



Agriculture and Markets

TO: Governor, Speaker of the Assembly, and temporary President of the Senate
FROM: AGM, ESD, DOS, DEC
SUBJECT: Senate Bill S7300, Seafood Roundtable Meetings Written Report
DATE: September 30, 2019

On July 31, 2018, Governor Andrew M. Cuomo signed into law Senate Bill S7300, sponsored by Senator Kenneth P. LaValle and Assemblyman Fred W. Thiele, Jr., directing the Department of Agriculture and Markets, Department of Environmental Conservation, Department of Economic Development, and Department of State to conduct a series of roundtable meetings with stakeholders to discuss and consider issues related to New York's seafood industry.

The agencies hosted four roundtable meetings in the Long Island, New York City, and lower Hudson Valley regions:

1. Brooklyn, August 28, 2018: *24 attendees
2. East Setauket, October 9, 2018: *18 attendees
3. Riverhead, October 17, 2018: *31 attendees
4. New Paltz, October 23, 2018: *10 attendees

**Represents the number of stakeholders who signed in at the meeting. This may be an undercount of the actual number of attendees. See attached.*

The tasked agencies submit this report of findings identifying proposed recommendations to assist New York's seafood industry to the Governor, Speaker of the Assembly, and temporary President of the Senate.

The following chart represents a list of recommendations based on themes from stakeholder comments. Included as attachments are minutes from each of the regional meetings, meeting sign-in sheets, and written testimonies submitted by stakeholders.



Seafood Industry Proposed Recommendations

<u>Category</u>	<u>Recommendation</u>
1. Access to Capital	<ul style="list-style-type: none"> • Create a New Fishers Grant Fund program similar to the New Farmers Grant Fund program to attract new members into the seafood industry and to assist new industry members. • Provide financial assistance in the form of grants or other incentives to allow investment into logistics and distribution systems, including last mile delivery. • Provide state matching funds for federal grant programs that assist the seafood industry. • Provide an access to capital workshop to inform the seafood industry of funding opportunities, including available tax credits, grants, and loans.
2. Infrastructure	<ul style="list-style-type: none"> • Evaluate current industry infrastructure. • Modernize current infrastructure in the following areas: <ul style="list-style-type: none"> ○ Docks; ○ Water and electric systems; ○ Transportation systems; ○ Working waterfronts; ○ Aggregation facilities; and ○ Processing facilities. • Support preservation of waterfronts. • Expand support services for industry use, including net builders, welders, last mile delivery, and processing.
3. Marketing	<ul style="list-style-type: none"> • Increase consumer education and branding of New York seafood. • Create a seafood marketing council charged with promoting and marketing New York seafood. Members may include: <ul style="list-style-type: none"> ○ Commercial fishermen; ○ Research institutions; ○ Marketers; and ○ State agencies. • Increase promotion of the New York State Grown & Certified and Taste NY programs. Expand the New York State Grown & Certified program to encompass more seafood commodities. <ul style="list-style-type: none"> ○ <i>Announced on May 9, 2019, the Department of Agriculture and Markets expanded the New York State Grown & Certified Program to include wild caught fisheries and aquaculture.</i> • Support industry market access into: <ul style="list-style-type: none"> ○ Farmers markets; ○ Mobile markets; ○ Export markets; ○ Community supported fisheries (CSF); ○ Food shows and expositions;



	<ul style="list-style-type: none">○ Retail food establishments and restaurants; and○ State intuitions.
4. Education and Training	<ul style="list-style-type: none">• Increase the number of vocational and apprenticeship programs to attract more skilled workers into the seafood industry.• Coordinate efforts and policies between federal, state, and local entities. Assist understanding of rules and regulations.<ul style="list-style-type: none">○ <i>Significant stakeholder animosity towards federal catch quotas.</i>• Expand the role of universities and colleges that specialize in marine biology, aquaculture, and maritime courses. Assist development of hybrid degrees and training programs.
5. Scientific Research	<ul style="list-style-type: none">• Increase funding for seafood research, such as with the following stakeholders:<ul style="list-style-type: none">○ New York Sea Grant;○ Cornell Cooperative Extension; and○ SUNY marine programs.
6. Seafood Fraud	<ul style="list-style-type: none">• Decrease seafood fraud to uphold the integrity of the seafood industry. Methods may include:<ul style="list-style-type: none">○ Regulate and increase the number of inspections at the retail and wholesale levels; and○ Implement a program to track and test anticipated fraudulent products, such as a blockchain system.

Attachments:

1. Seafood Roundtable Meeting Minutes:
 - a. Brooklyn, August 28, 2018
 - b. East Setauket, October 9, 2018
 - c. Riverhead, October 17, 2018
 - d. New Paltz, October 23, 2018
2. Written Testimonies Submitted



**Agriculture
and Markets**

1. Seafood Roundtable Meeting Minutes

New York State Seafood Industry Roundtable Meetings
NYC Meeting Minutes
55 Hanson Pl, Brooklyn, NY
Tuesday, August 28, 2018, 6:00 – 8:00 pm

Participants:

- John Ng, Hudson Valley Fish Farms – aquaculture
- Brittany Peadey, Hudson Valley Fish Farms – aquaculture
- Jason Finder, Doe Fund – last mile distribution
- Sean Barrett, Dock to Dish – CSF (Community Supported Fisheries) and blockchain development
- Robert LaValva, New Amsterdam Market – farmers market
- Josh Halsey, Peconic Land Trust – oysters underwater leases, seaweed; has grant to administer the Grown & Certified Program on LI
- Stephen Frattini, Center For Aquatic Animal Research and Management (CFAARM) – CCE Hudson Area, veterinarian, works with Sea Grant Dr. Michael Carimella
- Brian Teubner, ESD – Global NY
- Stephanie Tsui – ESD
- Linda LaViolette – AGM
- Jessica Shapiro – AGM
- Jeffrey Wood, Aququa – aquaculture
- Karen Simons, GreenWave – sugar kelp, seaweed
- Charles Sieberberg, Aququa – aquaculture, presently farming fish in Thailand, look to expand to Southold
- Karen Karp, Principal, KK & P
- Jason Masters, Gaiergy – oyster hub and aquaculture, Greenport
- Julia Socrates, DEC
- Jeremy Campbell, DOS
- Bonnie Brady, Executive Director of LI Commercial Fishing Association
- Michael Hurwitz, Director of Greenmarket, GrowNYC
- Liz Carollo, Assistant Director of Greenmarket, GrowNYC
- Debi Zvi, Edenworks
- Jen McCormick – AGM
- Lucy Shephard – AGM

Comments:

DEC:

- We have a relationship with commercial fishermen.

Karen Simons, GreenWave:

- Building a generation of restorative ocean farms. Built onto coast in Connecticut, 10-20 acres, shellfish and kelp. Vertically integrated system.
- Would like to move this system to NYS but there are no permits or process available to obtain permit. Need legislation.
- GreenWave can increase economic activity for ocean/shellfish farmers: production, processing, innovative products. Kelp can be fertilizer, pharmaceuticals, animal and human food. Seaweed market is \$17 billion in US. Almost all is imported from Asia; no production system in the US. Our contained environment, ecologically sustainable.
- Pilot programs to train individuals.
- Need marketing support. Working with Stony Brook on pilot to diversify local oyster farms.

Charlie Sieberberg, Aqquua:

- Wants to come to NY. Want property in NYS to bring in marine fin fish. Want right property for project; has been looking for 18 months so far. Under contract to buy some land in Southold.
- Has an agreement and research project with University of Miami. Lots of species.
- Also involved in traceable blockchain platform. Lots of food traceability in the Thailand facilities. Built hybrid system (recirculating). Focus is to develop new technologies for land-based farms in US.

Jason Masters, Gaiergy:

- Four topics. Biggest (for Suffolk County and especially oyster farms):
 1. There are at least 10 yachting clubs in direct opposition to underwater aquaculture in Suffolk County. We want to re-designate oceanic farms under agriculture law.
 2. Permitting. DEC is notoriously slow with permitting; ability to understand new species, perform analysis. To bring in new species to diversity aquaculture environment (off shore, on shore, on land), need more refined permit.
 3. Regardless of on/off/land, need to improve energy efficiency of operations. AGM and NYSERDA should come together to explore improvements.
 4. Push toward more species-specific is to use more algal based or aquatic based supplements, rather than just pulling proteins out of the ocean. Use agricultural/algal-based potentials (which also helps energy efficiency).

Jeffrey Wood, Aququa:

- Aquaculture is getting a bad reputation. Like-minded companies using best practices should come together to do the right thing. Need to put message forward that if you do the right thing you can change the perception of the industry.
- Also, cost of building systems can be astronomical. Investors have difficulty to keep seeing failures. How do we bring in engineers, architects to re-examine, to develop product that is sustainably farmed.

Stephanie Tsui, ESD:

- Two-pronged approach. Market to industry itself, market to consumers also.
- AGM has NYS Grown & Certified – maybe we could expand it?

Brian Teubner, ESD:

- Global NY: getting NYS companies to export abroad. Are there any seafood producers interested in expanding internationally? Foreign offices? Grant programs to go to trade shows, adapt products to go overseas?
- General economic development: NYC regional office, LI regional office, etc. Tax credits, grants, interest rate.

Note: Most of NY fish is currently being exported to Asia, the problem is that NY fisherman get low prices. A large percentage of fish exported is used as fish food for aquaculture, the rest is processed overseas and resold. The problem is similar to what farmers experience getting into the supply chain. NY fishermen need access to processing to add value to the fish they catch. 90% of the fish we eat in NY comes from somewhere else.

Stephen Frattini, Center For Aquatic Animal Research and Management (CFAARM):

- Focus on fin fish and invertebrates. NOAA sea grant. Has been doing NY Seafood Summit annually the past few years. Company: provide health management and diagnostic testing for animals to be shipped. Focus now as NYS business is developing a seafood and aquatic industry in NYS (Buff through Montauk): integrated seafood science, which is both training and opportunities throughout the industry (growth, processing, consumer psychology).
- Just finished internship program, Fish to Dish. Five students in five industry sectors: commercial fishing, commercial aquaculture, processing, starting business. First five just graduated.
- Grow integrated industry in NYS. Marketing opportunity is huge: largest consumer centers. I Love NY Seafood, NYS Grown & Certified. NYS Seafood should be like Maine lobster, Maryland crab.
- Want to see aquaculture shift from hobby to industry. Many undercapitalized aqua facilities.

- Hear about permitting problems frequently. With Sea Grant, wanting to get funds to develop cheat sheet to understand permitting process. Did it with third-party certification a few years ago. Want integrated industry to compete globally. Don't want to see Canadians or Europeans leading the way.

