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Vote near on lifting ban on oyster beds in N.J. waters

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RECORD FILE PHOTO/LESLIE BARBARO

In this file photo, project manager Nicholas Vos-Wein, with the Hackensack River Keeper, prepares plastic ties to fasten an oyster cage top after removing samples from the Hackensack River.

Five years after the Christie administration ordered scientists to remove oyster beds designed to clean pollution, the state Senate is poised this week to vote on a measure that could put the bivalves back into state waters.

The bill would effectively lift a 2010 ban by the state Department of Environmental Protection and allow environmental groups and academic researchers to grow oysters in the lower Hackensack River, Raritan Bay and other contaminated waterways again.

It is scheduled to be voted on Thursday. An identical bill has been approved by an Assembly committee but has not yet been scheduled for a full vote.

DEP officials have long opposed lifting the ban, saying contaminated oysters could wind up on someone's dinner plate and could irreparably harm the state's \$790 million commercial shell-fishing industry, which is located mostly in cleaner southern waters. The DEP initiated the ban at a time when the agency was criticized by federal officials for failing to adequately patrol shellfish beds for poachers.

The ban affected two oyster reefs in Raritan Bay and the Hackensack River that scientists had hoped would decrease pollution because oysters naturally filter dirty water, removing heavy metals and other contaminants. Advocates have said their oysters are not attractive to poachers because they're not big enough to be of commercial value, and are often submerged in plastic mesh bags attached to steel rods.

"It just never made any sense to have this ban," said Debbie Mans, director of the NY/NJ Baykeeper, whose group had to move its oyster reef to Navy-patrolled waters near Sandy Hook.

Advocates hope Christie may be persuaded to sign the bill because it is sponsored by political ally Gerald Cardinale, R-Demarest.

Cardinale could not be reached for comment Tuesday. Mans said that Cardinale took up the issue because he grows his own oysters near a vacation home on Fire Island, N.Y.

A similar bill by Cardinale never made it out of the Senate during a previous session.

The ban also led to the premature end of a similar study in 2010 by Rutgers University researchers in the Hackensack River. Preliminary research showed that while the river was cleaner, it was still too polluted to reestablish permanent oyster beds there.

Bill Sheehan, head of the Hackensack Riverkeeper advocacy group, said he had always hoped to try to reestablish an oyster reef in the river, but couldn't because of the ban. He recently saw oysters clinging to rocks in the Hackensack on the banks in Secaucus during low tide – a sign that oysters may now be able to survive in the water.

"I don't know if they floated in or were left over from the research, but they were alive and big," Sheehan said.

Oysters are also favored by researchers because, unlike other shellfish, oyster offspring attach to the shells of adults, building vertical reefs that reduce shoreline erosion and provide habitat for fish.

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