

# Environment Committee JOINT FAVORABLE REPORT

**Bill No.:** HB-6222

**Title:** AN ACT CONCERNING AQUACULTURE IN THE STATE.

**Vote Date:** 3/28/2025

**Vote Action:** Joint Favorable Substitute

**PH Date:** 3/17/2025

**File No.:**

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## **SPONSORS OF BILL:**

Environment Committee

## **CO-SPONSOR:**

Rep. Aundre Bumgardner, 41<sup>st</sup>. Dist.

## **REASONS FOR BILL:**

With the aquaculture industry generally, and the shellfish industry specifically, such a vital part of the state's economy and culture, the support and growth of the industry is important. Furthermore, mitigating the impacts of commercial fishing and invasive species, which threaten the sustainability of fisheries and the health of ecosystems is critical. H.B. 6222 aims to support and grow the industry while addressing some challenges.

## **Substitute Language LCO 6924**

The substitute language replaced Section 1 of the underlying bill, which would have reduced the minimum harvest size of hatchery-based, farm-raised eastern oysters from 3 to 2.5 inches, with a related study. It deleted Sections 2 and 7 on oyster shell recycling and an oyster shell recycling tax credit program. It also deleted Sections 3, 4, and 5, which would have required DoAg to consult with Connecticut Sea Grant to (1) prepare a diversity, equity, and inclusion report on efforts to have more diverse aquaculture farmers (§ 3), (2) ensure clear permitting guidelines for seaweed production (§ 4), and (3) study the Noank Aquaculture Cooperative as a sustainable model for shellfishing operations (§ 5). Section 4 would also have required DoAg to develop processing and distribution infrastructure for seaweed producers in the state.

## **RESPONSE FROM ADMINISTRATION/AGENCY:**

### **Katie Dykes, Commissioner, Connecticut Department of Energy & Environmental Protection (CT DEEP)**

DEEP appreciates the intent of the bill but suggests that the language should be amended. They suggest that more diversion in the use of oyster shells as culch is included and believe that there is an existing memorandum of understanding between DEEP and Department of Agriculture that satisfies the intent. DEEP does not feel that transfer stations are not fit for shell recycling. DEEP opposes incentivizing trade of invasive species. They do not feel that adjustment is needed to current bait species sales.

### **Bryan Hurlburt, Commissioner, Connecticut Department of Agriculture (DOAG)**

Mr. Hurlburt sent in commentary stating that DoAg is not able to monitor the size requirements as noted in Section 1. DoAg makes efforts toward diversity, equity and inclusion and does not have resources to produce the suggested report. DoAg assists kelp producers already and has guidelines in place. Funding and resources cannot be provided for new kelp production infrastructure, the Noank Aquaculture Cooperative study noted in Section 5, and the tax credit as suggested in Section 7. Section 6 does not apply to DoAg as it relates to a capture fishery.

## **NATURE AND SOURCES OF SUPPORT:**

### **Aundre Bumgardner, Representative, State of Connecticut**

Representative Bumgardner expresses strong support of HB 6222 and its potential to benefit communities, industry and environment. He believes the size requirement should be clarified to distinguish between wild and hatchery-produced oysters as it pertains more to conservation of the wild oyster population. He agrees with the shell recycling portion of the bill as it plays a crucial role in fostering oyster production and also with the incentive provided by implementing a tax credit for recycling. He believes that the DEI reporting requirement should not be removed but should be modified to focus on a broader report. He states that the modernization of kelp production regulations will help strength food systems and coastal resilience. He recommends that the section related to the Noank Co-op be repealed. Support was also expressed for the harvesting of invasive species to protect marine species.

### **Dr. Zofia Baumann, Department of Marine Sciences, University of Connecticut**

Dr. Baumann sent in testimony detailing the benefits of shell recycling for use in reef restoration to benefit marine animal environments. She stated that it is necessary to cure the shells prior to use in restoration and suggested amending the general permit to allow shells to be stored longer to facilitate the curing process.

