March 9, 2018

Senator Kennedy
Senator Miner
Representative Demicco
Environment Committee
Legislative Office Building, Room 3200
300 Capitol Ave
Hartford, CT 06106

SUPPORT HB 5361 AN ACT CONCERNING THE AUTHORITY OF THE DEPARTMENT OF AGRICULTURE TO REQUIRE CERTAIN ELECTRONIC MONITORING DEVICES FOR AQUACULTURE LICENSEES.

My name is Kim Rose, State Representative from the 118th district. Thank you for the opportunity to testify.

- The Bureau of Aquaculture instituted a new pilot electronic surveillance program on the shellfish industry without warning on September 19th 2017, only a month before the opening day for the oyster seed season in the Housatonic River.

- The Bureau had plenty of time to roll out the program with more advance notice to the industry considering the state contract for the electronic surveillance system was awarded on June 12th, 2017, three months before the industry was first notified.

- The industry was informed that this would be a voluntary program, but in fact it was mandatory for any shell fishermen who wanted to work in the Housatonic that year to install electronic surveillance devices on every boat in their entire fleet and after June 30th, 2018, each vessel would be assessed a fee of $69.00 per boat per month.

- Briarpatch, a company based out of Milford, has 9 boats and at $828/boat/year X 9 boats, it'll cost them $7,452 for these devices/year.
Despite multiple requests, the Bureau of Aquaculture denied an industry meeting to discuss the details and long-term implications of the program because “all project staff is working on getting the system up and running”.

Two days before the scheduled opening day of the Housatonic River, the Bureau of Aquaculture notified the industry that opening day for the Housatonic River would be delayed until October 25th, 2017, because only half of the participating boats had electronic surveillance devices installed despite full cooperation from participating companies.

As of now, the Bureau of Aquaculture has not scheduled an industry meeting regarding the electronic surveillance program despite the fact that project staff has already presented preliminary results from the program at the Milford Aquaculture Seminar in January of this year.

Right now only those companies that harvest in the Housatonic River are required to have their entire fleet under electronic surveillance and many other companies that relay product from similarly classified bodies of water are not required to have these devices installed on their boats.

According to the Bureau, all participating vessels would be required to keep the electronic surveillance devices on board until six months after the last oyster has been transplanted from the river to private grounds. Given the season in the Housatonic runs from October 21st to July 20th, participating companies would in theory be required to have the devices on all their boats until after the opening of the next season in October of 2018. Therefore any company that is active yearly in the Housatonic may have to keep the devices on all their boats year round into the foreseeable future if this program continues.

Industry officials don’t know if they will be required to keep these devices on their boats indefinitely at an annual cost of $828.00 per boat.

Will these electronic surveillance devices will become a requirement for all licensed shellfish men statewide?

The state contract for the electronic surveillance service is for five years and runs until June 12th, 2022.
My concerns that have not been met or addressed are:

- The coalition is requesting that the Department of Agriculture utilize a regulatory process in accordance with Chapter 54 that allows for public comment and clearly establishes the requirement for these devices and how they will be used by the state during the term of the contract.

- Additionally, the vast amounts of data collected by these electronic surveillance devices and hosted on the web by the vendor will naturally contain sensitive information and details and operations of shellfish businesses. This data should be properly stored and safeguarded against improper use by the state or anyone else.

Thank you.

Sincerely,

Kim Rose
State Representative
118th District- Milford