



STATE OF CONNECTICUT

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Testimony presented to the Environment Committee of

The Connecticut General Assembly

By the Connecticut Department of Agriculture

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Committee Bill 174 AA PROHIBITING THE USE OF BAMBOO STAKES TO MARK SHELLFISH BEDS IN LONG ISLAND SOUND

The Connecticut Department of Agriculture stands in opposition to H.B. 174. As the department understands the intent, C.B.174 would prohibit the use and placement of bamboo stakes to mark shellfish beds in Long Island Sound. Bamboo stakes have been used for this purpose for more than 100 years and are presently required by statute to ensure an individual is harvesting in a correct location as described in shellfish licenses. At each corner of a shellfish license area and every 800 feet along the distance between corners, there is a float on the bamboo stake for buoyancy, and blocks are used to anchor the bamboo stakes with flags attached, describe a specific corner of the shellfish license. The bamboo has environmental benefits over inorganic materials as it will breakdown over time in the water, should the stakes be dislodged. The stakes are typically set in place so that the attached flags, which identify the shellfish bed corners, remain approximately five feet above the water at high tide. Therefore, the corners of an individual shellfish bed can be identified while working within the bed or from a distance to ensure another shellfish operation has not encroached within the bed. This cannot be accomplished with a surface buoy or float which on the surface plane cannot be observed from any distance.

The bamboo stakes, which extend five feet above the high water mark, allow for effective enforcement by DEEP State Environmental Conservation Police from land or other vessels as the flags adjoined to the top of the bamboo stake are clearly visible. A buoy floating on the surface six to eight inches above the water is not nearly as visible.

In addition, DEEP State Environmental Conservation Police would be hampered in their ability to determine if a shellfish farmer was working in their own restrictive relay areas or on another shellfish company's bed. This could lead to a public health issue related to the consumption of raw shellfish from polluted areas or from another company's bed where shellfish requiring depuration were planted. A twelve inch buoy, half submerged by water is not comparable to a bamboo stake, five feet tall, with two flags attached to the top identifying the lot number.

One alternative does exist which could greatly reduce the placement of bamboo stakes. Shellfish companies spend considerable resources throughout the year maintaining shellfish corner markers, as the per-corner expense is about \$30.00. Presently 95% of the shellfish harvesting vessels have a GPS system linked to a plotter that enables the company to plot each shellfish lease into the system and mark the harvest vessel location within the leased bed, all of which is identified on the GPS plotter screen, and have the GPS record the daily work track location. This enables companies to pinpoint the planting, cultivating, and harvesting of shellfish within a lease by scrolling through the recorded tracks.

A future alternative to bamboo stakes for both shellfish companies and State Shellfish regulators would be a vessel monitoring system which would continuously transmit a signal, direction, speed, and other necessary parameters to a vendor monitoring company which will record the vessel data statewide. State Shellfish Authorities would have access to the data in real time or could scroll through history to determine future enforcement assignments. Unlike public recreational boat vessel monitoring systems, where all shellfish companies would have access to the location of all boats, this system effectively limits a company to locating its own vessels. There are two national companies that are working with State regulators in Maine and Louisiana in the fin-fishing and shellfish programs. These companies presently have general systems costing between \$ 600 and \$800 per vessel. Although a minimal number of bamboo poles would still be needed, the annual fee for this monitoring system is significantly less than the amount spent annually on bamboo stakes, flags, floats, and blocks by each company. The Department of Agriculture recommends that the industry consider this option in the future.

State shellfish authorities administer the enforcement of conditions on shellfish harvest licenses through random boat patrols, airplane flyovers, and visually from land. The limited staff divides their time randomly patrolling shellfish operations in Long Island Sound from Greenwich to Stonington leaving many areas not covered on a daily basis. An electronic monitoring system that enabled real time intervention in conflicts or illegal activities could result in limiting public health threats and improve monitoring and enforcement efforts. This would enable efficient and effective monitoring of those shellfish companies that are involved in significant complaints without the need to observe the activities of all other companies simultaneously. A monitoring system would balance enforcement throughout the state and evenly distribute observation among all shellfish vessels.