Josh Halsey, Peconic Land Trust:

- We want to protect land and water. We need resources to protect.
- A main project now is one of our last working waterfronts (Brookhaven). Goal is to create a center for aquaculture, eventually seaweed. Making it educational program.
- Constantly fundraising. If there is funding for land acquisition for this purpose, that would help. Conserve heritage – so important to have access to the water for the growers and the harvesters.
- Encourage more meetings closer to East End.

Michael Hurwitz, Director of Greenmarket, GrowNYC:

- We work with local fisheries – no fresher, more sustainably produced fish in NYC than what we sell in our market.
- Problems: lack of infrastructure, training, capital, next generation.
- Would love to see marketing for oysters like behind craft beverages. There is plenty to be caught in NYC, want to see those opportunities.
- *Read letter from local fisherwoman.*

Robert LaValva, New Amsterdam Market:

- Of all events, most widely attended were the fishery events.
- Two things:
 1. Fraud has become an issue. Need blockchain. People need more reassurance. *Anecdote about senator from Massachusetts.*
 2. Success of Taste NY kiosks. Would be interesting to see if the state could do something temporary, or even event-based.

Debi Zvi, Edenworks:

- We grow microgreens, striped bass.
- Sustainable resourcing is a challenge.
- Eager to learn more about existing and potential studies and pilot programs. Knowing more about food safety.

Karen Karp, Karen Karp & Partner (KK & P):

- We do a lot of regional food assessments, strategies.
- Raise oysters. See a great change in the condition of water.
- Echo some comments: want concerted effort for marketing strategies. Monterey fisherman trust. Markets fell apart but fish are back. We are developing

marketing initiative. Fish hub? Marketing and sales. Pattern the Monterey solution for NYS. Market is not just restaurants but institutional as well. Whole fish, like whole cow.

Sean Barrett, Dock to Dish:

- First community supported fishery in NYS. Montauk. Whole reason: reconnect.
- Huge problem is seafood fraud. Over 90% is imported? Something big just got broken by AP in Brooklyn? We have community supported fishery programs to bring wild NYS food directly to restaurants. Montauk is labeled on everything but it isn't from Montauk. Need a NYS certification program. Fish fraud is both mislabeling as well as speciation. Solution is blockchain. Most advanced traceability. Dock to Dish.com/fishtrax.org? QR codes are being used to trick consumers. Encrypted chain of custody travels with the fish.
- Lots of exciting stuff in aquaculture – bringing in first three kelp farms this fall and winter. Extractive aquaculture – bad. Restorative aquaculture – like kelp and oysters is good.

Jason Finder, Doe Fund:

- Important conversation, especially around processing. Doe Fund has ability to provide last minute mile.
- The Doe Fund – not-for-profit, produces over 1 million meals/year and have a fleet of vans for providing last mile delivery for the agriculture and fishing industry.

Brittany Peadey, Hudson Valley Fish Farms:

- Gap in training of workforce, even in the high schools. Working with Hudson HS for kids to get their feet wet.
- Local seafood vs imports. Eat fish not beef or chicken. Work together (wild and farmed) to get people to eat more seafood.

John Ng, Hudson Valley Fish Farms:

- 1,200 metric ton steelhead trout all indoors. Started four years ago. This was a better way to produce the fish that society needs.
- Have come to discover the challenges across the board are:
 - Systems are not standardized (technologies for life support for the fish).
 - Stigma of farm fish: massive obstacle. How we are doing it avoids many challenges that typical fish farms present.
- Some good training programs across the country. Hudson Valley Fish Farms is part of Start Up NY.

Liz Carollo, Asst. Director of Greenmarket, GrowNYC:

- Wholesale Division of GrowNYC. Promotions/marketing/programming partnership.
- Worked at localfish.org group at Cornell. No more money for printing. We have a lot of people walking through every week, and we want to be able to do that. Print more materials! More funding for programming either at markets or at special events; cooking, preparing, eating lesser-known fish.

Stephen Frattini, CFAARM:

- Logistics in NYS: was surprised during outreach event in Riverhead with small oyster producers. Getting oysters from East End into NYC. Small-scale producers making high-value product. Getting around NYS is very difficult, especially maintaining cold-chain. Many airports have devoted areas for seafood. How do we get the seafood moved around?
- Echo craft beverage model: great model, should spread statewide.
- Culinary market expansion: the event in Riverhead was with Suffolk County Culinary Institute. Getting them to sit in same room with aquaculturists, market managers, fisherman. What are local products? What is underutilized? If you cook only salmon in your restaurant now, would you try others? Opportunities to get involved with culinary institutes would be great.
- Need to protect working waterfronts. Get people with roots in ocean to keep having the ability to grow those roots. Help coastal communities to build resiliency.

Jason Finder, Doe Fund:

- Logistics challenges. Have been working on a project for years for refrigerated trucks and workforce development. Would be interested in talking to anyone with product to move into NYC.

Karen Karp, KK & P:

- There is a huge issue with distribution of food. Additional issue: cannot transport aquaculture with any other type of product (produce).
- Jason Finder: Maybe crossing state lines?
- DEC: FDA controls much of this.

John Ng, Hudson Valley Fish Farms:

- Challenge on all fronts to aquaculture is lack of fish cutters. Producing at too small of a scale to have one, but haven't found many processors with this skill level.
- National shortage of drivers. Even just getting refrigerated trucks is a challenge.

Stephen Frattini, CFAARM:

- Tried to get NYS processors, found only Acme Fish Smoking. Interested in understanding why we have no processors.

Karen Karp, KK & P:

- Worked with RI Nursery & Landscape Association to develop apprenticeship program. Lots of demand. Working now with RI aquaculture on same.
- Butchers are also in demand. Accreditation is key.

John Ng, Hudson Valley Fish Farms:

- North Carolina has a good training program (good relationship between higher education and industry).

Karen Simons, GreenWave:

- Have a training program for oceanfront (shellfish and kelp). Also have a training program for hatchery. Very successful in bringing new people into the industry.
- Financing these new business! How do we develop framework to streamline financing. One of biggest things in finance is risk, and aquaculture is a huge risk. The more we can engage with greater state funding or research, the better.
- Some of the larger aquaculture startups would qualify for ESD's CFA. Newer fisherman could potentially qualify for a grant program similar to ESD's New Farmer Grant Program

Stephen Frattini, CFAARM:

- Have spent some time in biotech startup space. Nobody cares about fish biomedicine.
- Many philanthropy groups are interested in work with training, etc. Seafood Safety Specialist in Stony Brook: studied food science in MS, but also learned aquaculture there so understands the space well. Very hard-pressed to replicate that skill set.

Bonnie Brady, Executive Director of LI Commercial Fishing Association:

- Represent commercial fishermen throughout LI – all gear types, about 11 ports.
- 2003 or 2006: \$50,000 grant to explain why fish source matters (posters, POS, Pride of NY, COOL icepicks).
- Biggest problem: people want to do the right thing, but don't know what the right thing is.
- Three regulatory bodies (regional).
- Overfish definition: inexact science. At restaurants, lots of paper and marketing and table tents, but info is only as good as the server. Chefs must explain that we have to keep local fish: 92% of fish is imported and China doesn't care about

sustainability (or food safety). US fishermen are held to sustainability standard that nobody else has to.

- Kelp is fine, but it needs to not be indigenous. Pride of NY! But we don't have Empire State Fish. We are beholden to the guys who run the fresh fish markets. We need a processing facility on the East End for food of underutilized foods (squid, etc.) and make fertilizer from the leftovers. Dogfish? Every state with a thriving fish industry has a lot of processing; we don't have processors.
- Would love to see a hub. Lost lots of corollary businesses (making nets). East Hampton has Local Waterfront Revitalization Plan.
- DEC guy said that he gives back out 4 permits when he gets 10 turned in. That's not sustainable. To expect fishermen to camera/tag every fish they catch is too much. Be kind to fishermen if you are thinking about new regs; traceability.
- Monterey: no fishery wears a halo, and no gear type wears a halo.

New York State Seafood Industry Roundtable Meetings

Location: **NYC: 55 Hanson Place, Brooklyn**

Date: **08/28/2018**

Time: **6:00 - 8:00 pm**



	NAME	ORGANIZATION	TITLE	PHONE	EMAIL	COMMENTS?
1.	Jen McCormick	AGM	First Deputy Commissioner	518-457-2171	jen.mccormick@agriculture.ny.gov	
2.	Josh Halsey	Peconic Land Trust	Project Assistant	631-283-3195 ext 21	josh.halsey@peconiclandtrust.org	
3.	Stephanie Tsui	ESD	SR. Marketing Manager	212-803-3628	stephanie.tsui@esd.ny.gov	
4.	Julia Socrates	DEC	Marine Biologist 2	631-444-0473	julia.socrates@dec.ny.gov	
5.	Jason Finder	The Doe Fund	Director of Good Food Works	646-363-6078	jfinder@doefund.org	
6.	SEAN BARRETT	DOCK to DISH	REP	917-853-8559	DocktoDish@Gmail.com	

	NAME	ORGANIZATION	TITLE	PHONE	EMAIL	COMMENTS?
7.	Brittany Peachey	Hudson Valley Fish Farms	Aquaculture Operations Manager	518-249- 4750		
8.	John Ng	Hudson Valley Fish Farms	President.	917-787- 9932		
9.	CHARLES SIEBENBERG	AGQUWA	CEO	917 841-7528	CHARLES@ AQQUWA.COM	
10.	JEFFREY WOOD	Agquwa	CBO	646 - 351-9707	Jeffrey@ agquwa. com	
11.	Stephen Frittini DVM	Center For Aquatic Animal Research and Management	President/ owner	646 844 4104	SFrittini @Farm. com	
12.	Jason Masters	gaiergy	Pres	585 507 8938	Jason@ gaiergy.com	
13.	Robert LeVelle	New Amsterdam Market	Executive	646 275 2597	Robert@ newamsterdam market.org	

	NAME	ORGANIZATION	TITLE	PHONE	EMAIL	COMMENTS?
14.	Karen Karp	Kare Karp r Panther	Funder/ President	212 260 1070	Karen@ kkandp. com	
15.	Debi Zij	Edenworks			debi@ edenworks. com	
16.	IRA GERSTENBERG	Self RIVERKEEPER BILLION OYSTERS project		917 848 4283	IRA@ GERSTENBERG .com	
17.	Bonnie Brady	LICFA	Exec Dir	516- 527- 3099	greenfluke @ optonline.net	
18.	Liz Carollo	Grownyc	Asst Dir	646 831 6334	lcarollo@ grownyc.org	
19.	Karen Simons	GreenWave		917 816 6101	Ksimons @ HudsonVarick.com	
20.	Brian Lawner	ESD	Interim Trade Manager	212- 703- 2346	bteubner@ esd.ny.gov	

New York State Seafood Industry Roundtable Meetings
East Setauket Meeting Minutes
205 N Belle Mead Rd, East Setauket, NY
Tuesday, October 9, 2018

Intro: Julia Socrates, DEC – Introduced topic and went around table for introductions

James Gilmore, DEC, Director, Division of Marine Resources

- Seafood marketing is almost like a religion in other states. Need complete buy-in from State and Industry to support changes needed.

