this industry's short history, there have been several attempts by various individuals to collectively address issues dealing with such a rapidly growing industry (i.e., cooperative marketing, lease security). However, it was not until the Cedar Key Aquaculture Association (CKAA) incorporated in 2000 that an effective, sustainable group was formed.

The Association has met and overcome a series of challenges that has threatened the Cedar Key clam aquaculture industry including persuading the county in 2001 to abandon the idea of allowing septic tanks in a new housing

development in favor of requiring advance sewage systems. The CKAA has also used a USDA Rural Development grant to purchase an area for truck and boat trailer parking giving them better access to leases. Currently, the Association is serving as project contractor administrating state funds to assist clam farming businesses on the west coast of Florida recover from hurricane impacts.

To garner citizen's support, the Association serves clams and provides educational exhibits for the thousands of attendees to the annual seafood festivals in Cedar Key. They initiated the annual Clamerica festival in 2004 featuring a host of free Clamerica events.

To increase their clout in the state the CKAA joined the Florida Aquaculture Association in 2004 and contribute annually to their lobbyist. Several board members attending FAA's conference last November had the opportunity to listen to Bob Rheault, who was a featured speaker. They were amazed at the amount of work the ECSGA is achieving on a federal level and realized they have much in common with shellfish growers in other states. Sue Colson, CKAA project coordinator, commented, "With two 'powerhouses' of shellfish energy combined, nothing can stop us in our efforts to enhance and protect our industry's future – not to mention, all the clean water for America to enjoy." So at their meeting in December, the CKAA board voted to join the ECSGA as an organization!

*Leslie Sturmer  
University of Florida,  
Shellfish Aquaculture Extension Program  
Cedar Key, FL*

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## Upcoming Events

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### **International Boston Seafood Show**

March 11-13, 2007

Boston Convention & Exhibition Center,  
Massachusetts.

[www.bostonseafood.com](http://www.bostonseafood.com) (207) 842-5500.

### **6th International Conference on Molluscan Shellfish Safety**

March 18-23, 2007

Blenheim, New Zealand.

[www.nzfsa.govt.nz/icmss07](http://www.nzfsa.govt.nz/icmss07)

## Caribbean & Latin American Aquaculture 2007

Nov 6 - 9, 2007  
Condado Plaza Hotel  
San Juan, Puerto Rico.  
[www.was.org](http://www.was.org)

Links to more information are available on the  
ECSGA website.

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### FDA / ISSC Actions on *Vibrio parahaemolyticus*

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The FDA (Don Kramer) announced at the ISSC meeting in Atlanta in October 2006 that they intend to increase pressure on the shellfish industry and state regulators to establish more aggressive control plans for *V.p.* The ISSC held four regional meetings over the last few months that were intended to be industry and regulator sessions to talk about what could be done, especially in the area of tightening time and temperature controls on harvested shellfish. The only Atlantic coast meeting was held in conjunction with the Maryland Waterman's Show in Ocean City, Maryland on January 26th.

Mike Oesterling, an ECSGA member and a fisheries and aquaculture specialist at VIMS attended that meeting and has written an excellent account of what transpired there. His complete report can be found on the ECSGA web site. A few quotes from Mike's report follow:

"Perhaps the most 'disturbing' portion of the meeting was the information provided by the FDA and their position and options. This was presented by Don Kramer. He emphasized that FDA views control of *V.p.* as a significant challenge and that effective controls are not in place. This was apparent from the fact that the interim control plan, which was being followed, did not prevent the 2006 outbreak. According to FDA data, *V.p.* outbreaks are 'predictable and preventable' and as such must be dealt with. The FDA position is that the past outbreaks only represent the 'tip of the iceberg' and must be addressed. Perhaps the most distressing parts of his presentation were the data he showed regarding documented *V.p.* cases. While there

were clearly patterns for the Pacific Northwest and the Gulf of Mexico, there were no such identifiable patterns for the Atlantic Coast. At this point a question from the audience asked specifically about Chesapeake Bay. He was unable to answer this question."

"A great deal of discussion occurred regarding assigning 'responsibility' for an outbreak. Industry argued that they could do everything in accordance with the guidelines for maintaining temperature and proper handling, only to have their due diligence destroyed by abuses during the transport, wholesale, retail, or consume handling. However, if someone got sick, it would still be the harvester who would be singled out as the 'cause' of the problem. This is a serious disconnect that needs to be addressed. Of all the discussions, this is probably the biggest concern for harvesters."

