

EAST COAST SHELLFISH GROWERS ASSOCIATION



The East Coast Shellfish Growers Association represents over 1,000 shellfish farmers from Maine to Florida. These proud stewards of the marine environment produce sustainable, farmed shellfish while providing thousands of jobs in rural coastal towns.

The ECSGA informs policy makers and regulators to protect a way of life.

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The Mouth of the Bay Fighting the Good Fight



Executive Director
Bob Rheault

I have often said that I have the best job in the world. I get to advocate for an industry that has no downside. We produce sustainable, delicious, nutritious seafood while creating green jobs and improving the environment. Plus, I get to work with some great people: hard-working farmers who are passionate about their products and passionate about the environment.

Writing the newsletter and chiming in on the Listserv give me opportunities to vent my spleen and rant on the various outrageous issues that our members run up against. In the last issue I shared my frustrations about the plethora of seafood-certification schemes seeking to profit off our community. In this issue I let loose with my opinions about how the FDA is damaging the fabric of mutual respect necessary for the effective cooperative program of shellfish sanitation regulation we call the ISSC.

Walk on the Hill 2019

by Robert Rheault,
ECSGA Executive Director

Our intrepid crew of a dozen ECSGA members, joined by six colleagues from the Pacific Coast Shellfish Growers Association (PCSGA) recently returned from the annual Washington, D.C., fly-in to walk on Capitol Hill. As always, some of the 50 or so congressional offices we visited were quite engaged, while others were just getting their first exposure to aquaculture issues.

The consensus from the participants was that this was an educational, productive and worthwhile trip.

First-time Hill walker Jules Opton-Himmel was pleasantly surprised to hear so much talk about climate change from the congressional staffers he met with. "I sensed fear and anxiety about the subject, which I think is appropriate. I hope this translates to action," he said.

Opton-Himmel was also amazed at "how much weight [congressional offices] put on letters from their constituents. It made me realize that writing to your senators is actually very effective. This was something I had been pessimistic about in the past."

We came armed with several talking points for our representatives and their staffs:

- ☐ Continue the push for the Jones Act amendment;
- ☐ Request funds to support two shellfish geneticist positions;
- ☐ Preserve funding for Sea Grant, the Marine

Anyone who knows me recognizes that I love a good battle, and this job gives me plenty of fodder. With 14 East Coast states busily updating their own regulatory mazes I suppose there will always be things in need of fixing.

Federal regulations on protected resources continue to challenge us on many fronts. I find these issues most frustrating because they invariably put us in the position of trying to prove a negative — a fool's errand if ever there was one.

It seems as if every day a new issue needing urgent attention lands in my inbox. Some food writer needs to be re-educated about the health risks of eating raw shellfish, or a lease hearing is sparking lawsuits and crazy allegations. Thankfully, the science is on our side and we have many allies in the scientific community who are willing to help put out these fires.

While the battles can be exhausting, you shouldn't be a shellfish farmer if you don't have the stomach for a fight. Once you get your permits Mother Nature is likely to deal out challenges that make those permitting struggles seem like a piece of cake. Fortunately, you have an association on your side, and a fighter in your corner.



ANN RHEAULT

(L to R) ECSGA Hill Walkers Matty Gregg, Alex Hay, Matt Behan and Jeff Auger shucked and schmoozed at the House Wine and Shellfish Caucus Reception.

Aquaculture Competitive Grant Program and ocean acidification research; and

☐ Spread the word about the Shellfish Growers Climate Coalition.

We continue to make progress on many of these fronts, but often it comes in fits and starts, usually with setbacks along the way.

— Continued on page 10

Member Profile: Island Creek Oyster Co.

by Robert Rheault,
ECSCGA Executive Director

In early April I set out to visit Skip Bennett and the crew at Island Creek Oyster Company (ICO) in Duxbury, Mass. Skip and I first met way back in the 1990s when he came to Rhode Island to see my oyster farm in Point Judith Pond. He had spent time lobstering and clamming, but eventually decided to set his hand to growing shellfish, planting his first crop of clams in 1990. Skip made the switch over to oysters in 1995, and since that time has steadily continued to build his farm into a thriving business. Island Creek now has five restaurants, farms in two states, and a shellfish-dealer operation that distributes 14 million oysters a year from 80 farms direct to hundreds of restaurants around the country.

Skip jokes that, "Island Creek is an overnight success story 30 years in the making." He and ICO President Chris Sherman sat down with me to share some of their most recent exciting developments. In 2017 the pair negotiated the purchase of the old Battelle Lab property in Duxbury; the 12.5-acre waterfront campus includes a half-dozen buildings they are repurposing to house their fast-growing operations. Skip explained that he can trace his success

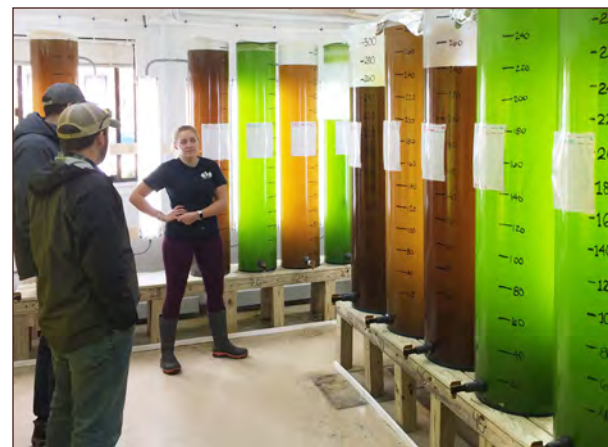
back to that fateful decision to start an oyster farm and develop the ICO brand — everything else has been built on that firm foundation. After some contentious battles with affluent locals, he finally obtained a small lease, put in some upwellers and soon discovered that Duxbury Bay is one of the best locations in the world to grow oysters. Nine-foot tides deliver plenty of rich food, which produces top-quality oysters in under two years.