Bill Zeller, Captree Clam in W. Babylon

- Provided a report w/ graphs: shows downward trend of seafood landings at his dock
- Can't compete to sell to major wholesalers (Sysco, Restaurant Depot, Costco, etc.) because not enough supply
- Should do more transplant programs in cooperation with commercial fishermen – would increase supply

Tom Kehoe, Deputy Mayor in Northport

- Need better marketing of local seafood to change the perception of NY's seafood and make everyone involved want to change the way they do business.

Bonnie Brady, Long Island Commercial Fishing Association (LICFA)

- Need better promotion of local seafood
 - "Pride of NY" TV and radio commercials (were made but never aired)
 - Table tents – "Ask your server about today's local catch"
 - "local" stickers on packaging in supermarkets
- Restaurants want lowest price point so need to make local seafood competitive or more desirable by customers; need incentives
- Need help connecting and establishing relationships between farmers markets and local fishermen
- Need more processors, especially on east end of LI (mobile ones?)
 - At least one that has the capacity for big boats to dock at such as in Cape May, NJ (big cranes to lift catch out of the hull)
- Need more support businesses (net builders, welders, delivery trucking, etc.) because commercial fishermen can't do it alone
- Traceability is good but always broken at restaurant level; need incentive to not break the chain

Peter Haskell, Owner, Haskell Seafood

- Would be better to have several smaller processors than one or two large (easier to find real estate too)
- Important to exploit underutilized species (porgies, sea robin, etc.)
 - Educate chefs how to prepare different species to their maximum potential
- Serve local seafood in schools and State facilities
- Small processors open but can't sustain themselves because need support in promoting to local fishermen
- Support not beneficial if not on same page
- Known issue with common names not "sexy" to consumers but worries mislabeling would lead to more issues with transparency
- Need to be cautious with aquaculture: "restorative" will help the local environment and sustainability but "extractive" would need careful consideration

Linda LaViolette, AGM

- Use Blockchain to enhance traceability
- Get NY's seafood included in the restaurant show that is held in NYC every year

David Berg, LI Regional Planning Council

- Aquaculture encounters many restrictions on lease sites
- Need standardized permitting guidelines for seaweed aquaculture

August Ruckdeschel, Suffolk Co. EDP

- Need standardized regulations to allow the 1-acre aquaculture pilot programs
- Need to educate public to disband misconceptions that put aquaculture in a bad light
- Could resurrect/enhance the "Choose Long Island" seafood campaign to encourage people to "pledge" to purchase local products, including seafood
 - Need to incorporate local seafood on the already existing inventory map of local products

Barry Greenspan, ESD

- Give tax credits to people/businesses who buy local products/seafood
 - Trackable with barcodes?

Emerson Hasbrouck, Cornell Cooperative Extension (CCE) Marine Program

- Still need an actual task force created to work on this
- More marketing & branding similar to:
 - "Pride of NY" campaign
 - "Choose Long Island"
 - Local "FISH": Fresh, Indigenous, Sustainable, Healthy

- Improve traceability w/ blockchain or explore other options
- Develop a way to certify as “Wild Caught” – (NYS Grown & Certified?)
- Establish and promote “Seafood Hubs” – check other states; different infrastructure for differing communities
- Feasibility study for exports (dogfish, monkfish, etc.)
- Feasibility study for using local fish oil/meal as fertilizer at local agriculture/wineries
- Improvements to infrastructure (funding needed)
 - Dock repairs
 - Docking & unloading facilities
 - Installing electricity to commercial docks for ice machines and equipment
- Need distribution networks
- Need to implement the permit restructuring that DEC is developing
- Increase water quality testing so more areas can be open for harvesting shellfish
- Fuel tax needs to be repealed for commercial fishermen instead of applying for a refund
 - Currently go to other states for fuel and to unload catch at same time because applying and waiting for a refund is too much of a hassle

Karen Chytalo, DEC, Assistant Director, Division of Marine Resources

- Lots of interest in offshore areas (wind, etc.); State needs to continue keeping fisheries in mind
- NYSERDA looking into dock facilities as part of infrastructure for offshore wind; good opportunity for a cooperative effort for improvements

Mike Ciaramella, NY Sea Grant

- Processors run into regulatory jurisdiction conflicts: AGM vs. DOH
- Could explore using Sea Grant \$ to create guidance

Fred Thiele, State Assemblyman

- Will recommend a “Long Island Night” during Albany’s Seafood Event

See attached attendance list for additional attendees.



Department of
Environmental
Conservation



Agriculture
and Markets



Department
of State



Empire State
Development

Seafood Industry Roundtable Meetings

NYSDEC Division of Marine Resources

205 North Belle Mead Road, Suite 1

East Setauket, New York 11733

SIGN-IN SHEET

NAME	AFFILIATION	EMAIL ADDRESS	PHONE
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Paula O'Brien	DOS - DMSIA Consumer Protection	paula.obrien@dos.ny.gov	518-474-2257
Stephanie Tsai	ESD		
Emerson Hasbrouck	Cornell Marine Program	ech12@cornell.edu	631-727-7850
Bill Zeller	Captree Creek	Bill.zeller@captreecreek.com	631-422-0517
Stephanie Reikemeyer	DEC	Stephanie.reikemeyer@DEC.NY.GOV	631-444-0450
August Ruckdeschel	SC EDP	august.ruckdeschel@csillcountyny.gov	631-853-4717
Fred Thiele	State Assemblyman	thielef@nyassembly.gov	631-537-2583
Mike Caramella	NY Sea Grant	mc2544@cornell.edu	631-632-8720
Nelle D'Aversa	NEIWPCC/DEC	nelle.daversa@dec.ny.gov	
DAVID BERG	LIREG, PLAN. COUNCIL	DBERG@LIREG.ORG	631-428-3935
Michael Muhr		michael.muhr@its.ny.gov	631-790-2026
Bonnie Brady	LICFA	greenfluke@optonline.net	516-527-3099



SIGN-IN SHEET

[illegible]

New York State Seafood Industry Roundtable Meetings
Riverhead Meeting Minutes
Riverhead Town Hall, 200 Howell Avenue, Riverhead, NY
Wednesday, October 17, 2018

Intro: Linda introduced topic and everyone did introductions

Mike Mihale - Point Lookout

- There is illegal catching occurring and limited enforcement
- Because of the quota laws fisherman can't land their catch in NY- need to return to their point of origin to have fish processed and it is causing processing plants on LI to close
 - o Causing North Carolina fisherman to meet the North Carolina quotas in LI waters and then return to North Carolina for processing and distribution

Cornell Cooperative Extension

- Feel it is important to promote local seafood - need more outlets for promotion similar to what has been done in the farming community
- The choose local fish campaign has been successful and they would like to continue to do it

Gary Cobb - Commercial Fisherman

- Local baymen have historically been the fisherman on LI and there are only about 50 left because most seafood is no longer local
- We don't have the processing facilities to offload fish from the Montauk inlet - most local fish is sent elsewhere
- It needs to be easier for fishermen to direct market - right now zoning and health codes prevent direct marketing
 - o Zoning codes for processing plants should be relaxed
 - o Regulations make it too difficult to sell fish locally
- Also need more advertising and traceability to know where fish is coming from

Bill Zeller - Captree Clams

- TSA, Weights & Measures, the DOT and the FDA all have regulations that create problems
 - o It makes it hard on the little guy and requires a compliance person which most local fishermen can't afford

Chuck Westfall - LI Oyster Growers Association

- Most problems with oyster growers reflect food industry

- It should be easy to take local fish from the water to the market and regulations make it difficult
- One advantage LI has is a wealthy and large population
- Oyster growing and fishing is a craft industry that could sustain people but the labyrinth of regulations on all government levels is hard to navigate so the industry continues to struggle
- Also need more shoreside infrastructure

Ted Bussey - Harbor Lights Oysters

- Received a grant to create a processing facility but can't find the commercial waterfront to move forward with the project
- Oyster growing and selling operation was shut down in Greenport by the FDA even though he had all the proper permits
- State agencies need to all be on the same page
- Regulations that control fish stocks can be helpful but sanitary regulations instated by the County Health Department have proven to be a hurdle to overcome

Mike - Sea Grant

- Infrastructure, education, regulation, and financial assistance are the primary issues being faced
- Sea Grant is coming up with a way to educate the industry about how to work within the regulations

Vic Vecchio - NOAA

- Fishwatch.gov is a helpful website to find out what local fish are

Mike Osinsky - Widow's Hole Oysters

- The State should be selling oysters and LI seafood at State Universities and State sponsored events to create a futures market for the industry

Arthur Kretschmer - Commercial Fisherman

- Federal government quotas and by-catch rules are out of date and wasteful and causing people to lose money
- Asked about status of lawsuit against Federal government over fluke quotas
- Assemblyman Thiele indicated that the lawsuit is supposed to be moving forward this year
- Need more innovation and out of the box thinking in the industry

Augie - Suffolk County Economic Development

- Ag & Markets recently ensured right to farm waters for shellfish which is the first program of its type in the country
- It would be a good idea to apply some of the farming programs that have been used in the farming industry to the fishing industry
- Creating a processing incubator space could be a solution to the lack of processing facilities

Mary Bess - Commercial Fishing

- Put in written comments
- Currently we don't have the seafood to market so need to work on making sure fish caught on LI is sold on LI

Rob Carpenter - LI Farm Bureau

- Doesn't make sense to market a product if there's no product to market (90% of LI seafood is not from here)
- First conversation needs to be about fishermen being able to sustain themselves
- Regulations and licensing are so complicated it prevents young people from joining the industry
- Need funding for capital improvements and a restructuring of quota guidelines
- Need a working relationship with regulatory agencies and understanding between government agencies
- Also need to preserve working waterfront space and more testing stations to ensure water is clean
- Regulations need to be updated to reflect the current state of the industry - there are so many fish now they're suffocating because the quotas are too low

Peter Wenzel - Commercial Conch fisher

- There needs to be a size regulation on conch fisheries
- Right now conchs are being harvested before it can reproduce putting the fisheries in peril and there are no regulations in place to prevent this