"An underlying theme regarding the potential for post-harvesting processing kept surfacing through out the discussions. Essentially this would be a diversion from a raw, untreated product, to alleviate the *V.p.* potential. In this same vein, the possibility of closed harvesting seasons (e.g. summer) or 'for shucking only' restrictions were also mentioned."

"So, what can the oyster culture/harvesting industry do? First, educate yourselves on the ISSC/NSSP, by going to their web site ([www.issc.org](http://www.issc.org)) and reading as much as you can about *V.p.* and *V.v.* More importantly, however, is to contact your ISSC representatives/members (also listed on web site) and express your concern on this issue."

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## **ECSGA Annual Meeting at NACE**

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The ECSGA annual meeting was held in conjunction with the Northeast Aquaculture Conference and Exposition in Groton, CT on December 6th. About 25 ECSGA members attended the meeting and heard a summary of 2006 activities by President Bob Rheault. The meeting gave the nod to a by-laws change or other mechanism to potentially retain some or all of the present officers beyond the two-term limit now prescribed. And after some discussion, the meeting attendees supported an increase in the dues for non-voting members from the present \$35 to as much as \$60 for

2008. Attendees also heard the breaking news that the ISSC has planned a workshop at the Maryland Waterman's Show in January to discuss possible changes to the *Vibrio parahaemolyticus* control plan. Heard too was a discussion of possible cuts in NOAA FY 2007 funding, and a plea for support of the Milford Lab for its special role in shellfish research. President Rheault also announced that our next annual meeting will probably be in North Carolina at the same time as the North Carolina Aquaculture Association meets.

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## **ECSGA a Prominent Presence at NACE**

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The ECSGA was a sponsor and major participant at the Northeast Aquaculture Conference and Exposition meeting in December. Our sponsorship gave us a booth where we talked to folks about our organization and the benefits of membership. We distributed a number of copies of our "Aquaculture is Good for the Environment" pamphlet, and copies of our newsletter. The ECSGA also supplied shellfish for the Thursday evening reception. Thanks for the shellfish donations go to Perry Raso, Jeff Gardner, Jim Markow, Karen Rivara, Bill Silkes and Buzz Robstock. The NACE

meeting incorporated the annual Milford Aquaculture Seminar into its program, and that helped draw more shellfish growers to the conference and bolstered the program with more shellfish presentations.

Tessa Getchis, our Connecticut Board member, was the overall conference organizer and received nothing but compliments on the conference. Good job, Tessa! NACE holds meetings every two years, and the next one doesn't have a location yet, but it will probably be held in Maine.

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## **ECSGA on Capitol Hill Again**

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For the third year in a row, ECSGA members paid a visit to Capitol Hill to speak to senators, representatives and staffers about issues important to our businesses. This year's priority focus was on the pending Army Corps of Engineers issuance of Nationwide Permits, and their proposed new permit that would cover shellfish aquaculture. We also went on record supporting the ISSC process for controlling shellfish sanitation, and opposing what we see as a slow and steady movement by FDA toward mandating post-harvest treatment of

shellfish. We also emphasized the importance of funding for NOAA and USDA, highlighting the poor financial condition of the Milford, CT NOAA lab and the ARS Eastern Regional Food Safety lab in Delaware. Our legislative "agenda" was rounded out with a request for some targeted funding for our new East Coast Shellfish Research Institute, and for support of a crop insurance program. The two-page legislative agenda we presented in D.C. can be found on the ECSGA website.

This year, ECSGA was represented by Bob Rheault, Karen Rivara, Tom Kehoe, Tom Rossi and Ed Rhodes. The National Fisheries Institute again did a terrific job in coordinating our congressional visits, arranging for meetings with NOAA staff, hosting our all-coasts shellfish industry meeting, and setting up a shellfish caucus breakfast and the Wednesday evening shellfish reception. Special thanks to Margaret Black from NFI who did much of this work for us.

The all-coasts industry session hosted by the Molluscan Institute at NFI and attended by ECSGA, the Pacific Coast Shellfish Growers Association and the Gulf Oyster Industry Council gives us a chance to coordinate our messages to congress and get some real time information on what's going on with our Gulf and Pacific brethren.

