From the President

The Challenges That Lie Ahead

My first experience with clams came in 1965 in Barnegat Bay, NJ, where I learned that an enterprising teenager could make a few bucks “treading” clams (digging with your toes) and selling his catch to local dealers for about a penny apiece. Eighteen years later I was hired to start Cherrystone Aqua-Farms for Chad Ballard, Sr.

I had learned some basic shellfish culture techniques from Mike Castagna at the Virginia Institute of Marine Science’s Wachapreague lab, and I learned quite a bit more about shellfish while pursuing a Ph.D. in Marine Biology at North Carolina State University, where I studied bay scallop feeding. Even so, in the early days we were pretty much making it up as we went along. Mr. Ballard (a young 67 at the time) had the foresight to see that aquaculture would play a major role in the future of the seafood business. He remained active into his 90s, and survived to see Cherrystone become one of the largest producers of littleneck clams in the country.

Over the last 27 years I have observed a progression of challenges facing aquaculture. In the beginning we focused on refining the science, technology and techniques of growing shellfish. Now our industry is focused primarily on politics, regulations and public relations. Each year the threats of over-regulation and NIMBYism increase, and fighting them consumes more time and resources. At the local level waterfront homeowners want to zone us out of sight, while irrational FDA regulations threaten our very existence.

Now that I have retired from Cherrystone and am no longer consumed by day-to-day operational challenges, I look forward to the challenges of promoting and protecting the industry as ECSGA president. I have served for 12 years on the Virginia Aquaculture Advisory Board and 21 years on the Virginia Farm Bureau Aquaculture Commodity Committee.

In a perfect world, the ECSGA would be able to devote all of its time to marketing, preserving water quality and promoting research on more efficient culture methods. Unfortunately, we find ourselves, by necessity, fighting to preserve our basic right to exist. I hope you will join me in working with and supporting ECSGA to make this organization stronger and more effective so that we can protect, promote and grow our industry into the future.
An Update on Maryland Oyster Culture Issues

by Daniel Grosse, Don Webster, and Dorothy Leonard

As many of you are aware – some painfully so – the Army Corps Baltimore district office has long made permitting water-column culture a slow and difficult, if not impossible, process for aspiring Maryland growers. The Corps’ Nationwide 48 Permit delegates permitting authority for most shellfish culture practices and individual growers to states that request a Regional General Permit (RPG). Maryland, unlike many other states, has lacked an RPG, entangling growers seeking traditional bottom leases, and entities conducting restoration, in a lengthy federal permitting process. Shellfish growers in Virginia, whom the Corps’ Norfolk office permits, have had a far easier time of it.

Every Maryland congressional office visited during ECSGA’s February Walk on the Hill agreed that the Baltimore district’s policy differences were often arbitrary and should change. Our meetings with Sens. Mikulski and Cardin resulted in sternly worded letters that triggered fast action at the Corps. Many other stakeholders, including the ECSGA and the Maryland Department of Natural Resources, have also urged the Corps to streamline their permitting process.

Finally those efforts seem to be paying off. The Baltimore District has applied for a Maryland RPG. Several NOAA Fisheries offices are reviewing it, and we are told they should sign off on it any day now.

Assisting Industry Development

Meanwhile, Maryland has progressed with some previously permitted operations to rebuild oyster stocks. For example, the University of Maryland Extension (UME) created a three-year project to train growers in lease development, production methods and seed production. They recently held four regional remote-setting workshops. In June they will run a day-long HACCP workshop and conduct a week-long oyster hatchery short course at the Horn Point Lab.

The Oyster Recovery Partnership is placing demonstration spat-setting systems around the Bay for growers to use in two-week blocks, with follow-up to help determine success.

The Maryland legislature, which recently wrapped up its 2011 session, approved leasing in new tributary-size sanctuary areas begun under the statewide Oyster Management Plan. This will open up high quality bottom and provide tougher sanctions against theft. The legislature also approved moving the Aquaculture Coordinator from the Department of Agriculture to the Department of Natural Resources, along with the Review Board, Coordinating Council and Seafood Marketing functions, creating one aquaculture focal point.