Ben Wenzel - Commercial conch fisher

- Wants to be able to sustain himself as a conch fisherman but since the price of conch went up the fishery is being abused and people are taking advantage of the lack of regulations
- Fishery is on the brink of collapse

Peter Haskell - Haskell's Seafood

- Started company because there was a moratorium on fluke and sea bass licenses
- Uses underutilized fish like porgies and dogfish to create the food he produces
- Works with local school districts to try and get local fish on the menu
- Trying to increase the popularity of these types of fish

Riverhead Aquarium

- Happy to host meetings at any time
- Curator would like to use aquarium exhibits to educate about the local fishing industry

Karen Rivara- Aeros Oyster Company

- Would like to see reasonable regulations so more commercial fishermen will be able to work
- NY can be frustrating because it is difficult to move things forward
- Publicly held waterfront should be made accessible for landing product and processing it
- Distribution is also challenging
- Purchasing the development rights of working waterfront space is critical

Additional Comments

- In NY fishermen should be able to use the quotas from the states they originated in and have their fish processed in the location it was caught
- East Hampton has an LWRP plan that hasn't been acted on - they should be implementing it
- If there's no place to process shellfish on LI, there's no reason to increase production
- The Landing's Flexibility Amendment is being voted on this winter by the Mid-Atlantic Council which would allow boats from other State's to land in the nearest state

Seafood Round Table 10/17/18 Riverhead Town Hall			
First Name	Last Name	Organization	Email
✓ August	Ruckdeschel	Suffolk Economic Dev.	August.Ruckdeschel@suffolkcountyny.gov
✓ Michael	Ciaramella	NY Sea Grant	mc2544@cornell.edu
Bradley	Marshall	Fleishers	brad@thepiggery.net
✓ Michael	Mihale	Fishermans Catch	fishermanscatchpl@gmail.com
✓ Rob	Carpenter	LI Farm Bureau	admin@lifb.com
Emerson	Hasbrouck	Cornell Cooperative Extension	ech12@cornell.edu
✓ Mike	Jacobs		mikejacobs3100@gmail.com
✓ Scott	Curatalo-Wagemann	Cornell Cooperative Extension	sw224@cornell.edu
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Mary Bess	Phillips	F/U Illusion & Greenport Seafood	marybess155@icloud.com

First Name	Last Name	Organization	Email
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- Carl	NOVACK	LI Farm Bureau	
- Peter	WENZEL	commercial fisher	
- Ben	WENZEL	commercial fisher	
- Peter	HASKELL	Haskell's Seafood	✓
- Joe	WYULO	LI Aquarium	
- Karen	RIVARA	ENDS Oyster company	
- Heather	MIAN	Amagansett Food Institute	info@amagansettfoodinstitute.com
- Jason	MASTERS	Gaiergy	✓ jason@gaiergy.com

**New York State Seafood Industry Roundtable Meeting
Lower Hudson Valley Meeting Minutes
NYSDEC Region 3 Headquarters, New Paltz, NY
October 23, 2018**

Attendees:

NYS Representatives:

Paula O'Brien (DOS) – facilitator/note taker
Peter Clouse (DOS)
Monique LeGendre (Mid-Hudson ESD)
Stephanie Tsui (ESD)
Huey-min Chuang (ESD)
Robert Adams (NYSDEC) – note taker

Seafood Industry Representatives:

Michael Kalet (Central NY Agri-Business Park)
John Ng (Hudson Valley Fish Farm)
Stephen Frattini (Center for Aquatic Animal Research & Management)
John Mylod (M/T Net Fish Company)

6:00 PM – Introductions

6:05 PM – Mrs. O'Brien summarizes the legislation and discusses the purpose of the roundtable meetings

6:10 PM – Floor opened for comments

John Ng (Hudson Valley Fish Farm):

Background information:

Mr. Ng owns North America's largest indoor salmon/trout aquaculture facility in NY Hudson (later described as Greenport). This facility was purchased from a failed aquaculture company in 2014. After some initial evaluation Mr. Ng was forced to dismantle the old system and rebuild. The new 2-million-gallon, flow through system has the potential to raise 2.5 million pounds of Steelhead per year at a market size of about 6.5 pounds per fish. Fish were first introduced to the system in 2016 and are now reaching market size. Fish can now be harvested and be ready for consumption within 8 to 12 hours, with the target markets being New York and Boston. As an example, Mr. Ng attended the latest Seafood Expo in Boston, MA, where he successfully brought fish from his facility each morning to be displayed at the show later in the day.

Mr. Ng describes that his facility is designed to have a low carbon footprint, fish are raised with non-GMO food and no vaccines/antibiotics, and fish are humanely harvested using electricity. He states his daily water consumption is roughly 200,000 gallons per day, which is drawn from both the Town of Greenport municipal supply and private well water. Technological and biological advice and assistance for the construction of the

facility was provided by Michael Timmons of the Cornell Cooperative Extension, and Mr. Ng has hired recent graduates from SUNY Cobleskill's aquaculture program to assist with day-to-day operation of the aquaculture system. He currently employs 40 people at the facility.

Challenges/Comments:

Mr. Ng listed his main challenges to his business as processing, logistics, regulatory, and marketing

- Processing: Mr. Ng and the group discussed the fact that there are minimal fish/flesh processing facilities in the area and it is difficult to find skilled processors. Mr. Ng suggests the expansion of aquaculture programs at state universities to address some of these issues.
- Logistics: Mr. Ng says the limits on the number of hours a driver can be on the road (DOT standards) make it difficult to keep qualified drivers and increase costs.
- Regulatory: The facility uses 200,000 gallons of water per day and Mr. Ng is having trouble with local (permitting?) with the town. He mentions their desire for him to use municipal water rather than draw water from his well. Mr. Ng also mentions there is no standardized technology used in these type of systems (which makes permitting difficult?). He would like the town to use a more 'holistic' approach and take into account the resources and money he is bringing to the town when evaluating permitting. Mr. Ng mentions that NY has an amazing water supply and that we are not California (regarding the scarcity of water resources in CA).
- Marketing: Mr. Ng describes the stigma of "farmed" fish. He says there are bad actors that give the industry a bad name, and there is no way to differentiate his non-GMO product from other farmed products. He found a switch from 'Hudson Valley Steelhead' to 'NY Steelhead' increased sales. There was further discussion among the group that people seem to respond well to NY branding. Mr. Ng also mentions that he was the only representative at the Boston Seafood Expo and that it would be helpful to the NY seafood industry to have a dedicated section at the show.

Michael Kalet (Central NY Agri-Business Park):

Background information:

Mr. Kalet is a commercial real estate developer in the Syracuse area who established, with his partners, the CNY Agri-Business Park on a historic 1100-acre dairy farm. This park is intended to be a zero-waste park, with a zero-carbon footprint. Several businesses are now located in the park, and now there is an opportunity to bring in an aquaculture facility. A Norwegian based company has shown great interest in helping to establish an aquaculture facility in the park and has already agreed to finance up to 75% of the project. In addition, Mr. Kalet's company has approval from the Norwegian government for the sharing of aquaculture technology for the new facility. The planned

facility will be in a 500,000 (?) square foot mega-building with a capacity to produce 10 tons of fish per year.

Challenges/Comments:

Mr. Kalet is seeking the seed capital for design and testing. This would include market research and determining the best type of fish to be grown in the facility.

Mr. Kalet sees this as a huge opportunity as people want a quality seafood product and thinks the alternative (current) products are not up to standard. He is worried that many of the fish in supermarkets today are not tested and of poor quality. (Edit: Believed to be referencing farm-raised fish, but not explicitly noted in comments).

This led to more conversation among the group regarding the marketing challenge of differentiating their farm raised products from others. Throughout the rest of the comment period, 'NYS Grown & Certified' was repeatedly referenced as a possible branding vessel to aid with market differentiation.

Stephen Frattini (Center for Aquatic Animal Research & Management)

Background information: Mr. Frattini (a veterinarian) is partnered with a food scientist in running the Center for Aquatic Animal Research & Management (CFAARM). This business mainly does consulting and disease monitoring for fish farms in the area. In addition, CFAARM works with industry members in grassroots efforts to educate the public on issues facing the seafood industry at events like the NY Sea Grant's 'NY Seafood Summit' in New York City.

Challenges/Comments:

Mr. Frattini expressed the need for a NY branding on seafood. Maine has "Maine lobster" and Maryland has "Maryland crabs". He states that NY has a lot of smaller producers that need to work together to come up with a state brand. The group then discussed how this would need some version of certification, which has been an ongoing issue with fishermen and fish farmers as they often have to hire expensive third-party firms for certifications (health?). They felt this was especially difficult for smaller local companies with limited catches.

Mr. Frattini states that New York has a good combination of both farm and wild caught companies, which he initially thought would be at odds, but when brought together, both sides share similar issues relating to certification, processing, and logistics. The group then discussed the lack of infrastructure, especially relating to fish processing and transport. Mr. Frattini mentioned that NYC does not seem to have issues with logistics, in particular transport, but it is much more difficult for seafood to move into upstate New York. The group then discussed the potential transportation sharing among different producers.

Mr. Frattini then expanded on the lack of support system, specifically that the lack of infrastructure (again, logistics, secondary companies, fish processing, experienced workers) are often hidden costs for new, small startup companies that do not anticipate

these issues in initial investment plans or plans for expansion. Several comments followed regarding known NY fish farms that had to close due to natural disasters impacting both food supply and facility operation. Mr. Frattini contrasts these small startup aquaculture facilities in NY with the catfish farms in MS where there are many established farms (that have a support system). He states that this would take a huge investment in the Hudson Valley. As an example, he cited a Norwegian study that estimated a new aquaculture facility needs \$50 million in startup money to be successful.

John Mylod (M/T Net Fish Company):

Background information:

Mr. Mylod is one of two partners of the M.T. Net Company and has commercially fished the Hudson River for over 40 years. He currently harvests herring and blue crabs from the Hudson. Mr. Mylod states that he has not stayed in the industry to make money, but rather has held on for cultural reasons.

Challenges/comments:

Mr. Mylod begins by mentioning his affiliation with a former DOS project promoting Hudson River fishing. This project was a video showing how to properly bone an American shad. This video added value to the Hudson River shad fishery by providing awareness of the shad fishery and showing the public how to properly process the fish for consumption.