The ECSGA hill-walkers visited a total of 27 House and Senate offices over the four days. We also met with the NOAA administrator, Admiral Lautenbacher, and his senior staff on Tuesday afternoon.

The shellfish caucus breakfast this year had the ACOE Nationwide Permits as the discussion topic, and we were able to present our concerns to congressional staffers over coffee and bagels.

Over 600 people attended the shellfish reception hosted by the three-coast shellfish groups. Raw oysters were of course the main attraction, but some hot oyster dishes prepared by some New Orleans restaurants were a close second. The event was

attended mostly by congressional staffers and some House members of the shellfish caucus, but NOAA was well represented as well including the Admiral.

We are gaining a lot of experience on Capitol Hill, and building up relationships with congressional members and staff that are important to having our voices heard and in getting our business done. We can do even better if we had more ECSGA folks trekking with us. We will be in D.C. at roughly the same time next year – plan on joining us!

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# Harbor Branch Closing Clam Farm

In the latest upheaval at Harbor Branch Oceanographic Institution, officials at the struggling nonprofit research facility Thursday announced they are closing their pioneering clam farm.

Five months after laying off 19 senior scientists and administrative personnel, restructuring the entire institution and accepting a new partnership with the state university system, officials fired five employees in their aquaculture division.

The clam hatchery and nursery — one of the first such facilities in the nation — provides baby clams for the majority of the 400 clam farmers throughout Florida and was designed to train and support other farmers interested in the industry.

Jan Petri, Harbor Branch's director of government affairs, said the institution decided to close the facility because officials wanted to focus on research and the facility was not making a profit.

"In terms of good fiscal management, we wanted to be focused on research and not production," he said. "The fact that we're losing money on clams, that was enough to make that decision."

One employee who was fired Thursday, Joe Weissman, will be given the clam production equipment to continue the business as part of a "contractual obligation" that originated when Harbor Branch merged with his company years ago, Petri said.

Weissman could not be reached for comment.

Petri said he did not know if the employees, who will be fired when the facility closes Jan. 1, will receive a severance package, but he said they could apply for other jobs within the institution.

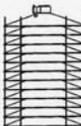
In 1984, Harbor Branch officials were the first to develop methods to grow clams.

It expanded in 1995 with the passage of the state's amendment limiting netting for commercial fishermen, and scientists there trained hundreds of fishermen in clam farming.

But in July, Harbor Branch officials highlighted the institution's financial instability by restructuring the organization and considering a plan to sell part of the 500-acre campus for condominium development.

After a month of community debate, the nonprofit's board of directors voted to instead to work with Florida Atlantic University to make the institution part of the state university system.

## Shellfish and Finfish AQUACULTURE EQUIPMENT

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Petri on Thursday said state officials continued to meet with Harbor Branch staff to finalize a funding request to present to the state legislature.

But Leslie Sturmer, the University of Florida's shellfish aquaculture extension agent in Cedar Key, said the closing of the clam farming facility will have a major impact on the industry.

"The direct impact in Florida, if we can't produce seed (baby clams), that we'll lose market share in the national marketplace," she said. "We don't want that because we support many small businesses."

While Harbor Branch continued to supply baby clams, Tom McCrudden, a clam farmer and owner of Research Aquaculture on Hutchinson Island, said the production has decreased significantly over the years.

Plus, he said a new competitive nature there made for fewer learning opportunities for fellow clam farmers.

Their job was to pass along this information to help the private sector, but they never did that," he said. "They've been falling short."

Suzanne Wentley  
Source: TCPalm  
9/12/06

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The ECSGA urges you to pay your 2007 dues on-line. We use a company called Count Me In (CMI) to provide on-line membership services, including the ability to pay your 2007 dues with a credit card or check. If you are not yet a member, you can join on-line as well. Our website has the information you need to use the CMI

system. Log on to <http://www.ecsga.org> and at the top of the home page you will find the link you need to pay dues or to join up. If you prefer, you can still join or pay dues the old fashioned way, and we have provided a membership form and mailing address in this newsletter.

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| Over 3M           | \$1500      |
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| Associations      | \$10/member |
| Non-voting        | \$35        |

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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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