APPROVED BY:
Virtual Approval
COMMITTEE CHAIRMAN
9/22/202

Molluscan Shellfish Subcommittee Organizational Meeting
MINUTES
March 10, 2020
Gulf Shores, Alabama

Moderator VanderKooy called the meeting to order at 8:30 a.m. with the following in attendance:

Members

Erik Broussard, MDMR, Biloxi, MS
Charlie Robertson, MDMR, Biloxi, MS
Carolina Bourque, LDWF, Lafayette, LA
Robert Caballero, LDWF, New Orleans, LA
Jason Herrmann, ADCNR/AMRD, Dauphin Island, AL
Byron Webb, Alabama Dept of Public Health, Mobile, AL
Evan Pettis, TPWD, Rockport, TX
Christine Jensen, TPWD, Dickinson, TX
Melanie Parker, FWC, St. Petersburg, FL
Mike Norberg, FWC, Panama City, FL

Speakers

Chad Hanson, PEW Charitable Trust, Crawfordville, FL
Eric Weissberger, NOAA Restoration Center, Silver Spring, MD

Others

Chris Blankenship, ADCNR, AL
Lance Robinson, TWPD, Austin, TX (Commissioner)
Brady Carter, LDWF, Bourg, LA
John Mareska, ADCNR/AMRD, Dauphin Island, AL
Christa Russell, Coalition to Restore Coastal Louisiana, New Orleans, LA
Bill Walton, Auburn Univ. Shellfish Lab, Dauphin Island, AL
Sharon McBreen, PEW Charitable Trust, Orlando, FL
Dan Ellinor, FWC, Tallahassee, FL (Commissioner)
Ryan Gandy, FWC, St. Petersburg, FL
Claire Crowley, FWC, St. Petersburg, FL
Chris Nelson, Bon Secour Fisheries, Bon Secour, AL (Commissioner)

Staff

Dave Donaldson, GSMFC, Ocean Springs, MS
Jeff Rester, GSMFC, Ocean Springs, MS
Steve VanderKooy, GSMFC, Ocean Springs, MS
Debbie McIntyre, GSMFC, Ocean Springs, MS

VanderKooy, IJF Program Coordinator, opened the meeting. **Donaldson** welcomed and thanked group for participation and introductions were made around the table and room.

Adoption of Agenda

The agenda was adopted on motion by **Norberg** and second by **Herrmann**.

Overview of the GSMFC

VanderKooy provided a short overview of the Commission and the history of involvement with oysters and recent aquaculture activities.

The Commission was formed in 1949 by Compact (P.L. 81-66) between the five Gulf states who are our members. The purpose of the Commission is to work in unison to manage the shared fishery resources. Three other commissions exist: the Atlantic and Pacific States Marine Fisheries Commission. The Gulf Commission deals with near-shore species but does not have regulatory power; the states manage their own state-water fisheries. The Commission is made up of fifteen members; the five state agency directors, five private citizen, and five legislative such that each state has three commissioners, one from each category. The states pay annual dues to the Commission which makes up the core funding. In addition, the Commission also receives federal funds from both NOAA and the U.S. Fish and Wildlife Service.

The Commission has a number of advisory groups under two main committees who report directly to the Commissioners; the Technical Coordinating Committee (TCC) which is the science side of the Commission and the parent of this group, and the State-Federal Fisheries Management Committee (S-FFMC) who advises the Commissioners on more policy related issues.

There are several programs within the Commission related to interstate fisheries, commercial and recreational data collection, invasive species, and aquaculture. There are a number of subcommittees and task forces associated with these activities, all of which feed up through the TCC and S-FFMC and ultimately to the Commission.

The Commission meets twice a year, once in March and again in October to receive updates on program activities and issues and direct staff actions for the coming year.

VanderKooy described some of the history of the Commission's activities related to oysters specifically. A number of oyster issues in the past were handled by staff such as drafting letters opposing the request to list Eastern Oysters under the ESA in 2004 or more recently raising concern regarding the importation of oysters from Europe with concerns over introduction of the oyster herpes (OsHV-1) virus to US waters. **Nelson** indicated that this committee would have been very helpful when issues like this came up. **Nelson** also stated that mission and goals for the Molluscan Shellfish Subcommittee are not set in stone but can be changed as needed by the members and the Commission as we move forward. The Subcommittee should be allowed to adapt as additional needs arise but he wanted to make sure there was "a lot of science" in this group as there is a serious need for information in the fishery in general today.