Mr. Mylod then describes the rich history of commercial fishing in the Hudson River. His summary includes the target species, differences in fisheries within the river (gear types, seasonality, brackish vs. freshwater), the high diversity and production of fish in the river, and threats/challenges of the fisheries. In addition to the threats, Mr. Mylod discussed NYSDEC's Hudson River Estuary Program (HREP) and his involvement on its Advisory Committee (HREMAC). He describes HREP's goals for clean water and historic fisheries. He then relays that HREP actions are dictated by an action agenda, which is revised every five years. He states that this is a robust plan with measurable targets, mentioning water quality standards as an example.

(The comments below will summarize Mr. Mylod's comments regarding (1) target commercial species and (2) threats to the HR commercial fishery/industry).

Targeted commercial fish species:

- American shad – Mr. Mylod states these fish were historically abundant, supporting a popular commercial fishery in the Hudson River for flesh, roe, and agricultural fertilizer. He describes that over time, the fish populations became depleted due to human impacts such as offshore fishing and water withdrawals from power plant cooling. This led many fishermen to leave the fishery. Mr. Mylod

continued fishing on shad until the fishery was closed in 2010. Mr. Mylod sold these fish locally.

- River herring – Mr. Mylod still fishes on herring in the Hudson, but mainly as bait (for crabbing). There is no market for river herring due to the stigma of PCB's in Hudson River fish.
- Striped bass – Mr. Mylod states that there was a historical fishery for striped bass in the river, but it was shut down in the mid-1970s due to PCB contamination of the upper river by GE. He describes striped bass as large, long-lived species that bioaccumulate PCBs, especially those that are found further up-river. Mr. Mylod then states there was a clause in legislation regarding the re-opening a fishery once PCB concentration levels achieved acceptable levels for public safety. However, he further states that even though current PCB levels in striped bass are found to be below the threat level of 2 ppm of PCB concentration, the fishery remains closed due to the politics regarding the PCB contamination clean-up. In addition, Mr. Mylod discusses the desire of the recreational fishery to keep the Hudson River commercial fishery closed, referencing his involvement in a joint advisory panel of recreational and commercial fishermen that discussed the re-opening of the Hudson commercial fishery.
- Blue Crabs – Mr. Mylod believes he is one of two remaining blue crab fishermen on the Hudson River. He sells them locally out of his backyard. He states that his catches are mainly male crabs due to the biology of the species and goes on to describe the differing life cycles of males and females. Mr. Mylod states his catches have declined over the years, in part due to the increase in dredging of females in the NY harbor. The group discusses how other roundtables discussed a similar concern and cited the differences in catch limits between NY and NJ dredgers (with NJ having a higher take). The group then had some questions on how the Hudson River crabbing licenses are given out. Mr. Mylod believed they are not issuing any new licenses, but that they can be transferred to relatives of existing fishermen. An additional comment by Mr. Mylod is that though the NYSDEC has a tagging program for blue crabs, they do not have a full-fledged annual population monitoring study.

Threats to the Hudson River commercial fishery/industry:

- PCB contamination and water quality – Mr. Mylod states that PCB contamination in the river impacted the fishery, especially striped bass which bioaccumulate toxins. He believes shad and river herring are not as affected due to their smaller bodies and longer time in the ocean. He later mentions that blue crabs are very clean as well, as long as you do not eat the hepatopancreas. Though PCB contamination has stopped and concentrations in striped bass have decreased, the commercial fishery remains closed due to politics (see Mr. Mylod's comments above in the 'striped bass' paragraph above). Mr. Mylod believes water quality issues in the Hudson River, and in particular the PCB contamination issue, has

given Hudson River fish an unwarranted 'stigma' of being unclean. He states that the Department of Health does a good job educating the public on contaminant levels in Hudson River fish; however, there is also a need to educate people on what is available to eat. He uses an example of his involvement with a Culinary Institute of America seminar that introduced chefs to local Hudson River fish.

- Water withdrawals – Mr. Mylod thinks Indian Point as well as the coal-fired power plants along the Hudson that had once-through-cooling had a big impact on fish populations in the Hudson by sucking up all the eggs and larvae. Now all plants have closed cycle cooling except Indian Point, which is set to be closed in 2022. However, Mr. Mylod is still unsure about how much water they will still use even after they close. He does believe there will be a response in the fish populations once the plant is finally closed.
- Loss of expertise – Mr. Mylod describes the declining culture of the Hudson River commercial fishermen. He feels that the longer it takes to re-open closed fisheries, the less likely it will be to find people that want to do it or know how to do it. He says it is more of an artisanal fishery with limited use of technology. The group discusses organizations that might foster the continuation of this fishing culture (i.e. Clearwater).
- Conflict with recreational fishermen – As mentioned in the 'striped bass' paragraph above, Mr. Mylod believes the recreational fishing lobby do not want commercial fisheries. If a fishery was re-opened in the Hudson River, he believes there would be conflicts between gill netters and recreational fishing boats for fishing areas. However, he then goes on to state that a well-managed fishery can benefit everybody.
- Changing attitudes by consumers – In addition to the negative 'stigma' of being unclean, Mr. Mylod also believes that consumer attitudes have changed over time. This leads to a brief discussion about how global products are now available, how changes in demographics have shifted consumption, and how seafood has not been marketed as well as other food sources such as pork, chicken, or beef. Mr. Frattini then brings up the recent trend in eating local, and the group thinks the trend will continue which might bring more attention to local NY products again. The 'NYS Grown & Certified' program was once again brought up in discussion of including NY seafood products at public displays such as the one on the Taconic Parkway would benefit the NY seafood industry. The group also stated more displays like the one on the Taconic are needed. It was thought that support by the State of New York for education and promotion of NY seafood would greatly benefit the NY seafood industry. Mr. Frattini brought up the need to educate the 'front of house' people in the seafood or restaurant industries that have the most interactions with the public. Finally, the group also discussed the health benefits of eating seafood and how (like eating local) the shift in eating healthier may draw people to eat more seafood in the future. The current trend of eating local and eating healthier are viewed as an encouraging

opportunity for the NY seafood industry, which should lead to more interest in their products.

8:00-8:15 PM – Meeting is concluded by Mrs. O'Brien, with discussion on the next steps in the process.



2. Written Testimonies Submitted

Cornell Cooperative Extension | Suffolk County

Strengthening Families & Communities • Protecting & Enhancing the Environment • Fostering Economic Development • Promoting Sustainable Agriculture

Memorandum

To: NY Seafood Industry Roundtable
From: Emerson Hasbrouck-Cornell Marine Program
Subject: Comments and Action Items

1. Marketing & Branding of local seafood

- Originally establish a NY Seafood Marketing task force. This should still be created for the goal of Marketing & Branding NY Seafood
- Marketing directed at consumers to buy local and inform them where they can obtain locally landed seafood. Examples include:
 - Fresh Indigenous Sustainable Healthy FISH-funded through NY Farm Viability Institute
 - Pride of NY Campaign-funded through NY Dept. Ag. & Mkts.
 - Choose LI-Suffolk County
- Improve traceability from catch to consumer using block chain technology
- Implement the “NY State Grown and Certified” for NY commercial wild caught fish
- Establish and promote “Seafood Hubs” for local seafood sales
- Feasibility study for export marketing and opportunities: e.g. dogfish, monkfish

2. Infrastructure Support

- Funding for commercial dock maintenance, repair, rebuild. Many docks for commercial fleet are in significant disrepair
- Feasibility study for infrastructure needs in NY relative to docking and unloading facilities
- Funding for adequate electrical supply service to operate needed equipment
 - e.g. Shinnecock docks do not have 3 phase electric-This has been needed for more than 30 years to operate equipment-Ice Making equipment and other needs
- Feasibility study to overcome distribution challenges to access higher value markets
- Feasibility study for processing facilities on LI
 - Possible locations
 - Species
- Revamp commercial license structure in NY-contractor working on it for DEC
 - Implement the final approved program when available
 - Including Apprenticeship Program
- Funding for water quality improvements for impaired water bodies to re-open areas for shellfish harvest and aquaculture opportunities
 - This includes funding for an additional certified lab on LI for water quality testing
- Repeal the fuel tax

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From: [LaViolette, Linda \(AGRICULTURE\)](#)
To: [Ben Wenczel](#)
Cc: [Barton, Sarah \(AGRICULTURE\)](#); [Shephard, Lucy \(AGRICULTURE\)](#); [Socrates, Julia B \(DEC\)](#)
Subject: Re: conch regulations (seafood industry rountable meeting- follow up)
Date: Monday, October 29, 2018 2:12:17 PM

Hi Ben

Thank you for your email about the lack of regulation on the size of conch's. Having the conch fisheries collapse would be the worst possible outcome. I'm happy to enter your email into the Seafood Roundtable comments and will be happy to follow up with DEC to see if we can help get some better size regulations in place.

I'm out of the office with a family emergency for the next week but will reach out when I return.

Best
Linda

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From: Ben Wenczel <bwenczel@gmail.com>
Sent: Sunday, October 21, 2018 7:18 PM
Subject: conch regulations (seafood industry rountable meeting- follow up)
To: LaViolette, Linda (AGRICULTURE) <linda.laviolette@agriculture.ny.gov>

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Ms. Laviolette,

I am a commercial fisherman out of Greenport. We met at the New York Seafood Industry Roundtable Meeting in Riverhead on October 20th. I spoke about the decimation of the conch (channeled Whelk) fishery that is occurring as the result of a lack of regulations from the DEC. The majority of states along the east coast have a minimum size limit for the harvest of conch. New York does not, and immature conch that have not had the opportunity to reproduce are being harvested. The result is a fishery that is declining rapidly and on the brink of collapse. Although this issue has been brought to the attention of the DEC, no actions have been taken to adequately manage the fishery. My comments about the issue seemed to gain your interest. I am hoping that you can help guide me in the pursuit of a minimum size limit for the conch fishery and it's subsequent sustainability.

Sincerely,
Ben Wenczel



**New York Seafood Industry Roundtable Meetings – Brooklyn
Tuesday, August 28, 2018**

- GreenWave is a non-profit organization that is building a new generation of restorative ocean farmers, growing kelp and shellfish, to mitigate climate change, create good jobs, and grow healthy food for local communities.
- GreenWave's polyculture vertical farming system grows a mix of seaweeds and shellfish that require zero inputs - making it the most sustainable form of food production on the planet - while sequestering carbon and rebuilding reef ecosystems. Since our farms sit below the surface and leverage the entire water column, they produce high yields with a small footprint. And, our farms are open source: anyone with 20 acres, a boat, and \$20,000 can be up and running within one year.
- The impact at scale can be massive: farming less than 5% of US waters would create 50 million jobs, produce the protein equivalent to 3 trillion cheeseburgers, and absorb 10 million tons of nitrogen and 135 million tons of carbon - all with no freshwater or other inputs.
- In addition to being a food source, crops grown can be used as organic fertilizers and animal feeds, and can reduce the methane output from cattle by over 90%.
- The demand for our farmers' crops is strong with projected growth: the global seaweed market is currently valued at \$10 billion and is projected to reach \$17 billion by 2021, while the shellfish market is valued at \$1 billion. Demand is outstripping supply and new farms are needed to produce crops for food products, fertilizers, animal feeds, and even biofuel.
- GreenWave has a successful Farmer-in-Training pilot program in southern New England that has and currently supports over 25 new restorative ocean farmers which we would like to expand to New York.
- GreenWave has received inquiries from thousands of people around the world interested in adopting their model of farming - over 100 from New York State alone.
- GreenWave is already laying groundwork in NY State by partnering with Stonybrook University on a pilot project to diversify local oyster farms by incorporating kelp.