Changing Lifestyles: A Calvert County Example

As part of these larger efforts, which commercial watermen strongly support, Morgan State University and other entities are providing members of the Calvert County Watermen’s Association (CCWA) technical support for oyster culture in the Patuxent River, a Chesapeake tributary.

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2. Policy differences between Corps’ Baltimore, Norfolk offices creates a disadvantage for MD aquaculture operations. www.bayjournal.com/article.cfm?article=3980
4. www.morgan.edu/Estuarine_Research_Center.html
5. Including Maryland Agricultural and Resource-Based Industry Development Corp., Maryland Department of Business and Economic Development, Calvert County Department of Economic Development, Maryland Technology Development Corporation, Rural Maryland Council
6. www.calvertwatermen.org
Three years ago Morgan State provided one grower about 3.5 million spat-on-shell oysters, using larvae from the University of Maryland’s Horn Point lab (they have since built their own hatchery). In December the watermen harvested their first bottom-cultured oysters and sold them to shucking houses — their traditional market — which have all but disappeared from Maryland’s waterfronts.

Most Maryland Western Shore watermen are over 60, and consider themselves too old and lacking in time to spare, to start something new like cage culture of single oysters. One CCWA member began the cage culture permitting process in 2009, and was told he should be approved this summer. The other growers are starting with spat-on-shell bottom oyster culture. Several of us are trying to help them get started.

New growers can get promotion and marketing assistance through Ocean Equities, the Maryland Department of Agriculture, the Department of Natural Resources and other state entities. For starters we suggested culling nicer looking bottom-grown oysters as singles for the half-shell market, and selling only the remaining “B-grade” oysters for shucking.

Future growth

A strong support system will help rebuild this important industry and resource. Citizens and political leaders have recognized the benefits of having bivalves in the water, and being able to attract private capital to a “green” industry should provide many positives to a state once known for this iconic shellfish.

We hope that those who venture into the industry will consider becoming ECSGA members and recognize the necessity for a strong voice at all levels of government.

Daniel Grosse of Toby Island Bay Oysters in Chincoteague, VA is an ECSGA board member.

Don Webster is a senior Marine Science extension agent at the University of Maryland’s College of Agriculture and Natural Resources in Queenstown, MD.

Dorothy Leonard is an aquaculture and shellfish restoration expert, and president of Ocean Equities, LLC in Annapolis, MD.

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If you haven’t joined the ECSGA e-mail ListServ yet you’re missing out on lots of timely news and information.

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From the Mouth of the Bay
Not in My Backyard!

NIMBY Challenges

Over the past few months I have heard a chorus of complaints from new farmers who are running into a veritable buzz-saw of NIMBY complaints that are blocking or threatening the establishment of new farms. Battles are being waged in the op-ed pages and town council meetings in dozens of towns, with opponents publicly vowing to spend millions on lawsuits to block tiny proposed farms. It reminds me of my own experience trying to get a lease back in the 1990s. With 600 letters of objection in my file, I was excoriated at nine public hearings before I finally got a lease.

Virtually everyone who testified against me prefaced their remarks by saying, “I am not against aquaculture, but this is the wrong location because…” The real reason was that they lived nearby (the very definition of NIMBY), but they always had another reason for objecting to my aquaculture operation.

I felt vindicated five years later when I went back to renew my lease and faced not a single objection. In retrospect, if I had done things differently I probably could have saved a huge amount of time and effort.

To help out prospective lease applicants I have combed the literature and asked several experts on the subject for their insights. I’ve observed that if you don’t win over your opponents quickly, you run a real risk that they will become so invested in the battle that they seem to lose the ability to think rationally. To many of these opponents, the battle becomes more important than actually having their concerns addressed.

The following six points are loosely based on the seven points described in Ed DeBerri’s essay, The Challenge and Opportunity of NIMBY:

1. Try to predict who your potential opponents will be, and the arguments, reasoning, and tactics they may employ. Ask around among those who have been through the process: they are a wealth of knowledge. Identify influential individuals (selectmen, harormasters, town planners, editorial writers) and figure out who might support the proposal and who might oppose it. As potential opponents are identified, develop plans to address their concerns.