Discussion of Subcommittee Role and SOPs

VanderKooy reviewed the Standard Operating Procedures (SOPs) which were developed by TCC at their last meeting in October 2019. All subcommittees have drafted SOPs now and are in the process of getting them approved by the Commission.

Jensen asked for clarification regarding voting procedures since there were five states but ten members. **VanderKooy** believed that in the case of this Subcommittee, a quorum would be 50% of members and voting would be by individual members although it was unclear what happens in the case of a tie. It was suggested that in a tie, the state votes would be combined and the majority by state would carry but we will address the specifics as the Subcommittee evolves and gets comfortable in their role. The Subcommittee is allowed to designate proxies but it would be best to have a single proxy to ensure continuity between meeting. If a state wished to send the member and their proxy, the Commission would cover travel for the single member and the state was welcomed to cover the proxy. Since this was the first meeting of the new Subcommittee, there will likely be other procedure questions that come up in the future and will be addressed as needed.

Travel Guidelines

VanderKooy provided the group with a brief overview of GSMFC travel policies. The authorization and reimbursement procedures were explained and the group was referred to the GSMFC Travel Guidelines for detailed information. Any questions regarding travel should be addressed to Alice Wilhelm (awilhelm@gsmfc.org), the Commission's travel coordinator.

State On-Bottom and Off-Bottom Oyster Resource Status Reports

Alabama – **Hermann** provided a handout with a summary of the last ten years of oyster landings in total. The 2018 landings were all private since there was no public harvest and about 75% of the landings in 2019 were from public grounds at around 60,000lbs. Several years of freshwater were problematic and conversely, the drought years resulted in high drill predation. **Hermann** reported that the AMRD is exploring cultch relief when doing restoration planting. They are testing high mounding cultch materials (up to a meter vertically) of different types rather than the traditional broadcast spreading and looking at elongated furrow mounds as well. The elongated mounds should help reduce sedimentation on the cultch on the inside by reducing the effects of waves and currents. There was a lot of interest from the other members about the research and **Hermann** will provide whatever information he can to the group. **Jenson** noted that the TPWD has done something similar but they haven't allowed harvest on them yet so they can't assess the benefits yet.

Webb discussed some of the activities from the Department of Public Health. There are now thirty permitted aquaculture operations but only about three or so that are still harvesting since many of the areas are closed. Area 7 is about the only place they can still harvest. Area 3, 2, and 1 need to relay to Area 7 for 21 days before harvesting. Last year's off-bottom harvest was about 2.5M individual oysters. All farm raised oysters must be sold to dealers through the trip ticket process and must by chilled down according to the standard protocols for all oysters. AMRD and NOAA keep track of the wild and farm harvested oysters and can be broken out as needed. Meat yield conversions will need to be different however between farm raised and wild as well as for triploids – the old conversions don't work for all. The farmed are smaller oysters than wild since they are for the half-shell market.

Texas – **Jensen** provided a Powerpoint on the wild harvest in Texas waters. Galveston Bay has been the majority of the fishery historically around 75% of the total catch but not so much lately (45% now). The southern bays are contributing more to the total harvest than before (Matagorda, San Antonio, and Aransas bays). Leases in Texas are in Galveston Bay and were originally created primarily for harvesting in restricted areas and depuration on the lease areas. Transplanting live shell-stock onto leases has been prohibited since 2014 so any harvest is from wild spat that has settled on any cultch plants on the leases

and provides 20-25% of the total Galveston Bay harvest. Both public and private harvest has been declining since the early 2000s due to a number of issues including drought, flooding, predation, disease, hurricane damage, and disease. As a result, there has been a lot of restoration effort using shellfish recovery tags on harvesters since 2011 and dealer contributions by regulation since 2017 requiring 30% of cultch returned as shell or fee back to the state. TPWD has instituted a traffic light approach for management, evaluating overall abundance and size class on reefs to determine opening and closing individual reefs beyond water quality closures. Additional regs have been put in place to restrict harvest in alternative areas by oystermen and reduced the sack limit to 30 and professionalize the fleet. The regulatory changes seem to be helping with overall abundances increasing generally in the southern bays.