In order to develop the economic potential of ocean farming, GreenWave requests:

- **New York State support the expansion of ocean farming by passing legislation that supports commercial kelp aquaculture and a streamlined leasing and permitting process.**
- **Funding to build out a \$250,000 commercial scale seaweed hatchery to support new ocean farms.**
- **Funding for a \$250,000 marketing and outreach campaign that will educate and invigorate New Yorkers to include domestically grown kelp into their diets.**

From: [LaViolette, Linda \(AGRICULTURE\)](#)
To: [Melanie Cirillo](#); [Josh Halsey](#); [Kim Quarty](#); [Shephard, Lucy \(AGRICULTURE\)](#)
Subject: Re: Peconic Land Trust
Date: Sunday, October 28, 2018 8:30:06 AM

Hi Melanie

It was great to meet you too and come to your wonderful offices.
I'm a big fan of the Peconic Land Trust and totally support your mission.

We had a really good visit with Karen Rivera at her Hatchery. She's a great resource to the oyster community.

I'm out of the office for a few weeks with a family emergency but am cc: Lucy Shepard who will add the Peconic Land Trust statement to the Seafood Roundtable record.

I'll email you when I'm back and we can discuss some of the initiatives to preserve working waterfronts.

All the best
Linda

From: Melanie Cirillo <MCirillo@peconiclandtrust.org>
Sent: Friday, October 26, 2018 9:19:14 AM
To: LaViolette, Linda (AGRICULTURE); Josh Halsey; Kim Quarty
Subject: RE: Peconic Land Trust

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Hello Linda,



It was a pleasure meeting with you a week and a half ago. Thank you for coming out to our office on the East End! I heard you made it to Shellfisher and met with Karen Rivara... so glad that worked out.

In regard to the East Moriches project I was telling you about, this working waterfront on Moriches Bay is one of the last available properties that would be ideal for the aquaculture operators in the area. As we discussed, this heritage industry is rebounding with financial support from Governor Cuomo, Suffolk County and all the local municipalities and is so beneficial for the water quality in the area.

In regard to your Seafood Industry Roundtable meeting you hosted, I am writing as you suggested so that you could add this to your records...

Peconic Land Trust's work with the agricultural industry has enlightened us to the fact that the aqua cultural operators are very challenged with affording waterfront property to run their businesses more efficiently and affordably. If we can preserve this property at 159 Bay Avenue in East Moriches from being developed with 3 residences and succeed in selling development rights to Suffolk County or New York State, the land would be affordable to aquaculture farmers... they could have a place for their boats and equipment to be stored in a central location on Moriches Bay instead of driving several miles in the Bay from a boat

ramp to their underwater leased land. They could immediately bring their shellfish and seaweed product to the dock and cold storage to comply with safer food management standards. We are actively preparing a business plan and will provide a copy to you in the near future.

I recall you encouraging us to request funding from NYS Ag & Markets... perhaps you know of an appropriate grant or funding opportunity that could apply to this project?

If you want more specific information, Kim Quarty is the Project Manager working on this. I have copied her into this communication so she can follow up with any questions you may have.

Thank you very much for your interest and support of our conservation work!

Melanie Cirillo

Melanie A. Cirillo
Director of Conservation Planning

Peconic Land Trust
296 Hampton Road, P.O. Box 1776
Southampton, NY 11969
631.283.3195, ext. 27
www.peconiclandtrust.org

The Peconic Land Trust conserves Long Island's working farms, natural lands, and heritage for our communities now and in the future.

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From: Melanie Cirillo

Sent: Wednesday, October 17, 2018 10:08 AM

To: 'Linda.LaViolette@agriculture.ny.gov' <Linda.LaViolette@agriculture.ny.gov>; Josh Halsey <joshhalsey@Peconiclandtrust.org>

Subject: Peconic Land Trust

Hello Linda,

I'm so glad you can come to our office. Our address is 296 Hampton Road, Southampton, NY 11968

See you in a few hours!

Melanie Cirillo

Melanie A. Cirillo

Director of Conservation Planning

Peconic Land Trust

296 Hampton Road, P.O. Box 1776

Southampton, NY 11969

631.283.3195, ext. 27

www.peconiclandtrust.org

The Peconic Land Trust conserves Long Island's working farms, natural lands, and heritage for our communities now and in the future.

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From: [Levine, Laurie \(AGRICULTURE\)](#)
To: [Shephard, Lucy \(AGRICULTURE\)](#)
Subject: FW: For the Record: Rampant Seafood Fraud in New York State
Date: Wednesday, August 29, 2018 1:12:28 PM
Attachments: [NOAA re. Sea to Table 06.15.18 FINAL\[1\].pdf](#)

From: Sean T. Barrett [mailto:seantobias@yahoo.com]
Sent: Wednesday, August 29, 2018 1:08 PM
To: Levine, Laurie (AGRICULTURE) <Laurie.Levine@agriculture.ny.gov>
Subject: Fwd: For the Record: Rampant Seafood Fraud in New York State

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Begin forwarded message:

From: "Sean T. Barrett" <seantobias@yahoo.com>
Date: August 29, 2018 at 12:58:31 PM EDT
To: lucy.shepard@agriculture.ny.gov, NYSseafood@esd.ny.gov
Cc: Linda 2018 LaViolette <linda.laviolette@agriculture.ny.gov>, thielef@nyassembly.gov
Subject: **For the Record: Rampant Seafood Fraud in New York State**

Hello Lucy, thank you for hosting the Seafood Roundtable last night in Brooklyn, it was very well organized and quite informative. You had mentioned it was possible to submit a statement in writing for the official record, and I have attached a letter that I would like to submit to you for your files and hopefully to initiate corrective measures be taken by New York State.

The number one problem we are dealing with in the local seafood sector right now is **SEAFOOD FRAUD** and although we have numerous NY State agencies that oversee regulation of the criminal practice of mislabeling seafood—there is a grave and mysterious absence of prosecution of these crimes, and a dangerous disconnect from consequences for those who conduct the crimes.

This has created a “Wild West” scenario of lawlessness in New York State, where everywhere we go we are able to identify mislabeling crimes being conducted in the marketplace. Seafood fraud undermines our markets and harms the consumer, the commercial fishermen, the environment, the economy and the fishing communities of New York State. Without aggressive law enforcement and criminal prosecution of the bad actors, there is no incentive to play by the rules which makes it nearly impossible for honest operators to compete.

The crimes are not happening on commercial fishing boats or at the dock, they are happening in the supply chain that connects to consumers and distributes seafood over

land.

The most horrific recent example of criminal seafood fraud being conducted in New York State (by a Brooklyn-based seafood brokerage) is described in the attached letter from Senator Markey of Massachusetts that was written in June of this year. In the letter, the Senator is calling on federal agency NOAA to investigate the rampant seafood fraud situation in New York State that was exposed after a two year investigation by the Associated Press.

As was mentioned at the roundtable last night, it is a telling sign of how dire the situation has become when a Senator from Massachusetts has to intervene to disrupt the criminal fraud schemes being conducted in New York. I know many of the witnesses to the specific fraud described in the attached letter, and none of them have been contacted by any investigators (state or federal) since this crime was exposed in June, and the fraudulent brokerage "Sea To Table" continues to operate as if nothing happened.

We have heard that Department of Agriculture and Markets is not motivated to investigate these crimes described in the letter; the New York State Attorney General's Office has not responded to complaints about this case that were sent to their offices; New York State Department of Consumer Affairs is not taking any action for some reason; and the New York State Department of Environmental Conservation is "taking a look at it" but as I mentioned above, none of the witnesses we know have been contacted by any DEC investigators.

It is frustrating and confusing as you can imagine when the marketplace is so saturated with fraud, and an investigation and case like this one attached is exposed so publicly, to then only hear crickets chirping from all of the various New York State agencies that have a responsibility to enforce the laws, prosecute the criminals and protect the integrity of the industry.

Therefore I would like to submit the attached letter to the record, and respectfully request that your collective offices make "**criminal prosecution of Seafood Fraud in New York State**" a top priority.

Thanks,
Sean

Sean Barrett
Community Supported Fishery Founder, Montauk
NYS DEC Marine Resources Advisory Council Member
917.853.8559 / www.docktodish.com

PLEASE SEE ATTACHED

EDWARD J. MARKEY
MASSACHUSETTS

COMMITTEES:

ENVIRONMENT AND PUBLIC WORKS

FOREIGN RELATIONS

RANKING MEMBER:

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC,
AND INTERNATIONAL CYBERSECURITY POLICY

COMMERCE, SCIENCE, AND TRANSPORTATION

RANKING MEMBER:

SUBCOMMITTEE ON
SPACE, SCIENCE, AND COMPETITIVENESS

SMALL BUSINESS AND ENTREPRENEURSHIP

CHAIRMAN:

U.S. SENATE CLIMATE CHANGE TASK FORCE

United States Senate

SUITE SD-255
DIRKSEN BUILDING
WASHINGTON, DC 20510-2107
202-224-2742

975 JFK FEDERAL BUILDING
15 NEW SUDBURY STREET
BOSTON, MA 02203
617-565-8519

222 MILLIKEN BOULEVARD, SUITE 312
FALL RIVER, MA 02721
508-677-0523

1550 MAIN STREET, 4TH FLOOR
SPRINGFIELD, MA 01103
413-785-4610

June 15, 2018

James Landon
Director, Office of Law Enforcement
National Oceanic and Atmospheric Association
1315 East West Highway
Silver Spring, MD 20910

Dear Director Landon,

I am writing to call your attention to a disturbing article published yesterday by the *Associated Press* (AP), which describes significant seafood fraud activities conducted by the seafood distributor Sea to Table. Sea to Table markets itself as a source of traceable, wild-caught, and sustainable U.S. seafood, but was found by AP investigators to systematically engage in fraudulent seafood marketing. The company's actions include labeling farmed seafood as wild-caught, selling fish that was out of season and illegal to catch, and promoting fish as locally and sustainably caught, when it in fact came from foreign fisheries that engage in labor abuses and destructive fishing practices, including shark finning and the killing of marine mammals.¹ The egregious actions by Sea to Table call into question whether federal authorities are sufficiently enforcing against these types of behaviors.