2. Plan ahead. Identify potential issues and take full advantage of the knowledge of potential supporters. Devise a strategy to secure the support of local media and political leaders. Anticipate and outline responses to potential objections.

3. Treat every concern as valid. Simple denial is generally not effective. Typically, objectors don’t want change and they fear potential loss of use or impairment of their view. Since this approach seems selfish and doesn’t get much traction, often opponents will assert navigation hazards or environmental impacts, leaving the applicant in the difficult position of trying to prove a negative. Concerns about noise, odor and unrestricted growth may get tossed in for good measure. Be prepared to address every relevant licensing requirement and regulation.

4. Community outreach and education are critical. Be proactive, establish credibility, and listen to and address community concerns. Start with the immediate neighbors of the proposed site and be prepared to spend a great deal of time with them. Most people can be convinced one-on-one, but in groups they will feed off each other’s fears, potentially becoming an angry mob. Taking the neighbors on a tour of other farms or showing them pictures of these sites can be very effective. If possible, attend meetings or other gatherings of

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**Nimby Challenges**

neighborhood associations. They are less likely to start awful rumors if you are there.

5. **Implement a “Good Neighbor” policy before you even get permitted.** Provide neighbors with a contact person who can immediately respond to concerns. Maintain a tidy boat, mark the proposed site clearly and ensure that the markers stay put. Good neighbors also take part in beach cleanups, help stranded boaters and serve as another set of eyes on the water. (Check out the Good Neighbor tips, starting on page 26, of our BMP Manual on ECSGA.org.)

6. **Cultivate non-traditional allies.** Environmental groups can be powerful allies, and they are becoming increasingly aware of the ecosystem services and ecological benefits of shellfish. But if you’re not careful, environmental groups can also be co-opted by your opponents and become dangerous adversaries. It is time well spent to educate these groups early. The ECSGA can help provide speakers for your local Sierra Club Chapter, Audubon Club or Pond Watcher groups.

**Advice from Shellfish Growers**

Our friends on the left coast stress the wisdom of emphasizing the job opportunities and economic value of the industry to your community. Pacific growers have been waging a pitched battle against affluent waterfront homeowners who object to seeing them work the flats.

Since many Puget Sound communities have been ravaged by the decline of the lumber industry, shellfish-related jobs now account for much of the economic activity in some of these rural communities. This reinforces the importance of having a good accounting of the economic value of shellfish aquaculture in your region. So the next time someone comes around to your farm asking about your harvest numbers, remember that it pays to report your harvests accurately.

Lastly, try to maintain patience and civility, even when confronted by seemingly irrational and selfish opponents. More often than not your opponents will eventually shoot themselves in the foot, and calm rational minds will prevail. My wife would say there is a fine line between calm patience and stubborn persistence, but both are critical tools in procuring permits for new growing sites in densely settled areas.
**Is Your State Cutting Critical Funding for Sanitation Monitoring and Enforcement?**

The New Hampshire House of Representatives has proposed eliminating the state’s Shellfish Sanitation Program to save $301,743. Axing this program will close all state waters to shellfish harvesting, force four farms out of business, and bar shellfish dealers from selling product out of state.

Many other states are experiencing budgetary woes and are looking to trim, slash or eliminate monitoring and enforcement budgets. These proposals are penny-wise and pound-foolish because they kill jobs and jeopardize public health.

In an effort to combat this short-sightedness, the ECSGA has been cranking out op-ed letters to various newspapers.

It is critically important that all states preserve funds for their shellfish sanitation programs. Visit ECSGA.org and click on News, then select Shellfish OpEds for examples you can use.

Just as importantly, **please ensure that your state has budgeted to send your state’s representatives to the semi-annual meeting of the Interstate Shellfish Sanitation Conference (ISSC), October 1-7 in Seattle, WA.** It is critical that states send their voting delegates to make sure the FDA does not have an opportunity to impose new restrictions on our industry while no one is watching.

