

New Jersey wants another year to settle oyster research flap

September 30 2015, by Wayne Parry

New Jersey wants another year to decide one of its most intractable environmental issues: whether to allow experimental oyster colonies in polluted areas to see if they can help clean the waterways.

The research is designed to see if re-establishing [oysters](#) in areas like the Raritan Bay can help improve water quality by using their natural filtering techniques.

But what's been holding up the research, which the state abruptly halted in 2010, is how to make sure poachers don't sneak in and grab the oysters, selling them and potentially sickening consumers. The bad publicity from an outbreak of oyster-related illness could devastate New Jersey's \$800 million shellfish industry.

The state Senate passed a bill last week that would give the New Jersey Department of Environmental Protection another year to issue regulations for experimental oyster plots. It also would require the permit holders to certify that the shellfish beds are not visible or easily accessible to the public.

DEP spokesman Bob Considine said the department plans in the next few months to confer with both sides on the issue before issuing new regulations, which could be ready early next year.

"Our goal is to provide clearer standards for the shellfish industry to keep it vibrant while also ensuring health and safety are protected," he

said.

At a state Senate hearing in May, the Garden State Seafood Association said having someone get sick from eating a tainted oyster "would have a real impact on the seafood industry."

The oysters included in the research programs are solely for the purpose of improving water quality. Unlike oysters grown commercially in unpolluted parts of the New Jersey coast, they cannot be sold or eaten.

Debbie Mans, head of the NY/NJ Baykeeper environmental group, said she has seen a proposed draft of the new regulations, and her group cannot support them.

"It is very, very restrictive, including a requirement that the permittee have the power to arrest people they think are messing around with the reef," she said.

Environmentalists and scientists began planting oyster colonies in polluted areas including Raritan Bay 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 Baykeeper group rip out its oyster colonies from the bay in Keyport. The state said it acted because it couldn't guarantee that poachers would not steal 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 grow and thrive in the

contaminated waters of the bay 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](#).

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