Sea to Table has violated the public's trust in seafood by lying about the nature of its product as reliable and sustainable and by profiting off of threatened fish stocks and enabling human rights violations. These alarming actions, which undermine the commitment to sustainable seafood harvested by fishermen in Massachusetts and around the country, cannot be tolerated.

It is my understanding that the National Oceanic and Atmospheric Administration's (NOAA) Office of Law Enforcement (OLE) is largely responsible for monitoring and enforcing fisheries, including adherence to the Magnuson-Stevens Fishery Conservation and Management Act and the newly implemented Seafood Import Monitoring Program. On its website, Sea to Table lists the NOAA FishWatch program, which helps U.S. consumers make smart seafood choices, as a key partner.² To better understand OLE's role in protecting against seafood fraud, I respectfully ask that you respond to the following questions no later than June 29, 2018:

¹ Robin McDowell et al., *AP Investigation: Fish billed as local isn't always local*, Associated Press (June 13, 2018), <https://apnews.com/73646ad2aaac4666a7124806b2e6a5bc>.

² *Our Mission*, Sea to Table (2017), <https://www.sea2table.com/our-mission/>.

Director Landon

June 15, 2018

Page 2

1. How does OLE monitor the activities of Sea to Table and other seafood distributors to ensure that violations such as the selling or promotion of illegal fish and the intentional mislabeling of product are not occurring? Please describe how often inspections occur, what prompts investigations from OLE, and what authority OLE has to leverage enforcement actions that deter further seafood fraud.
2. Over the last five years, how many violations related to seafood fraud has OLE discovered? For each of these violations, please describe any enforcement actions that were taken.
3. Now that Sea to Table's violations have been brought to light, what steps will OLE engage in to further investigate or leverage enforcement actions?
4. Does OLE currently have the resources and authority needed to adequately conduct regular monitoring for seafood fraud?

Seafood fraud threatens the health of Americans, negatively impacts our oceans and fisheries, and undermines the sustainable practices of responsible American fishermen. I will be closely following your progress on this critical matter. Should you have any questions about this request, please contact Claire Richer at 202-224-2742.

Sincerely,



Edward J. Markey
United States Senator



New York State Seafood Industry Stakeholder Survey

Date: 10/17/18

Meeting Location: ☒ Long Island ☐ NYC
☐ Hudson Valley ☐ None

Name: Kristin Gerbino

Business Name: Cornell Coop. Exten. Marine Program

Email: kk334@cornell.edu

Phone: 631-727-7850 x315

Industry affiliation:

- ☐ Fisherman ☐ Aquaculturist ☐ Wholesaler ☐ Processor
☐ Retailer ☐ Restaurant ☐ Policy Maker ☒ Researcher/ Specialist
☐ Government ☐ Other (Please fill in) _____

What challenges do you currently face in your industry or business related to seafood?

- a. funding to continue fisheries research and "Choose Local F.I.S.H." marketing campaign ^{and expand!}
b. _____
c. _____

What opportunities do you see in your industry or business related to seafood?

- a. Interest in local food, including seafood, is very strong
b. _____
c. _____

How do you currently share information about your industry or business?

- a. www.localfish.org website
b. local F.I.S.H. facebook page
c. _____



New York State Seafood Industry Stakeholder Survey

Where do you go for resources or education to help with your industry or business?

- a. direct to fishermen and seafood dealers
- b. NYS Sea Grant, Fisheries Councils,
- c. Fishwatch

What would you like to see created to help your industry or business access information and obtain resources?

- a. continuation of "Choose local F.I.S.H." marketing campaign +
- b. www.localfish.org website
- c.

Why is the sustainability of New York local seafood important to your industry or business? How does it impact you?

- a. Supports local fishermen + local economy
- b. Consumers look for sustainability in the food they eat.
- c.

Identify ways to market New York seafood to increase consumer demand and promote sustainability.

- a. Continue "Choose local F.I.S.H." marketing campaign
- b.
- c.

In what ways can seafood mislabeling be mitigated or avoided?

- a. Know your fishermen + what species are local
- b. ask questions at restaurants + markets
- c.

What marketing best practices have you seen that promote local seafood consumption?

- a. the "Choose local FISH" campaign
- b. Pete Haskels CSF program
Amagansett FISH



Provide recommendations for how New York consumers can learn more about local seafood. *research*

- Please provide any additional comments.**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page, possibly from a composition book or a legal pad. The edges of the paper are slightly irregular, suggesting it might be a scan of a physical document. There is no handwriting or other markings on the page.

3

This memo is written to express the incredible injustices and imbalance involving summer flounder (fluke) quotas set by National Marine Fisheries interfaced with the Magnuson Stevens act as they relate to New York, compared to rest of the eastern seaboard from North Carolina to Maine.

The related collateral damage to the New York State economy caused by this long-standing injustice goes far beyond just from the pockets of fishermen, but also has extreme negative effects on the fish packing houses which depended upon those fish landings to stay in existence. If one looks at the number of fish packing houses which existed on Long Island before these injustices took place, you would see a thriving business of fish packing houses, from Brooklyn all the way to Montauk and everywhere in-between. These unfair regulations have put most of them out of business. These dynamics also have affected the marketing of those fish to local fish markets, all the way up the supply chain, right to the Fulton Fish market, as well as the trucking of those fish, the freshness of the fish and other related industries affected by this long-standing injustice.

This is a subject that must be addressed on a federal level, which does not just involve New York State legislation, but also federal legislation. It is a very complicated situation, yet a very important subject to understand and correct. I will try to keep it focused.

Since the beginning of modern commercial fishing in New York and through the early 1990s, when commercial boats came back to port with their catches from federal waters, they would go into one of many commercial packing houses along the coast of New York to unload their catch. Everything worked well and efficiently. There were regulations which had to be adhered to, and it afforded Long Island an outlet for commercial fishermen to sell their catches locally and have those fresh fish locally distributed throughout the area and also brought to broader world markets through the Fulton Fish Market, in business since 1822, and was a strong part of the New York economy for many years. However, somewhere in the early 1990s there were new federal regulations put into place which heavily changed the dynamic of drastically different state quotas and eventually, even affected where commercial boats could legally unload their fish. The changes in that legislation has devastated the fishing fleets and also driven local fish houses either completely out of business, or close to it. Commercial fishing on Long Island has a wonderful history, a history which has turned tragic. That history also included packing houses that have closed up, and many who are suffering tremendously because of this unfair legislation. In fact, there are only a handful of original packing houses left. The rest were totally wiped out, or many have changed hands repeatedly trying to survive because of out of balance legislation regarding where fish can be landed. There was once a time when there were packing houses all along the south shore of Long Island. It is hard to believe that there is not one commercial packing house left in Freeport New York. There was only one left servicing all of Jones Inlet and they have recently also gone out of that business. Now there is not even **one** fish packing house left on Long Island, from Manhattan, all the way until you get to Shinnecock! And it should be noted that the waters off of Long Island are some of the most prolific fishing grounds and sources of seafood in the United States.

I want to clearly state that I don't have a financial interest in any packing house, however I am very close to some of the families and I have seen firsthand how they worked hard in family businesses for generations and it saddens me that after all of that hard work and adding so much to the economy of the fishing community and Long Island, they have been legislated out of business by the unfair management of fish quotas and equally unfair regulations. This is not just about any "one" family's plight, rather this is a story which has been repeated over and over again in different packing houses throughout New York. And as stated earlier, it also has devastated the commercial fishing boats.

Yes, the attempt to conserve our fish resources is a noble and necessary one, but we must be careful as to make those adjustments and regulations in a balanced manner looking at the bigger picture as to what is fair to all participants and keep things on an even keel in the big picture.

Let me try to focus in on this. Prior to about 1990, boats had the freedom and choice to bring the fish they caught in federal waters into any port which made the most sense for them to use. However, with new state-by-state restrictions and allocations, those dynamics have tremendously changed.

The tragedy in all of this is the following phrase:

The federal allocation of fish by state does not reflect where a boat can actually “catch” the fish.

When the federal state-by-state quota legislation went into effect, it caused a situation where the quotas tremendously favored certain states over others. Furthermore over time, other unfair legislation politically motivated, controlled new and strict regulations as to where the fish could be offloaded. Case in point, boats which have North Carolina permits for summer flounder come to New York waters, take fish from New York waters as close as 3 miles off the beaches of Long Island, yet **cannot** land them in ports in New York only a few miles away. Rather they must then travel **all the way back to North Carolina** because it is illegal to pack out in New York since the quota is totally closed, or their catch exceeds what is allowed and they must go back over 500 miles each way to the permitted port of North Carolina where that permit was issued. **That is insanity!** The fish are caught in federal waters off of New York State on a North Carolina boat, but instead of going to a packing house a few miles away, that boat must be brought back to North Carolina, or possibly another state where they have that corresponding permit, but **not** into New York. And to make the situation even more nonsensical, most of those fish caught near New York are then brought **back** to North Carolina, unloaded, are then the next morning those fish are trucked back to New York fish markets where they are sold! If that's not crazy, then I just came off a spaceship from Mars!

It should be an “even playing field” for many reasons, and a fishing vessel should be able to take their catch to any port which is most convenient. What is the difference? First of all, the waste of time and fuel to go a few miles off the coast of Long Island and then travel all the way to North Carolina to unload their catch and then to steam all the way back to Long Island the next day in over a 1000 mile round-trip is outrageous logic. Furthermore, with sometimes dangerous, quickly changing and challenging sea conditions, it is also criminal behavior to put a captain and crew through that exercise in futility traveling all way back to North Carolina, not to mention all of the extra diesel fuel, pollution, and lack of energy conservation attached to it. The plain simple logic is that the fish are being caught anyway, and the rest of these federal rules are just a game of illogical legislation protecting North Carolina packing houses and eliminating New York as a place for them to pack out their catch.

The current rules are not about conservation, they are about unnecessary politics and quota-grabbing by certain states over another and New York State is on the losing end of that stick **BIG TIME**.

As ridiculous as this may sound, even some boats who have permits to land fish in New Jersey, who have a home port in Montauk, leave Montauk-then fish right off of Montauk, by New York waters, but then have to travel all the way to New Jersey, just to drop off their catch and then travel all way back to Montauk, and the distance between the Montauk lighthouse and the Point Pleasant inlet where they unload their catch is 119 miles in each direction, all traveled for nothing except a quagmire of bad legislation. Again-a tremendous waste of time, fuel, and all the other things I mentioned above.

