

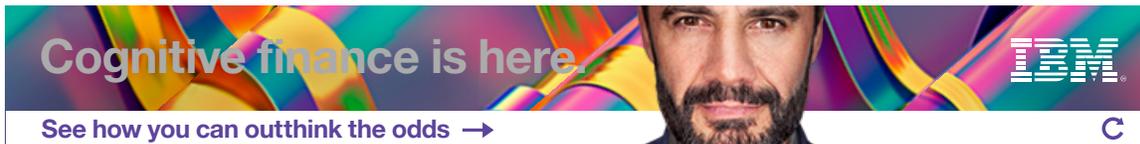


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Proposed rules for harvesting shellfish worry activists



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By WAYNE PARRY, Associated Press
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BRICK, N.J. (AP) — New Jersey is proposing new rules for growing and harvesting shellfish to protect consumers, but environmental groups say the changes would still sharply restrict shellfish research that is designed to help clean up polluted waterways.

The state Department of Environmental Protection said Monday it has updated its water classification rules governing where shellfish including clams, oysters, scallops and mussels can be harvested. It would require permits for aquaculture operations and consolidate permits for commercial shell fishing.

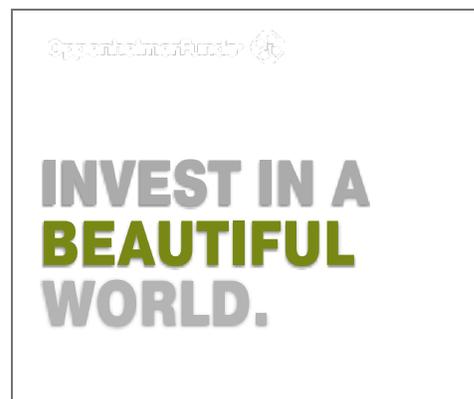
The moves are aimed at getting shellfish to market more quickly and protecting against diseases.

"We already have an excellent water quality monitoring and shellfish sanitation system in place," said DEP Commissioner Bob Martin. "The steps we are taking will make this system even better by providing consumers with an even greater degree of confidence that the shellfish they consume from New Jersey is as safe and fresh as possible."

The regulations would allow experimental colonies of oysters in polluted waterways like Raritan Bay, but not to the extent researchers want.

Environmentalists and scientists began planting oyster colonies in polluted areas in the early 2000s, hoping to re-establish a species that was once so plentiful that maritime charts listed piles of oysters as threats to navigation.

But the research hit a major roadblock in 2010, when the DEP made the NY/NY Baykeeper group rip out its oyster colonies from the bay in Keyport. The state said it acted because it couldn't prevent poachers



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from stealing the oysters, potentially introducing tainted seafood into New Jersey's highly regarded shellfish industry.

In the interim, groups including Baykeeper and Rutgers University got permission to set up oyster colonies at the Earle Naval Weapons Station in Middletown, whose pier juts out into the Raritan Bay. Preliminary results showed that the oysters were able to thrive in the bay's contaminated waters until Superstorm Sandy wrecked them in October 2012. The state allowed that research because the oysters were protected by gun-toting sailors, and boaters are prohibited from getting near the pier.

Researchers now want to expand the oyster colonies to other parts of the bay and to other waterways in the state to finally determine if the shellfish can improve water quality.

DEP spokesman Larry Hajna said the new proposal would allow shellfish aquaculture in prohibited waters as long as they are protected from poachers by a nearby military base or Coast Guard station. Shellfish could also be grown in other polluted areas, but once they reach a certain size, they would have to be transplanted to permitted areas or to waters near a military base.

"If they can't recommend any other location besides the Navy pier in thousands and thousands of acres, that's a failure," said Debbie Mans, the group's executive director. "It severely limits the locations."

Jeff Tittel, director of the New Jersey Sierra Club, said the new rules are ineffective without adding inspectors and conservation officers, and addressing water pollution.

The agency also issued an administrative order Monday requiring compliance with the U.S. Food and Drug Administration's National Shellfish Sanitation Program standards to ensure that New Jersey shellfish can be exported to other states.

The department plans to enact the rules in April or May following a public comment period.

Wayne Parry can be reached at <http://twitter.com/WayneParryAC>

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