When Skip first entered the market many restaurants were eager to have uniform, premium-quality oysters that they could put on the menu and have delivered regularly, year-round. He says that, "The farm and the strong brand identity allowed us to tell a story that has helped add value to every other aspect of the ICO enterprise." That winning formula drew top chef Jeremy Sewall as a partner in developing the Island Creek Oyster Bar, which opened in Boston in 2011. The success of their first foray into the restaurant business led to three more ICO-branded restaurants: in Portsmouth, N.H., Burlington, Vt., and South Boston.

The runaway success of Skip's oyster farming business in Duxbury was not lost on the local population, and a number of aspiring growers got leases and joined the fray. Now about a dozen farms on 71 acres in this amazingly productive estuary produce roughly 40 percent of the entire Massachusetts oyster harvest. Many of the new growers partnered with ICO to market their product, allowing Skip to broaden his reach and expand sales across the country.

Since the early days, Skip has paid careful attention to marketing, focusing on tasting events and chef tours that provide a built-in platform to tell his story — and as oyster farmers we all have a great story to tell. What's not to like about sustainable seafood; jobs for hard-working watermen; and delicious, nutritious shellfish that improves the environment and enhances biodiversity?

But not all farmers have the people skills and



BOB RHEAULT

Island Creek hatchery manager Hannah Pearson explains algal culture protocols in the new hatchery located in the refurbished wet lab on the former Battelle Lab campus in Duxbury, Mass.

the time to develop a brand and market their product nationally. Most farmers need to work with wholesalers since there are not enough local restaurants to go around, but Skip notes that, "You can either sell your product to a dealer who has a price list, or you can work with a dealer who tells your story." He now works with 150 farms each year (80 at any given time), selling direct to nearly 1,000 restaurants across the country. This allows for enough volume to ensure he can always have a variety on hand and still tell the story about each farm's product, their unique taste profile, their quirky habits, and the features that set their brand apart from the competition.

Skip and Chris have hired a talented direct-to-chef sales team who call themselves the @Oysteresses — a group composed mostly of recovering chefs who have deep knowledge of both product and a kitchen's needs. A two-person marketing team has amassed over 50K Facebook and 34K Instagram followers, establishing a broad reach and an engaged audience with a hunger for good foodie stories like oyster farming. The team fields a road show featuring the friendly and loquacious shucker C.J. Husk, aka the Oyster Dude, who performs in front of a huge rowboat filled with ice and freshly shucked oysters. The show heads out to popular tourist destinations like Las Vegas and South Beach to spread the good word. And of course, to continue to build the ICO brand.

— Continued on page 3

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New digs

ICO's acquisition of the former Battelle Lab property is the most recent chapter of the story. When the property came up for sale it looked as if a condo developer was going to snap it up, but when the same homeowners who initially opposed oyster farming in the bay came out to oppose the condo project, Skip saw a golden opportunity to preserve the campus and repurpose the buildings to house his cramped operations and staff. He worked with a local Farm Credit affiliate to finance the \$8 million purchase and has spent the last year—and-a-half rehabbing the buildings to suit his needs.

After working out of a garage for years, the dealer shop now has a large, clean space with ample room. When I visited, Operations Manager Joe Gauthier showed me how they manage to keep track of dozens of varieties of oysters and a fleet of trucks heading to Boston restaurants, as well as to the ICO distribution hub in Brooklyn, allowing them to deliver direct to the hundreds of raw bars in the New York metropolitan area. ICO also makes use of air freight and common carriers to send product to restaurants nationwide. They opened a buy shop in Portland, Me., that serves as a retail location and brings Maine and New Hampshire product down to Duxbury.

Last summer Skip converted the Battelle wet lab into a shellfish hatchery, allowing him to move his small hatchery from the Maritime School in downtown Duxbury. Even though he admitted that the first year was challenging, I was impressed by what he has been able



ISLAND CREEK OYSTERS

An outdoor patio with a view of the farm and seating for 124 has a food truck offering freshly shucked oysters to eager customers in the summer. Skip Bennet views the farm tours and raw bar operation not only as revenue sources, but as the best way to continue to build the Island Creek brand and tell its story.

to achieve in such a short time. Dozens of “soda-bottle upwellers” were tumbling millions of post-set oysters. Plans are in the works to try growing clams again now that the price is recovering.

Hatchery manager Hannah Pearson manages a team of four technicians who grow the algae and keep all the larvae and seed happy. But it is evident that Skip is really having lots of fun with this particular aspect of the farm, beaming like a proud father as he displays a handful of small oyster spat. The hatchery is still a work in progress, but he looks forward to working on genetics and selecting lines; and working with scallops, clams and maybe even European flat oysters or razor clams.

Farm tours

Skip and Chris are really jazzed about the recent expansion and the opportunity to amp up their farm tours. When they announced plans to offer five tours a day this summer, they quickly sold hundreds of tickets at \$100 apiece. This year they expect around 5,000 guests to sign up — double last year's number. A waterfront raw bar with a view of the farm is also helping to pay the mortgage!

