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## 2020 Legislative Priorities

There are over 1,200 shellfish farms on the East Coast that provide thousands of jobs in rural coastal communities, harvesting over \$170 million worth of sustainable, nutritious shellfish. East Coast oyster production 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 still face a variety of challenges.

### Merchant Marine Act Exemption for Aquaculture Workers

The 1920 Merchant Marine Act (Jones Act) contains a little-known provision to insure mariners who are injured while working on U.S. vessels. Unfortunately, the Act's definition of "seaman" captures aquaculture workers who are working on small skiffs in state waters, exposing employers to expensive premiums, and in many states requiring firms to both buy Jones Act coverage and pay into state workers compensation for the same employees. The Act also exposes employers to crippling unlimited-liability lawsuits. Aquaculture farmers should be covered under state workers' compensation programs.

- **Co-sign the Shellfish Aquaculture Improvement Act HR4677 to exempt aquaculture workers from the Merchant Marine Act when they are eligible for state workers' compensation.**

### Shellfish Genetics Research to Improve Food Security – USDA ARS

Selective breeding is a proven, effective means of improving disease resistance, increasing survival and improving resilience in the face of change. We are seeking \$1.5M to build a selective breeding program for locally-adapted, disease-resistant lines of oysters that perform well in every state from Maine to Florida. These funds will enhance our capacity for genetics research and the improve the lines available for industry. Such stocks will mitigate risk and improve the profitability of hundreds of shellfish farms along the entire East Coast. The genetic research will also provide valuable assistance to parallel efforts to breed the same oyster species in the Gulf of Mexico. These funds would allow the creation of a fully-capable ARS genetics program funded at \$2.8 M/year.

- **Appropriate \$1.5M to USDA ARS to support the selective breeding of shellfish for disease-resistant lines and enhanced food security.**

#### Suggested report language:

##### *East Coast Shellfish Breeding and Genetics -*

The Committee recognizes the economic importance of shellfish aquaculture for rural coastal communities on the East Coast and the value of disease resistant genetic stocks that can tolerate changing conditions and emerging disease threats. The Committee provides an additional \$1.5 million above FY2020 funding levels to advance genetic and physiological research for the development of families that are regionally adapted to the wide variety of conditions throughout the range of the entire East and Gulf Coasts, and to transfer technology and improved stocks to industry.

## **National Aquaculture Legislation – Commerce Committee**

Currently, no federal agency has the authority to grant permits or leases for aquaculture operations in the Exclusive Economic Zone (3-200 miles offshore). Offshore aquaculture has tremendous potential to increase domestic seafood production and reduce our vast seafood trade deficit while creating jobs and economic development. Growers are ready, and if there were a mechanism to grant leases, we envision developing an offshore mussel-farming industry to offset the \$50 million in mussels that we import from Canada and New Zealand annually. We are also excited about the significant increases to research spending on aquaculture that the Act could deliver.

- **Support National Marine Aquaculture legislation: Advancing the Quality and Understanding of American Aquaculture (AQUAA) Act (H.R. 6191)**

## **FDA – National Shellfish Sanitation Program**

The FDA works with state regulatory agencies to enforce the national sanitation standards through a cooperative program known as the National Shellfish Sanitation Program. The FDA has been over-stepping its authority and creating regulations that have little bearing on public health. Novel interpretations of mooring field definitions have added a tremendous burden on state regulators to hire new staff to enforce new policies.

- **Direct the FDA to cease its regulatory overreach and work with its state regulatory partners and refocus on issues that have significant public-health impacts.**

## **Critical Research Funding – USDA, NOAA & FDA**

Federal shellfish aquaculture research is funded through a patchwork of USDA and NOAA programs that have suffered deep cuts in recent years. Shellfish farmers (mostly small 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 90% of the seafood consumed in the U.S. is imported, and half of that is farmed overseas.

- **Support funding for NMFS's Aquaculture Program (\$15M), Sea Grant (\$62.7M), the Sea Grant Marine Aquaculture competition (\$12M) and NOAA's Shellfish Initiative (unfunded).**
- **Support NOAA's Ocean Acidification IOOS research at the FY19 \$22M level.**
- **Support the H.R.3596 - Keep America's Waterfronts Working Act** – Preserve critical access for commercial fishermen and aquaculture operators to land their products.