Pettis discussed the current mariculture (Texas terminology) activities which are coming soon. Texas passed legislation last year to begin setting rules for a mariculture program. Individuals will nominate their own sites for potential off-bottom so getting a site surveyed, approved, and permitted is the responsibility of the lessee. TPWD approves sites with a special planning tool. The farm will operate with a 10-year, non-transferable lease but must show active use of area under lease. Harvest is at a 2 ½ inch minimum following all ISSC rules and the NSSP model ordinance. There may be hatcheries and nurseries approved in the future but this is another step after final adoption in May of this year. Leases will be re-evaluated before issuing another 10-year permit in the event that the habitat changes such as expansion of seagrasses into a lease area. The farmer will essentially start over with a new process when their lease runs out.

Florida – **Parker** provided a shortened version of the presentation she made at the general session last year. Prior to the collapse of the fishery in Apalachicola Bay, Franklin County was around 90% of the total landings. In 2018, Florida only landed about 15% of what was landed in 2012 with almost none from Apalachicola. There has been a shift in harvest effort toward Dixie/Levy County in the Panhandle up to about 0.5M lbs but is decreasing again. FWC has implemented more check stations and reduced the limit for harvest in Apalachicola Bay to 2 bags per person per day and only Monday-Thursday. Florida is continuing to shell plant in the area and have restored 835 acres through 2017 through NRDA, NFWF, and RESTORE.

Norberg reported on aquaculture and restoration activities in Florida. The FDACS provided a few bullets for the update. There are currently about 2,800 acres of leases producing shellfish within the state. There are 189 water column leases covering 365 acres and 24 aquaculture use zones in 10 coastal counties, especially in the Big Bend and Cedar Key areas. FWC is working with multiple community-based work groups which have been formed for restoration purposes, especially in the Panhandle region and the department is hoping to develop estuary-based management plans. FWC has just received some funding through NFWF for restoration in Apalachicola Bay to cultch in that bay and address some missing gaps in cultching. They hope to cultch up to 1000 acres of additional reefs. Since there has been some shift in effort away from Apalachicola, there is a management plan being developed for the Suwanee Sound area where there has been an increasing effort on the oyster resources.

Mississippi – **Broussard** provided some updated info on the oyster mortality due to the opening of the Bonnet Carre Spillway. Mississippi public reefs experienced about 35% mortality after the first opening but then 95+% mortality when it opened a second time in 2019. The monitoring program just watched everything disappear. In the past three years, over 1000 acres have been clutched in the Western Sound,

Biloxi and Pascagoula Bays. The historic areas of production are being forced to shift eastward in more recent years to avoid freshwater intrusion effects from the Mississippi River. There was a huge decrease in landings for all reefs and after the Bonnet Carre close, we experienced an unusual harmful algae bloom. The Sound was further closed as a direct result of the freshwater as the toxic algae closed the beaches, generated hypoxia, and resulted in a number of advisories for commercial and recreational fisheries. Mississippi is currently in its second year of aquaculture utilizing the 25-acre park set up south of Deer Island. There are eight oyster farmers currently who've gone through the MDMR training and are growing their own product and another 21 participating in the classes now.

Robertson indicated that restoration efforts were going really well, right up to the opening of the Bonnet Carre. Just when we appear to be on the cusp of recovery, we get a new disaster about every 24 months. Pushing forward to different area when necessary. Its been this cycle since Katrina. The result is we are shifting our focus to the east. We are putting effort into Biloxi Bay and away from the historic grounds.

Broussard noted that one of the big questions out there is related to shifting stable states. Since Katrina, is this actually a continuing stairstep down? Is the trend continuing to go down and we can't expect a recovery back to where we were before? how do we address this? **VanderKooy** noted that after Katrina, we moved a lot of live oysters from closed areas out to the public grounds but then freshwater killed those. **Broussard** indicated that part of the problem is that we moved oysters out of reserve but didn't put shell back into those areas so there just isn't any kind of back account for oysters on hand. The reefs don't have enough live oysters to produce spat either. MDMR as seen very few.

Louisiana - **Bourque** reviewed the Louisiana activities since last year's general session. In Louisiana, there are nearly 1.7M acres of public grounds and about 930 leaseholders who manage another 400,000 acres privately mostly in the eastern half of the state. Louisiana conducts its annual stock assessment in July and provides a shell budget for management. In 2019, they sampled 102 sample sites with 505 total m2 which go into the assessment. In addition, LDWF conducts routine biological monitoring and sampled for the Bonnet Carré weekly and other flood events. Based on days at or above flood stage at the Baton Rouge/MS River gauge, the 2019 Mississippi River flood was the longest lasting flood on record. The Bonnet Carré Spillway opened for an unprecedented two times in 2019, for a total of 123 days. Salinities returned to normal in most basins after September, but hypoxic conditions were observed across the coast into October. Prior to flood events, the landings were good. There have been continual declines in landings from the public grounds since the early 2000s and the contribution from private leases has been increasing. In 2018, only 2% of the total oysters came from public grounds. There is still an open season in Louisiana but they have experienced anywhere from 80-100% mortality across the state. For 2019-2020, there have been significant reductions in allowable take. Sister Lake has been reduced to 25 sacks during an 8-day season and Calcasieu is reduced to 10 sacks per day and only by tonging.