Skip views the farm tours and raw bar not only as revenue sources, but as the best way to continue to build his brand and tell the ICO story. We both see these types of outreach efforts as crucial to educating the public and building support for the entire shellfish aquaculture industry, and hope to see more farms offering tours. As new farm proposals meet local opposition, outreach can only help spread the word about all the positive changes that shellfish farms can bring to a waterfront community.

Foundation

One of the less known aspects of the ICO enterprise is the Island Creek Foundation, which has raised over \$1 million over the past eight years. It supports a shellfish hatchery in Zanzibar (off the coast of Tanzania) and a tilapia farm in Haiti that was started after the devastating 2010 earthquake. Most of Haiti's industrial and manufacturing jobs were wiped out in the disaster, along with most of the houses and infrastructure in the capitol city, Port au Prince.

The tilapia are grown in cages in a large inland lake that became brackish after the earthquake, killing all the native fish, but providing ideal conditions for growing tilapia. Nearly 1,000 families participate as growers in the program,

with the hatchery and distribution operation in Croix-des-Bouquets now employing dozens of Haitians. They are harvesting approximately 40,000 pounds of tilapia each month, and with a recent HACCP certification in hand, are set to begin exporting to the U.S. and Canada sometime in the spring of 2019.

Every fall technicians from the Duxbury hatchery head over to Zanzibar to train local graduate students spawning *Anadara*, salt-water bivalves also known as ark clams, to enhance the traditional fishery. ICO and the Woods Hole Oceanographic Institution funded the construction of the first hatchery there nine years ago.

To learn more about the Island Creek enterprise read Erin Byers Murray's book, [Shucked](#), chronicling her experiences working at ICO for a year as a farm hand and a year on the marketing team. She paints an accurate picture of life on an oyster farm, where as the team likes to say, “We only work half days — 6 am to 6 pm.”



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Reflections on a Presidency

by Daniel J. Grosse,
Departing ECSGA President

Without a doubt, as ECSGA president I devoted more time to moderating Listserv messages with Bob Rheault than anything else. But how did I get here, you might wonder?

The ECSGA and Me

I am a part-time oyster farmer, although it can become unavoidably full time. The other jobs? Consulting (shellfish and finfish culture-related), government contracting (marine fisheries) and teaching (environmental management). Oyster farming informs them all.

It was while wearing a consultant's hat, before I was an oyster farmer, that I contacted Bob Rheault for his oyster marketing knowledge, which informed several of our projects. When I started farming in 2006, joining the ECSGA made sense. I went on the ECSGA's annual Walk on the Hill to promote legislation focused on aquaculture, even before joining the board. Living in DC, it was an easy Metro ride to Capitol Hill. I also began editing our legislative

agendas and other written materials. Both activities constituted most of the rest of my activities as president.

How I Got into Oyster Farming

I was a dirt farmer for several years, and had worked with marine finish aquaculture. I got involved in a high-tech, environmentally sustainable agriculture project with the Hopi tribe, a sovereign nation located in northeastern Arizona, to encourage young Hopis to remain on the reservation, diversify their economy and maintain their culture. Sound familiar?

Fast forward a few years. Dot Leonard, then at the Maryland Department of Natural Resources, wanted to encourage oyster farming on Smith Island and Tangier Island in the Chesapeake Bay, to diversify the islanders' economic base and to restore wild oyster populations. She appreciated the analogous desire to retain cultural traditions, and to promote



DAN PLIMPTON/WHOLDE FOODS

Departing President Dan Grosse has gone above and beyond volunteering for the ECSGA for the past six years. Thanks, Dan!

environmental and economic sustainability.

With little formal education in bivalves (part of an afternoon decades ago), Dot and other smart, knowledgeable people, including Rick Karney, took me under their wings. Later we consulted together on other shellfish aquaculture projects.

I began a one-float oyster garden in Chincoteague, Va. Some wholesalers I knew from consulting liked the oysters and asked to buy them. Thus a farm was accidentally born. How hard could farming be? After all, I was by now an expert oyster consultant. But I had no experience actually farming oysters. If only I had known. I'm still ascending the learning curve.

A Class Act

Oysters have worked their way into my classes. We look at oysters and their farming through an environmental lens. Discussing seemingly provincial oyster issues with my students is a window to more general links between environmental quality, marine resources and human health. Some students have written term papers on oyster-related ecology, management, regulations, restoration and more.

Going on Hill walks every year to lobby on behalf of our industry has led to class discussions that often focus on the issues put before members of Congress. Relating real-world examples to governmental and policy principles we study in class makes them all the more relevant and memorable.

And Beyond

Hand-outs. I often encounter more members of Congress, and for longer stretches of time, at shellfish events than on Hill walks. As I and some others have found, handing out shucked oysters and the like to members and their staffs has resulted in some great conversations, education and "aha moments."

A Farm Team? Loudoun County, Va., is handing out farmer trading cards to promote their industry. Why not shellfish farmers?

Succession. I'm thrilled that Karen Rivara is our new president. Karen — whom I first met in the early 2000s — pioneered Long Island's oyster industry in Southold Bay, runs a hatchery co-op, was possibly the first oyster farmer to become involved in the Farm Bureau and helped found the ECSGA. Couldn't ask for better.

The president is gone. Long live the president!

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A Letter From Incoming President Karen Rivara

Dear ECSGA members,

The ECSGA is approaching its 20th year of existence. When the initiative to create a coastwide association for shellfish aquaculture promotion and protection was floated 20 years ago, I had recently transitioned from a quiet industry member to an activist. I had been sued by a group of baymen who were opposed to underwater land access in the public trust. That made me hopping mad and “Hell hath no fury like a woman” ... plagued by a nuisance lawsuit.