### **Jennifer Rothman, Executive Director, Yellow Farmhouse**

Ms. Rothman believes that streamlining the permit process will expand the benefits of kelp production and its potential economic and environmental benefits.

### **Beth Simonds, Partner, Stonington Farms Shellfish, Inc.**

Stonington Farms submitted testimony in support of the reduction in harvestable size of oysters which would allow for earlier harvest and better ability to compete with those out of state who do not have the same size regulations. They also agree with the portions related to shell recycling as this would improve the quality of our watershed and encourage the

development of shell recycling facilities. They support boosting diversity and the opportunity to work with the Noank Aquaculture Cooperative.

**David Standridge, Executive Chef/Partner, The Shipwright's Daughter**

Chef Standridge sent in testimony in support of the bill. He states that the current three-inch size minimum is not optimal or difficult to track. He states that restaurants send most of their shells to landfills and supports the recycling effort as well as kelp production assistance. He feels that using invasive species as food for sale effectively saves other edible animals.

**Suzie Flores, Stonington Kelp Co.**

Ms. Flores sent in testimony stating that she supports the bill.

**Rachel Precious, Owner, Precious Oysters**

Ms. Precious sent in testimony supporting the bill and appreciates the gesture of tax credits for small businesses.

**NATURE AND SOURCES OF OPPOSITION:**

**Heather Somers, Senator, State of Connecticut**

Senator Somers opposes the reduction of minimum size for harvesting oysters and recommends that the current minimum be maintained. She states that the current size offers benefits to the marine ecosystem and oyster reproduction. She feels that the benefit of oysters to the Connecticut economy is optimal with the three-inch minimum and would be threatened by an influx of smaller, less valuable oysters. Maintaining the current size would benefit biodiversity and habitat protection.

**Keith Bishop, Bishops Orchards**

Mr. Bishop opposes HB 6222 because the harvest size requirements will risk harm to the oyster population, recycling of shells could create issues for existing shell storage practices, and that the shell recovery initiative is not cost-effective.

**Jimmy Bloom, Copps Island Oysters**

Mr. Bloom opposes HB 6222 opposes the size restriction and believes it would be nearly impossible to distinguish between natural and hatchery produced oysters. Further, he states that oyster shell recycling will cause companies currently storing shells to become uncompliant with DEEP regulations and that recovery from restaurants will not be cost effective. He also states that there is no market for kelp and disagrees with providing financial aid to aquaculture business whereas existing ones have not received any.

**Hannah Lemek, Advocacy Manager, Connecticut Conference of Municipalities (CCM)**

CCM opposes HB 6222 because they do not feel that the unfunded mandates of the bill are feasible.

**Tracey MacDougall, Executive Director, Connecticut Farm Bureau**

The Connecticut Farm Bureau opposes portions of HB 6222. They feel that there is no visible difference between a naturally raised oysters and hatchery raised oysters and that attempts to discern would complicate regulation and oversight. They expressed concerns related to the curing and cleaning of oyster shells in the recycling process.

**Linda Dalessio**

Ms. Dalessio sent in testimony stating that she opposes the bill.

**GENERAL COMMENTS:**

**Sylvain De Guise, Director, Connecticut Sea Grant at the University of Connecticut**

Mr. De Guise sent in testimony to suggest that Section 3 of HB 6222 be adjusted to remove language referring to diversity, equity and inclusion according to National Oceanic and Atmospheric Administration (NOAA) code that states the release of funds may not be used for these purposes. He also stated that Connecticut Sea Grant does not have the ability to engage in the study of the Noank Aquaculture Cooperative.

**Stephen Plant, CT Cultured Oysters**

Mr. Plant suggested that a differentiation be made between the parties required to maintain certain oyster sizes. For producers of natural oysters, a three in minimum is optimal. Hatchery-based producers, as private property owners should be permitted to determine the size based on their customer.

**John Short, Shellfish Commissioner**

Mr. Short believes that clarification is needed as to whether shells are being recycled from the food stream or from the beach and culch as well. He also believes the financial aspects of the bill are unclear.

**Reported by: Elizabeth Aheart**

**Date: April 2, 2025**