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**Upcoming Events in 2011**

**World Aquaculture 2011**, June 6-10, Natal, Brazil. Contact (225) 578-3137 or visit [www.was.org](http://www.was.org).


**Virginia Aquaculture Conference**, Nov. 18-19, Williamsburg, VA. Contact Karen Hudson, (804) 684-7742 or khudson@vims.edu or visit [www.vaquacultureconference.com](http://www.vaquacultureconference.com).

**Maryland Seafood Festival**, Sept. 10-11, Annapolis, MD. Contact Alicia Hartlove, (202) 263-2574 or visit [mdseafoodfestival.com](http://mdseafoodfestival.com).


**Links and more information available on the Events page at www.ECSGA.org**
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lot more cool stuff for folks working on the water

Thanks for looking
A study last summer by local oyster growers and researchers at the Virginia Institute of Marine Science (VIMS) demonstrated that relaying oysters into high salinity waters for one to two weeks prior to harvest nearly eliminates the presence of *Vibrio vulnificus* (*V.v.*) bacteria. The work was done by VIMS Professors Kim Reece and Howard Kator, and Virginia oyster growers Tom Gallivan, A.J. Erskine, and Tommy Leggett.

Industry is cautiously optimistic that the technique may provide a low-cost way for harvesters to greatly reduce the risks associated with eating shellfish grown in warm waters. *V.v.* is a naturally occurring bacteria that can cause severe illness and death in immune-compromised individuals who eat raw shellfish. Although *V.v.*-related illnesses are very rare (a recent report estimated 36 *V.v.* illnesses annually nationwide from shellfish consumption), the Food and Drug Administration (FDA) has targeted this illness for special regulatory treatment because of the high mortality rate.

The FDA is trying to mandate Post Harvest Processing (PHP) for summer oysters in any states that have ever had two or more *V.v.* illnesses. Approved PHP methods include low-temperature pasteurization, ultracold freezing, high pressure, and low-dose irradiation. Each of these PHP methods involves expensive machinery and results in dead or moribund oysters that some consumers have rejected. The VIMS team decided to see if there wasn’t a better alternative to the approved PHP methods, one that reduced *V.v.* levels and left the oysters alive and tasty. Since *V.v.* prefers growing in brackish waters with elevated temperatures, high organic matter content, and low-salinity, the research team designed an experiment to see what would happen if they relayed contaminated oysters into higher salinity ocean waters.

Their study (funded by Virginia Sea Grant in the summer of 2010) took farmed oysters from three sites in Chesapeake Bay (the Coan River, the York River, and Nassawadox Creek) and moved them to Little Machipongo Inlet on the sea side of Virginia’s High Salinity Relay Reduces *Vibrio* Levels

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**Reece said the results “clearly show that high salinity relay is a potentially viable method to reduce vibrio in oysters...”**

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One of the reasons *V. vulnificus* illnesses are so rare is that only immune-compromised individuals are affected. This includes those with liver disorders (including hepatitis, cirrhosis, and liver cancer), hemochromatosis (where too much iron is deposited in tissues and organs), or diabetes; and those with weakened immune systems due to treatments for organ transplants, HIV/AIDS or cancer.

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To subscribe, call (800) 989-5253 or e-mail <jcarter@fish-news.com>.
Bill Would Add Shellfish to Specialty Crops

Connecticut Rep. Joe Courtney has submitted legislation that would add shellfish to the list of specialty crops under the Farm Bill. If passed, the measure would make our industry eligible for grants to help market our products and fund research on critical production issues. The Farm Bill has allocated about $50 million a year towards specialty crop issues.

Specialty crops include fruits, vegetables, honey, tree nuts, maple syrup and nursery plants. Non-specialty crops include the major commodity crops such as corn, soy beans and peanuts. Because our farms are typically small, one-to-five person operations spread over a wide geographic area, cultured shellfish has fallen through the cracks without a significant source of USDA funding for research and marketing. The shellfish farming industry has traditionally been challenged to fund marketing efforts.