The movement to establish an association on the East Coast to protect our industry from oppo-

nents while promoting it through lobbying for research and marketing dollars had many good leaders: Bob Rheault, Gef Flimlin, Ed and Kathy Rhodes and Rick Karney among others. We were able to quickly build membership and create an alliance with association groups on the West and Gulf Coasts. In one of our first victories we defeated an initiative that would have listed the Eastern oyster as an endangered species.

We have continued to celebrate successes that have widely benefitted the entire shellfish aquaculture industry. Right now we are poised to potentially see the signing of the Shellfish Aquaculture Improvement Act exempting aquaculture workers from the Merchant Marine Act when they are eligible for state workers’ compensation. This is due to the hard work of our volun-



NOANK COOPERATIVE

teer members and our executive director.

Thank you for the opportunity to serve as your president. We are certainly a diverse group of growers and yet are able to move forward together to push an agenda that benefits the entire industry. I look forward to being able to work with you all. And if you know someone who benefits from our work, but is not a member, well, you know what to do.

Sincerely,
Karen Rivara



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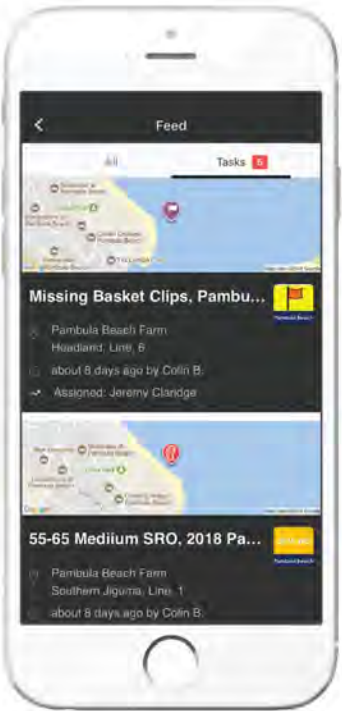
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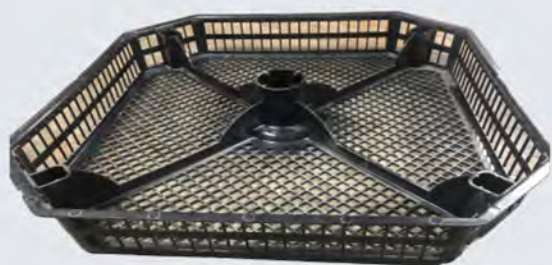
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Bottom Cages



Stacking Trays

Best New Thing in the World:
The Oyster Common

by Heather Ketcham,
Ketcham Supply, New Bedford, Mass.

Nick Pelletier and Jon Pollak have been best friends since they were in first grade. Much later in life, as they learned about oyster farming and all its environmental and economic benefits, they knew they wanted to start a business in that space.

“I was taking a course at Northeastern University when I completed a project that attempted to locate the best places around Boston to restore oyster reefs and improve water quality,” Jon explained. “I started looking into how large, successful oyster farms were marketing their products and thought there might be a market for oyster growers who wanted to sell their product directly, but who did not have the time or desire to learn how to set up and manage their own online stores. At that point, I knew I had to talk to Nick because of his background in building digital products that users love.”

“When Jon approached me with the idea, and we started talking to our initial growers, it was clear that they all wanted to sell beyond their local region but didn’t have the opportunity or control to do so. We felt we could help them. That was the beginning of our web-based solution,” Nick said.



THE OYSTER COMMON

The Oyster Common offers an optional lease program of Zebra printers with preformatted labels for printing shellfish tags.

The Oyster Common was created to provide a web-based solution for growers to quickly and easily sell their products online, allowing them to stay focused on raising exceptional shellfish.

When the business started a few years ago it was simple — consumers would place an order online, then The Oyster Common would process it and send a FedEx label directly to the oyster farmer. That initial concept has since evolved into a streamlined, full-feature, web-based marketplace.

“The first year of operation was mostly about R&D; learning how growers operate, what their pain points are, and where the opportunities are for us to add value. We spent 2018 building and testing the web-based application. And, this year our goal is to increase our marketing and sales channels for our partner farms,” Jon noted.

The Oyster Common web store gives consumers and restaurateurs from around the country access to fresh, high-quality raw-bar products, shipped overnight direct from the farm. It’s a great way for growers to expand sales outside of their local markets, which can become overcrowded, softening product demand and price.

The Oyster Common’s proprietary platform was developed in-house and leverages proven third-party technologies. The team has developed an easy-to-use interface that allows growers to describe their farm, load their inventory available for sale and set pricing. This frees them from the hassle of trying to build and maintain their own webstores, FedEx accounts and credit-card processing services. The proceeds from each sale are automatically deposited into the grower’s bank account.

The best part: no upfront costs or subscription



BRENT BENNER

Dave Cheney, founder of Johns River Oysters, shown here on his farm in South Bristol, Me., was an early adopter of The Oyster Common platform.

fees — The Oyster Common takes a commission from each sale. Jon said, “We know our success is a result of providing value to our partner growers, so it’s important to us that our business model is transparent and dependent upon the success of our partners.”

When a customer places a shellfish order online, the grower packages the order and prints an automatically generated FedEx label, specifying the pick-up time frame. The system monitors each shipment for any exceptions, and growers are proactively notified of any delays or issues with that shipment. The Oyster Common also offers an optional lease program of Zebra printers with preformatted labels for printing shellfish tags.

