DEP head: Let there be oysters

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COMMERCIAL TWP. — For the first time in recent memory, the Commissioner of the Department of Environmental Protection has failed to affirm a decision of the Delaware Bay Shellfish Council, and almost nobody is happy about it.

The council voted last month to permit no spring harvest of oysters from Delaware Bay, because of the poor condition of the resource. Commissioner Robert Shinn reversed that decision, and will allow up to 20,000 bushels to be harvested.

No harvest was one of several options open to oystermen. There was a proposal to allow them to harvest up to 20,000 bushels of oysters, each oysterman to transplant seed oysters from the upper seed beds to an intermediate location without reimbursement and to have a harvest quota based on the amount he transplanted.

Oystermen griped that if all 40 of the oystermen who had indicated they would be interested in participating in the transplant did so, the 500 bushels they would be allowed wouldn’t even pay expenses, and that option had been rejected. Shinn decided otherwise.

The transplant requirement has been reinstated and oystermen will be required to move their allotment before being allowed to harvest the same amount. Three mechanisms for achieving this will be provided:

- Each license holder may personally move his allocation.
- Oystermen may arrange for another oyster dredge boat license holder to move their allocation for them.
- License holders could collectively arrange for the suction boat Islander to move their combined allocations for them.

The intermediate transplant is tentatively scheduled to occur between April 17 and April 28.

Oystermen are required to sign up again by April 14 to participate. The number of participants will determine the individual allocations.

Transplanted oysters may contain no more than 15 percent empty shell. If all 20,000 bushels are transplanted, a market harvest could begin in early May.

In a letter which went to all oystermen, Jim Joseph, chief of the Bureau of Shellfisheries, said the Division of Fish and Wildlife, the council, Rutgers staff and the Stock Assessment Review Committee had made every effort to develop a program that would keep Delaware Bay oystermen in the marketplace, while protecting the long-term viability of the Delaware Bay oyster seed beds.

Councilman Bill Bradway expressed surprise that there was an override of the council’s decision.

Councilman Scott Bailey said it was done for a reason, to make oystermen pay for the oysters by requiring them to transplant without pay.

"We already pay $1.25 (shell tax) a bushel and now this will bring it up to $2 a bushel or more, depending on what we have to do to transplant," he said.

Scott Sheppard asked if there had been any consideration to the fact that oystermen were stuck with tags they bought last year for oysters that never were harvested.

"I’d like to get a refund on these tags," he said, holding up a large bag of tags that would have been required to be attached to each bushel of oysters. "There’s 300 tags, $375.

Barney Hollinger said the council has the authority to say oystermen could get a rebate for unused tags. Joseph asked why Sheppard had bought so many.

Sheppard said because he didn’t want to get caught with more oysters than he had tags for.

Eric Bateman said he also was stuck with tags he bought but couldn’t use because of fog that kept him from working.

Marvin Moore said he had another 100 in his pilot house.

Councilman Steve Fleetwood moved to refund money to oystermen who were stuck with unused tags on the condition that it never happen again. Sheppard said that was no good. Bailey asked if the state was willing to say it would never force oystermen to transplant without pay again.

Joseph said he would see if the state would allow oystermen to be reimbursed for unused tags.

"We wouldn’t be having this discussion if the shellfish council’s decision was taken up there (Trenton) and left alone as it was in the last 100 years," Bradway observed.

He also complained that for years seed beds were closed when the percentage of oysters compared to shell went below 40 percent. Now some beds have only 10 percent oysters and a harvest is being allowed, he said.

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