Bourque reported that there are several new spat-on-shell projects for 2019 which include deployments in Breton Sound, Barataria, and Hackberry Bay. Sampling of plants will be at 2, 6, and 18 months using diploids spawned at Grand Isle Fisheries Research Lab. LDWF is also doing transplants. About 200 adults were collected from Sister Lake and Calcasieu and transplanted to Pontchartrain. Some are still alive and some of the cages have been lost. They are still doing cultch planting projects throughout the state and including the spat-on-shell approach. Louisiana is currently in the process of lifting the 20-year moratorium on new oyster leases to expand the lease areas in the future.

Cabalerro provided a short update on Louisiana's alternative oyster culture (AOC). Most of the activities recently have been related to changes in AOC permitting which is extensive and includes LDNR, USACOE, LDEQ, and finally the LDWF. For any new state lease bottom, oyster farmers who want to switch from regular lease to aquaculture, must also get a bond and quote for removal. To import larvae/seed from Mississippi or Alabama, a larvae import permit is needed and a pathology report and finally, if you plan to sell any product you must have a Seafood Wholesaler License.

Under the AOC, the annual landings have been around 3,000 sacks in 2018 and nearly 2,500 in 2019. LDWF continues to provide support for the new approach through a new commercial oyster website that provides the step-by-step process for permitting. The LDWF is providing diploid and triploid seed and continues to partner with the LA Sea Grant. The industry has requested some improvements which include streamlining the permit process, electronic trip tickets, better marketing and promotion of Louisiana brand oysters, additional seed/larvae sources, and more areas like the Grand Isle Aquaculture Park in other regions in the state.

Status of Oyster-Related Restoration Projects in the Gulf

Chad Hanson (PEW Trust) informed the group that they were beginning a gap analysis of oyster modeling and would hopefully be able to use the results to direct funding for targeted restoration efforts. This will be an inventory of all the restoration projects from the last decade to see where they are now. Were they successful? Did they continue and are they still providing some benefit for the effort and funds expended?

Update on Deepwater Horizon NRDA Region-Wide Oyster Restoration

Finally, **Eric Weissberger (NOAA)** reported on NRDA funding from DWH oil spill which was for oyster restoration. They are in the process of screening projects that came in through restoration portal. They received over 2,000 and reduced the oyster related proposals to about 70. As they continue the review, **Weissberger** will keep the group up-to-date on the progress and may provide an update at the October meeting with some final projects.

Freshwater Intrusions

It was agreed that most of the freshwater issues were covered in the individual state reports.

Election of Chair and Vice-Chair

Bourque volunteered to serve as chair for the next year and **Norberg** volunteered as to serve as vice-chair. The Subcommittee approved unanimously. **VanderKooy** will work with them both as we move to draft the next meeting agenda.

Next Meeting

A number of items were discussed in general which will become good topics for agenda items at future meetings, such as the OsHV-1 issue, importation standards and biosecurity in the region, ongoing genetics work, and items specific to restoration efforts and off-bottom expansion. **VanderKooy** would work on future agendas with the Subcommittee to explore these and other topics. A General Session dedicated to a few of these may be helpful at later GSMFC Annual Meetings. A lot of support for these topics was also provided by audience members and several indicated a willingness to provide presentations in the future as well.

There was a clear need for more information on each state's aquaculture permit process. AMRD has a single website to send people down the correct path for all the permitting process. TPWD expects that the permit process will likely take up to a year once they actually get mariculture approved. LDWF has a number of potential aquaculture participants who would like to have a single resource for all the permitting but the staff just does not have the time currently to handle it all from one place and one person.

VanderKooy indicated that the next meeting of the Molluscan Shellfish Subcommittee will be in Florida, the third week of October. **VanderKooy** will provide info as it becomes available.

Other Business

With no further business, ***Pettis*** *motioned that the meeting be adjourned with a second by* ***Herrmann.*** The meeting adjourned at 12:05.