As Nick explained, “We are on the road to providing a comprehensive eCommerce platform that provides distribution-as-a-service

— Continued on page 9

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Member Type	Gross Annual Sales	Dues
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Grower	\$50,000 to \$100,000	\$200
Grower	\$100,000 to 300,000	\$500
Grower	\$300,000 to 3 million	\$1,000
Grower	Over \$3 million	\$1,500
Shellfish Dealers and Equipment Suppliers		\$250
Restaurant Ally		\$100
Non-voting Associate		\$50

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Shockley Leaves Hoopers Island to Found Blue Oyster Environmental; Steps Down From ECSGA Board

by Johnny Shockley
Blue Oyster Environmental, LLC,
Cambridge, Md.

As a lifelong commercial fisherman who is passionate about the future of the Chesapeake Bay, its fisheries, ecology and the people who make a living from it, I became very concerned with the bay's declining health and the negative economic impact it was having on our communities. After years of research, I concluded that this decline in the health of the bay correlated with the decline of the bay's oysters. The oyster was the first natural resource we tapped into to provide protein and building materials (via oyster shells), resulting in a very positive economic impact in local communities along the bay. At its peak in the late 1880s the oyster industry generated \$50 million and provided 40,000 jobs along the Chesapeake Bay alone. In today's economy that would be a billion-dollar industry.

In 1987, The Chesapeake Bay Agreement was established, with a goal of reducing the level of nutrients (primarily nitrogen and phosphorus) entering the bay by 40 percent by the year 2000. The living resource section of the agreement sought to "restore, enhance and protect the fin fish and shellfish; and provide a balanced ecosystem."

Given all this information, I began to wonder what would happen if we were to create an industry that rewarded people for putting oysters back into the bay, since rewarding them for taking them out had proven to be very profitable and efficient. So in 2010 my partner Ricky Fitzhugh and I founded Hoopers Island Oyster Company, the first fully-integrated oyster company — a premier resource for equipment, product and seed, serving growers, consumers and conservationists.

Five years later, in 2015, the Chesapeake Bay Program appointed a board of experts to develop recommendations on the effectiveness of oyster aquaculture practices in reducing nutrients and suspended sediment. That workgroup established a framework to measure the effectiveness of oysters at various stages of growth in assimilating phosphorus and nitrogen into their tissues. Those recommendations have been accepted by the Chesapeake Bay Programs Watershed Technical Workgroup and their Water Quality Goal Implementation Team, opening the door for oyster aquaculture to

be recognized as a best management practice on the Chesapeake Bay. In my opinion, these findings could prove to be the most significant advancement in the industry thus far.

Therefore, I have stepped away from my day-to-day operational responsibilities with Hoopers Island Oyster Company, although I remain a stockholder and board member. This move has allowed me to launch a new company, Blue Oyster Environmental, LLC, focusing

on aggregating, reporting and brokering the nutrient credits that are being generated by Maryland's existing oyster aquaculture industry.

As a result of this move, my partner Ricky Fitzhugh has taken the reins of Hoopers Island Oyster Company. It is my hope that in time, there will be a seat on the ECSGA Board for a nutrient-credit-trading representative.

I have enjoyed my time serving on the ECSGA Board and providing my insight as a commercial fisherman to help develop and advance the industry.

Although, I will no longer sit on the board as an equipment dealer representative, I will be glad to assist in any way that I can moving forward.

For more info about the Chesapeake Bay Oyster Best Management Practices Report, visit www.chesapeakebay.net/documents/Oyster-BMP-1st-Report-Final-Approved-2016-12-19.pdf

You can contact me at jshockley@blueoysterenv.com



HOOPERS ISLAND

Johnny Shockley served on the ECSGA board as an equipment dealer representative for two years and as the Maryland representative for four years. Thanks, Johnny!



— Continued from page 7

The Oyster Common

for a small transaction fee. We believe this will help growers increase their sales, in addition to allowing them to concentrate more on raising great products and less on developing new sales channels that can increase revenue."



JON POLLAK/THE OYSTER COMMON

The Oyster Common crew recently attended the Billion Oyster Party in Red Hook, Brooklyn, N.Y.

L to R: Designer David Antunes, Co-Founder and Chief Growth Officer Nick Pelletier, Co-Founder and CEO Jon Pollak, and Software Engineer Larry Laski.

Since The Oyster Common is a commission-based service, the company is highly motivated to drive traffic and sales through their website, leveraging social media, word of mouth and programs like their successful Oyster of the Month promotion. Looking forward, the team plans to expand their product offerings to include other types of seafood, and to continue with the evolution of the website, adding features for both growers and buyers.

To see which farms are currently benefiting from The Oyster Common platform, visit the storefront, oystercommon.com/farms. For info on joining The Oyster Common grower network, contact Nick, nick@oystercommon.com or Jon, jon@oystercommon.com and they will be happy to demonstrate just how easy their website is to use.

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— Continued from page 1
Walk on the Hill

On this trip we also met with Admiral Tim Gallaudet, Assistant Secretary of Commerce for Oceans and Atmosphere in the National Oceanic and Atmospheric Administration (NOAA). The admiral was impressed when we informed him that the value of aquaculture landings on the East Coast far exceeds that of groundfish, while NOAA's investment in aquaculture science is but a small fraction of what it invests in managing the groundfish fishery. Not that we have anything against groundfish fisheries, but our industry is growing rapidly, while fisheries are constrained by quotas.