At no time in our industry’s short history has marketing been more important than it is now. As oyster production increases at double-digit rates, especially in Virginia and New England, we must develop new markets to head off a collapse in prices that would put many growers out of business.

Submitted in March 2011, the Shellfish Marketing Assistance Fairness Act currently has six co-sponsors: Tim Bishop (N.Y.), Rosa DeLauro (Conn.), Jim McGovern (Mass.), Chris Murphy (Conn.), Rob Wittman (Va.), and Lynn Woolsey (Calif.).

Please contact your congressional representatives and ask if they would be willing to co-sponsor this bill.

High Salinity Relays Reduce Vibrio Levels

Eastern Shore. They sampled the oysters upon collection, and after seven and fourteen days in the high salinity site using molecular tools to measure levels of \( V.v \) in the oyster tissues.

They measured by the “most probable number” (MPN) of bacteria in each sample and found that exposure to salty water decreased \( V.v \) levels from a high of 750 MPN per gram of meat (with an average of 160 MPN per gram), which was found in the oysters from the brackish water sites in the Chesapeake, to less than 1 MPN per gram.

The study is encouraging, and these results show a great deal of promise, although the method will have to be repeated several times (as required by the Interstate Shellfish Sanitation Conference) before the FDA approves the technique as a treatment to reduce \( V.v \) levels.

For more information on Vibrios visit www.ECSGA.org and click on Vibrio Issues in the What’s New box on the right side of our homepage.
ECSGA to Offer Oysters at Two Festivals This Year

by Kathy Rhodes

Once again we will be serving up raw and cooked oysters and clams to the 50,000 people who turn out for the Annual Milford (Conn.) Oyster Festival on Aug. 19-20. Since we plan to set up a raw bar in a separate location from our main booth this year, we’re going to need even more help than we have in the past. Also, in September we will participate in the Maryland Seafood Festival, a two-day event the week after Labor Day at the base of the Bay Bridge in Annapolis. We’re counting on you! It’s a great way to support your organization – proceeds from festivals make up the bulk of our yearly operating income. If you can join us you’ll be pleased to discover that your colleagues know how to work hard and have fun doing it.

Milford Oyster Festival
The annual Milford Oyster Festival attracts local residents and visitors from around the globe who want to enjoy the sights, sounds, tastes and history of Milford at a family-oriented festival. Over the past 37 years, the festival has grown from a tiny, local one-day celebration of the oyster and this seaside community into one of Connecticut’s summer highlights. Festival visitors enjoy activities including entertainment for children and music fans; harbor canoe and kayak races; over 200 arts and crafts vendors from around the country; a classic car show; and tremendous food offered by non-profit, civic organizations. The festival is a venue where many non-profits raise money for their causes.

Maryland Seafood Festival
Sandy Point State Park in Annapolis will again be the host site for the 44th annual Maryland Seafood Festival, a tasty and entertaining tradition with music, great food, arts and crafts, and exhibits. This family-fun and feasting event is expected to draw more than 20,000 visitors from all across the mid-Atlantic region. The ECSGA welcomes the opportunity to be included in this festival where most of the food is provided by area restaurants. The Maryland Seafood Festival is a rich tradition built around a safe, family-friendly environment showcasing the great seafood that Maryland has to offer to people from all over the East Coast.

Please plan on helping us out. We really do have a lot of fun.

Contact Kathy Rhodes, (203) 623-2819 or ecsga@optonline.net if you can lend a hand on any (or all) of these days. Thanks!

Festival goers visit the ECSGA tent at the 2010 Milford Oyster Festival. Festival proceeds fund the bulk of the ECSGA’s annual operating budget.

Milford Oyster Festival
Fri, August 19 – 6 pm to 9:30 pm
Sat, August 20 – 10 am to 6 pm

Maryland Seafood Festival
Sat, September 10 – 11 am to 9 pm
Sun, September 11 – 11 am to 7 pm
Mail Membership form and dues to:
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For advertising rate information contact Bob Rheault (401) 783-3360
Visit our web site: www.ECSGA.org.
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