Michael Rubino, the former head of the National Marine Fisheries Service (NMFS) Aquaculture program, announced that he has taken on a new leadership position as Senior Advisor for Seafood Strategy at NMFS, putting Dave O'Brien in the position of acting head of Aquaculture. We also met with Jon Pennock, National Sea Grant Program director, who told us about some of the new aquaculture-related initiatives that Sea Grant is working on. We then shared some of the top research priorities that the ECSGA and PCSGA have set.

Our delegation got in to see the leadership team at the Ocean Policy Committee of the Office of Science and Technology Policy to discuss permitting challenges and offshore aquaculture development opportunities. We also met for an hour with the legislative affairs team at the Ocean Conservancy to discuss shared concerns about water quality and ocean health.

Once again this year we co-hosted the enormously popular Congressional Shellfish Caucus Reception with our friends from the Wine Caucus. The Wine and Shellfish Caucus bashes have always been crowd pleasers and this one was no exception. At least two dozen congressmen and congresswomen, along with hundreds of staffers, came to enjoy some shellfish and wine. Not surprisingly, we often get more things accomplished in impromptu conversations at the raw bar than we do in hours of formal meetings during the day.

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ANN RHEAULT

Around two dozen congressional representatives and hundreds of staffers descended on the perennially popular House Wine and Shellfish Caucus Reception. It's often the case that we can accomplish more while chatting over oysters and other delicacies than we can in hours of formal meetings.

We are grateful to all those members who joined us in walking the Hill and to those growers who generously donated shellfish to the reception. Please let them know how much you appreciate their efforts on your behalf.

Notwithstanding the punishing schedule of meetings on these trips, much more work remains to be done. If we want to achieve our goals it is going to take continued efforts by ECSGA members to help educate our elected officials about the issues that matter to us. Even if you aren't able to join us in our annual Capitol Hill walks, I hope you'll be there for us when we ask for your help sending the occasional email or writing a letter to advance our agenda with legislators.

Together we can get this done.

Special Thanks to Our 2019 Hill Walkers

Jeff Auger, Mook Sea Farm,
Damariscotta, Me.

Matt Behan, Behan Family Farm,
Charlestown, R.I.

Matty Gregg, Forty North Oyster
Farms, Belmar, N.J.

Dan Grosse, Toby Island Bay Oyster
Farm, Chincoteague, Va.

Alex Hay, Wellfleet Shellfish Co.,
Eastham, Mass.

Kim Huskey, Ballard Fish and Oyster
Co., Cheriton, Va.

Mike Oesterling, Shellfish Growers of
Virginia, Gloucester, Md.

Jules Opton-Himmel, Walrus and
Carpenter Oysters, Ninigret Pond, R.I.

Tal Petty, Hollywood Oysters,
Hollywood, Md.

Andrew Rubin; Rubin, Winston,
Diercks, Harris & Cooke, L.L.P.,
Washington, DC.

Paul Zajicek, National Aquaculture
Association, Tallahassee, Fla.



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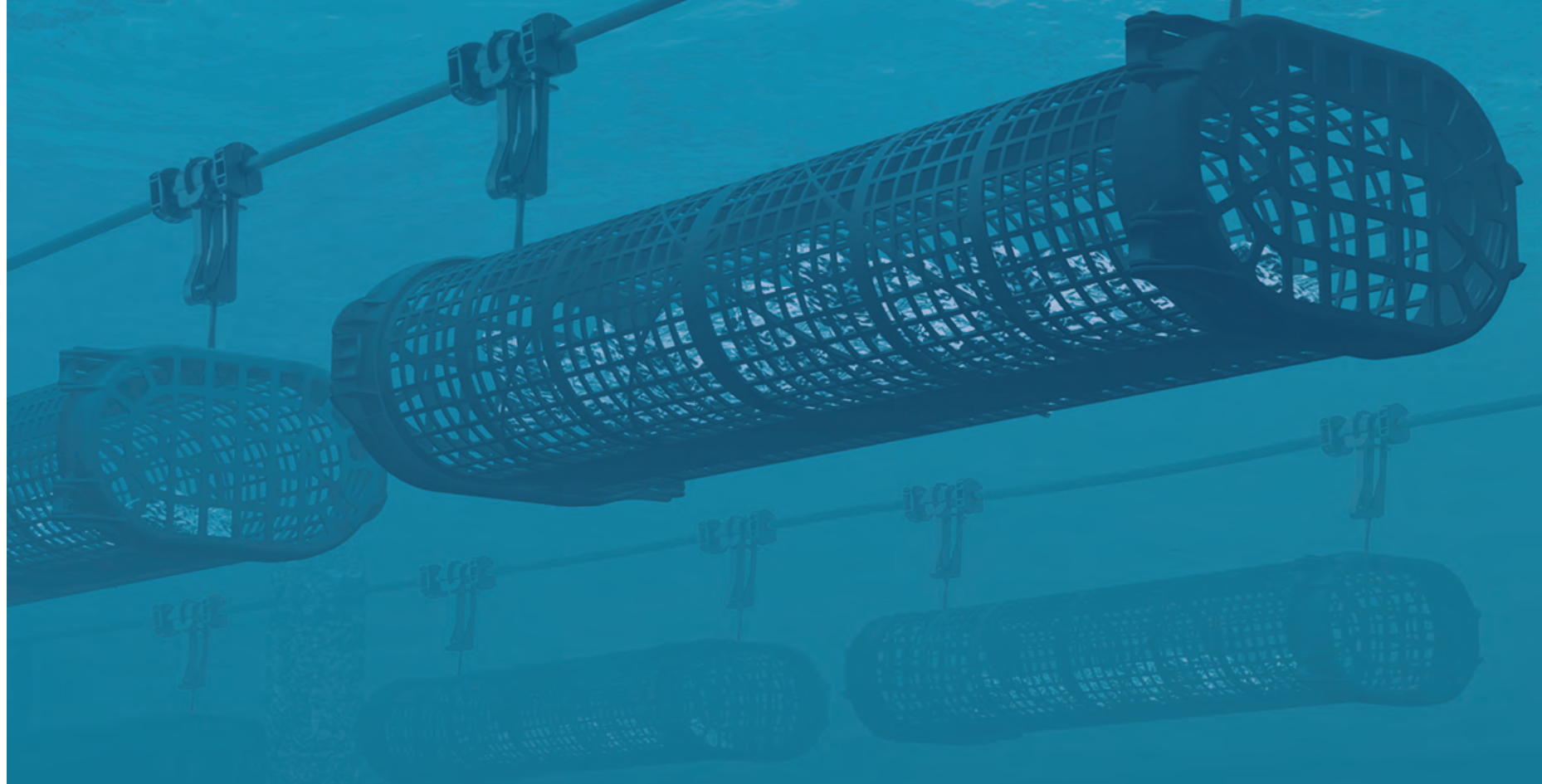
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Milford Lab Helps Shellfish Growers Become Citizen Scientists

Evaluating Oyster Cages as Habitat Using GoPro Cameras

Kristen Jabanoski

Science Communications Specialist, NOAA NEFSC/Integrated Statistics, Milford, Conn.

For many years shellfish farmers have pointed to anecdotal evidence of fish using their oyster cages as habitat. Three years ago, a multidisciplinary team from the NOAA Milford Laboratory in Connecticut posed the question: Do oyster cages used in shellfish aquaculture provide habitat similar to that of naturally-occurring rock-reef environments?

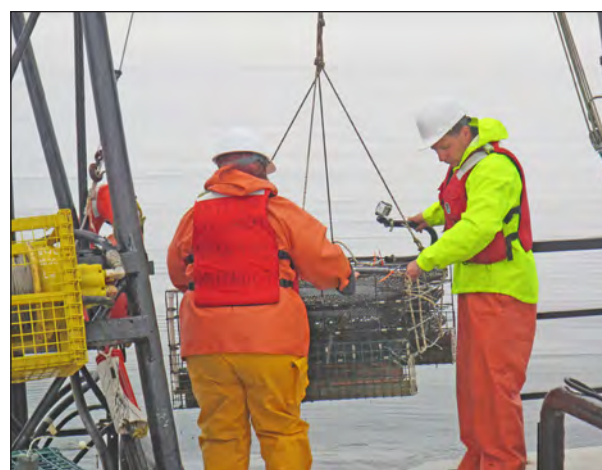
The project, funded by the NOAA Office of Aquaculture and the Northeast Fisheries Science Center, uses off-the-shelf GoPro cameras to collect underwater video on an active shellfish lease and a rock reef in Long Island Sound. As the research team reviews and analyzes hundreds of hours of video, they most frequently see four common Long Island Sound fish species around the cages: black sea bass, scup, tautog (blackfish) and cunner.

However, these fish use the cages differently. For example, transient scup use them opportunistically, while juvenile black sea bass seem to live around the cages. The team has also estab-

lished a fish behavior scoring system, and has most frequently observed foraging and sheltering behavior in and around the cages. In addition, they've observed courtship and reproductive behavior, including a spawning event. Understanding how these species use habitat is important, as they support recreationally and economically important fisheries in Long Island Sound.

In addition to the "big four," summer flounder, butterfish, banded rudderfish, and sea robins have also been observed using this habitat. Spider crabs are the most common invertebrates seen in videos. Recently, the cameras captured a cormorant hunting around the cages. Each time the team deploys and retrieves the cameras, they take environmental measurements including temperature, salinity and dissolved oxygen. When the warmest seawater temperatures were recorded in late August, fish more typical of the southeastern United States were observed around the cages. For example, one video captured a school of yellow jack.

Biological Technician Paul Clark said of analyzing the videos, "To me, it's like watching a



RENEE MERCALDO-ALLEN/NOAA FISHERIES

Biological technicians Gillian Phillips (L) and Dylan Redman prepare to deploy an experimental oyster cage fitted with a GoPro camera.

nature documentary. You never know what species or behavior you're going to see next!"

Thus far, the team has only been able to collect video during daylight. That may change this year, as a new collaboration is in the works that includes using sonar to study the species using the cages at night.

Reflecting on the project, Biological Technician Gillian Phillips says, "Oysters are very

important to aquaculture and the economy, but if we can also demonstrate that the growing process benefits fish such as black sea bass, that's very important for the constituents along Long Island Sound."

Recently, the team created a downloadable Citizen Science Guide (www.fisheries.noaa.gov/webdam/download/89556615) containing a set of detailed instructions to help growers capture their own high-quality underwater footage of aquaculture gear. Dylan Redman, a technician who worked on the experimental set-up and deployment, explained, "All of the materials we used are readily available from

— Continued on page 13




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— Continued from page 12

GoPros Evaluate Cage Habitats

hardware and marine supply stores.”

With the guide and commercially available equipment, aquaculture farmers can become citizen scientists and document the ecosystem benefits of their own operations. “As growers, researchers, and extension agents use this guide they will be building a repository of visual data for themselves and for fisheries research,” Gillian affirmed.

If a picture is worth a thousand words, a video is worth at least ten thousand. By recording interactions between fish and the cages, a grower can present local regulators and community leaders with footage showing how their operations not only provide local sustainable seafood, but also create habitat for local species. The NOAA team has also found that the videos serve as an engaging tool for public outreach.

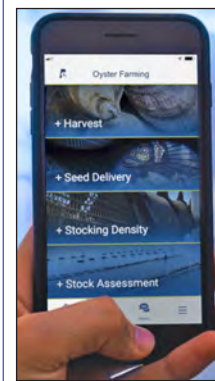


RENEE MERCALDO-ALLEN/NOAA FISHERIES
Biological technicians Paul Clark (L) and Gillian Phillips review GoPro videos collected from oyster cages and code fish behavior using video analysis software.

For more information on the project and to view video clips, visit the GoPro Aquaculture Project Page at

www.nefsc.noaa.gov/rcb/projects/gopro-aquaculture/

Free Oyster Farming App



Alabama Extension and Auburn University just released a new Oyster Farming app sporting several customized calculators to help growers keep track of harvest, seed deliveries, stocking density and stock assessment on farms.

Users can also track the latest news from the Auburn University Shellfish Lab's Facebook, Twitter and Instagram feeds. The app also features a section to submit questions to the Extension and the Auburn University Shellfish Lab and is available as a free download from both the Apple and Google stores.

For more info visit www.aces.edu.

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Cooperative Programs Demand Mutual Respect

by Robert Rheault,
ECSCA Executive Director

The shellfish resources of the nation are managed under the National Shellfish Sanitation Program (NSSP), the federal/state cooperative program recognized by the U. S. Food and Drug Administration (FDA) and the Interstate

Shellfish Sanitation Conference (ISSC) for the sanitary control of shellfish.

The ISSC provides a framework for the rules that everyone in the shellfish industry must abide by. State regulators enforce the rules, and the FDA evaluates the states to ensure they are conforming to the NSSP. Because the FDA

understands that it cannot enforce every growing area and dealer shop, it relies on the cooperation of states, periodically evaluating them by providing a Program Element Evaluation Report (PEER) that details deficiencies and areas for improvement. The FDA wields the big club of threatening to remove a state from the interstate shippers list if that state is repeatedly found to be in non-conformance with the rules.

Although industry (through the ISSC) has a role in informing the development and revising of regulations, state regulators have the final votes on any rule changes. The FDA can propose rule changes to NSSP and argue for or against proposals (just as industry and state regulators can). The FDA does have final veto power over any changes that state regulators vote in, and FDA representatives show up in force to the ISSC meetings to shape discussions, but they don't actually get a vote.

The process is often frustrating, laborious and arcane, but most people agree it is probably better than some form of top-down alternative where the regulators just tell you what to do. When the ISSC meets (every two years) the hundreds of conference participants split into dozens of committees, work groups and task forces



to debate proposed rule changes. Everyone is working to improve public health and prevent illnesses, and disagreements are generally settled in an atmosphere of mutual respect. Until that respect breaks down.

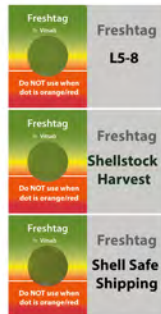
Recent retirements in the ranks of top USDA shellfish program managers and regional specialists seem to have ushered in a shift in focus, and I fear that shift has been corrosive to our program. The current focus on inter-regional standardization is straining the fabric of trust that once held the program together. The number of states the FDA has found to be in non-conformance has ballooned, and state PEER reviews that were 5-10 pages long a few years ago have swollen to massive 50- and 100-page litany of deficiencies.

States are required to address each of these deficiencies with action plans, whether or not they agree that they are significant.

— Continued on page 15

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— Continued from page 14
Mutual Respect

Hammering states on program elements that don't seem to be linked to illnesses forces them to divert limited resources away from training, sampling and enforcement.

When the FDA tries to force new rules to address a theoretical health risk from *Clostridium botulinum*, when no shellfish-related illnesses linked to the bacteria have ever been reported, the agency starts to lose credibility. When the FDA forces state labs to calibrate thermometers at a cost of thousands of dollars when nothing in the NSSP requires ultra-accurate temperature measurements, then even the most ardent health professionals start shaking their heads at the waste of precious lab funds.

While I recognize the need for a uniform national program, I wonder which is more important — regulatory uniformity or public health. Perhaps the FDA should examine how other federal agencies regulate state-delegated

programs. While one might naturally expect the Army Corps of Engineers (ACOE) to rigidly adhere to national standards, the regional offices actually have quite a bit of latitude when it comes to permitting activities under their jurisdictions. The ACOE acknowledges that there are regional differences in culture, priorities and environments and that different communities have different concerns and user groups. These differences often boil down to how a regulator interprets a rule or to the discretionary judgment of an inspector. The FDA would like to eliminate discretion and make every inspection robotic, but that may not be the best approach.

At the last ISSC meeting in Myrtle Beach in 2017 many state regulators were muttering "F the FDA." Lord knows our program is not perfect and we should strive for continuous improvement, but no one wants to waste time



and effort trying to solve problems that don't exist.

At the recent Northeast Shellfish Sanitation Association meeting I implored the FDA to focus on the big items. Let's not waste our limited resources on pernickety issues. My message was well received by the state regulators in the room, but a few weeks later, at the

Pacific Rim Shellfish Sanitation Association (PacRim) meeting, the FDA announced plans to redouble its efforts to find as many deficiencies in state programs as possible.

Maybe this is a sign that the FDA thinks all of the big problems have been solved and now all we have left are the little ones. But I fear the ensuing erosion of trust and respect is likely to damage relationships for years to come, making it harder to find that precious common ground we call progress.

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