What really makes this situation even worse is the fact that very few species of federally caught fish fall into this category for the packing houses. Mainly it is sea bass and fluke, again- also known as summer flounder. However, and it is a big **HOWEVER**,-what happens is... when a boat also is in possession of many other species not included in these federal regulations, for example squid, porgies, whiting, monkfish, and many others- **they still have to AVOID any fish packing houses in New York ports because they often will have some fluke and/or sea bass on board with permits only from other states and if they as much as cross the 3 mile New York State waters limit with those fluke, or sea bass on board they would face very heavy fines, license suspensions and be in violation of the law. Therefore at any cost, even traveling a thousand miles out of their way round-trip, they will stay away from New York and avoid unloading all the other species of fish in their entirety catch and New York is left out in the cold. And they certainly are not going to drop off some fish in one place hundreds of miles away and then return back to New York to offload the rest of the catch and thusly the New York packing houses are shut out of the entire catch and lose everything.**

Those unfair regulations are strangling their ability to compete and survive. Yes it's confusing to follow, but somebody has to listen to understand how this is devastating the commercial fishing community for New York. There must be a level playing field. The fisherman and packing houses of today are paying for sins of bad legislation from over 25 years ago. And what is at the root of this entire imbalance? That fact is that the actual allocation of where these fish are being caught is terribly lopsided. The biggest injustice is that **where these fish are caught does not coincide to the home-port of where these licensed boats and quotas are geographically located.** You have North Carolina boats coming all the way to New York waters to fill their quotas and then bringing those fish back to North Carolina fish packing houses-that is ridiculous and terribly unfair.

The root of this problem started because New York did a terrible job representing the commercial fishing fleets when this whole allocation system was set up over 25 years ago, and those mistakes have caused the fishing community of New York to tremendously suffer over many years from the allocation ratio and percentages. In many instances when this was first set up, North Carolina draggers working right off of New York waters caught those fish closest to New York, and much of the poundage was packed out in New York packing houses, and New York State never got credit for those fish, and those fish were unjustly credited towards the North Carolina future quota through paperwork. It should also be noted that in those days North Carolina had a 12 inch size limit for the summer flounder, and the same boats in the same exact waters out of New York had a 14 inch size quota, and that was not taken into consideration whatsoever. Bottom line, it was bad accounting, and a terribly shared resource. To clearly state what damage was done, even though the largest percentage of fluke are caught in the New York area, and of the total quota allocated from North Carolina to Maine, New York only gets 7.6% of that quota and North Carolina gets 27.4%- **OUTRAGEOUS!** And again, this came from "bad math" back in the early 1990s when National Marine Fisheries in their flawed wisdom set a "stopping point" where they looked "back in time" to see what percentage each state had reported on paperwork of the total amount of fluke landed. Well, as fate would have it, while the New York boats were not aware of this upcoming allocation system, the North Carolina boats seemed to strangely have had some kind of inside information. Now I know we are getting into "hearsay" with this category, and I always want to be as accurate as I can with facts, but this will make the dynamics of what happened and why it happened much more clearly understood.

It is strongly believed by many in the New York commercial fishing community that there was inside information given to the North Carolina boats to “pack the numbers” as high as possible in those years **prior** to the “looking back period,” while the New York boats were understating what they caught. I personally know firsthand of a big New York packing house and the owner clearly remembers North Carolina fishing boats putting everything they could in those “lookback years”-packing their fish out in New York ports with fish they caught right off of New York beaches and listing everything under North Carolina paperwork. And yes, let’s be realistic, New York boats were understating that same information at the same time hoping to keep on fishing. Well, the fishermen of today should not continually pay for the sins of those actions from years ago. To give New York fishermen a 7.6% quota for the last 25 years, while North Carolina has 27.4%-and then changing the law somewhere in between where they could only offload their catches back in North Carolina is a total tragedy for the New York fish industry which **MUST CHANGE!** And again, the most ridiculous part of this is most of those fish are caught in, or near the waters of New York State. The damage done over all of these years has been tremendous, and that is no reason to accept that the damage must continue! ~ And of course it’s going to be hard to get anything past Congress-especially when Virginia has a 21.3% share, even New Jersey has a 16.7% share-New York got screwed with only 7.6% and continues to get screwed and our state and Governor and New York DEC should fight to correct this unjust situation. Below is a chart showing the 2018 State-By-State commercial summer flounder quotas, in pounds



NOAA FISHERIES | Greater Atlantic Region

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

2018 State-By-State Commercial Summer Flounder Quotas, in pounds

	FMP Percent Share	2018 Initial Quota	2018 Adjusted Quota (2016 ACL overage deducted)	2017 Preliminary Overages ¹	Adjusted 2018 Quota, Less Overages ²
Maine	0.04756	3,152	3,061	0	3,061
New Hampshire	0.00046	30	30	0	30
Massachusetts	6.62046	451,998	438,973	37,816	401,157
Rhode Island	15.68298	1,039,326	1,009,375	13,002	996,373
Connecticut	2.25708	149,579	145,268	0	145,268
New York	7.64699	506,773	492,169	0	492,169
New Jersey	16.72499	1,108,381	1,076,440	0	1,076,440
Delaware	0.01779	1,179	1,145	49,638	-48,493
Maryland	2.0391	135,133	131,239	0	131,239
Virginia	21.31676	1,412,682	1,371,972	0	1,371,972
North Carolina	27.44564	1,818,862	1,766,447	0	1,766,447
Total	100	6,627,096	6,436,120	0	6,384,158

This quota imbalance has now created a situation where today, two boats can be fishing in the same waters, one boat with North Carolina permits leaving from North Carolina and the other with New York permits leaving from New York. On a single day trip limit on many days, the North Carolina boat can land 15,000 pounds of summer flounder, and the New York boat can only land 100 pounds, or even sometimes zero pounds and that oftentimes is in waters as close as three miles **off of the New York coast fishing right next to each other!** There must be some integrity to where the geographical fishing grounds are, and the poundage quotas cannot be totally controlled by who got an advantageous quota based on flawed information from over 25 years ago. Yes, getting that legislation changed from the grips of North Carolina and other states will not be easy, but New York officials must stand strong, even if it involves federal lawsuits to get this horrendous injustice corrected.

I want to clearly emphasize that the information I have gathered in this memo is not just from my own knowledge, but I'm very close to many people in all aspects of this, including draggers, commercial fishermen in general, and those who have owned fish packing houses. Much of this information has been gathered through their collective knowledge. I'm not saying every single fact in this memo is absolutely accurate, but the overall framework clearly shows the disasters they have gone through.

I would also like to say the management of our fishing resource in general as a nation needs so much repair with bycatch problems it's frightening, and if not addressed it will devastate our oceans. I am now a man of 73, I have no horse in this race financially, but I do feel a tremendous moral responsibility to give the future generations the same thrill from fishing that I enjoyed. The entire subject is so complicated that most people shy away from it and consider it close to unsolvable and want to take a nap after reading these complicated regulations. Not paying attention to this problem is like an ostrich putting its head in the sand while a lion is roaring towards it to pounce. If our forefathers in that room in Philadelphia said "this is all too complicated"-we might all still be living under British rule! The way to solve this is to be creative, bold, and brave and come up with answers to these complex problems and not be afraid of change and be willing to be part of those solutions and work hard to change the system, not put another patch on it, but to change the entire tube.- **It's time!**

But let's not try to solve every United States commercial fishing problems all at once. However it is well worth mentioning that federally caught fish quotas were terribly misrepresented by numbers from the beginning which didn't reflect where the fish were actually caught geographically. And also worth noting, - why were fluke and sea bass the **ONLY** fish regulated during this transition with state-by-state quotas? The reason is.... that the politics of the day ruled those particular fish, because they were the **"money fish."** It had less to do with conservation than it did with controlling the financial marketplace of the commercial fishing catch. It also should be noted prior to this dividing fish by states, New York fish packing houses always handled fish for boats along the entire eastern coast when they were fishing in waters near New York and those numbers made the North Carolina quotas artificially larger because those fish actually came from New York.

We have talked about a lot of problems above, and it is time to discuss possible solutions. A beginning answer to all of this is to let commercial fishing vessels unload their catch in the nearest convenient port without geographical restrictions, regardless of the permitting home port. And while the current quota system is extremely unfair, at least that would be a **beginning** to solving part of the problem and then address and change the extremely unfair state-by-state percentage quota system, although the quota poundage by state system is the worst part of this problem, but more complex to solve.

In the larger framework of a major overhaul of how fishing quotas are handled, we must utilize the modern technology available to us today that was not even imagined when the Magnuson Stevens Act was first implemented in 1976. We are delinquent in our stewardship of the oceans if we do not change with the changing times utilizing modern technology. We cannot solve tomorrow's problems with yesterday's technology.

The commercial fishing vessels fishing in federal waters today have "real time" position monitoring devices, like ORBCOMM and others, plus satellite phones, Internet computer links and other information services, as well as email systems available to them right on their boats which they are presently using. The amount of monitoring technology which is available today can certainly allow those boats landing their fish to report exactly what has been caught, and where they were landed, while utilizing the port of their choice. Let's get real here-it's 2018, not 1976, the year of the original Magnuson Stevens Act's inception 42 years ago!. Coincidentally, that was the same year Apple Computer and Microsoft first started in business, but not a home computer yet in sight then, nor hardly a cell phone.

How did we ever survive?!!

These potential changes I am mentioning would also be a tremendous help to the economy of New York on many levels. If there is **not** some kind of change soon, there will be no packing houses left in New York, in fact we are already close to that. And there is other collateral damage to this as well. Not only does it affect the fish houses, but it also affects the supply chain all the way down the line of all those who depend upon those packing houses, as well as the fact that fish coming into New York directly offers a better and fresher product. But the real reason this should be solved is that it is extremely unfair and out of balance. Competition is a good thing, but to have the New York fish packing houses start the 100 yard dash at the minus 20 yard line because of these regulations, makes it an impossible race for them to win, and I truly believe that handicap should be removed for the good of the citizens of New York State, as well as the entire fishing community. Additionally, the "out of balance" quota poundage system is also tremendously unfair and has devastated the New York fishing vessels for many years.

Make no mistake about it; there will be tremendous and fierce resistance to changing the status quo from states who have a stranglehold on this lopsided quota situation. There will be resistance from the packing houses outside of New York State, and the commercial fishermen from states with these "quota advantages" and they will want **NO** change at all, since they are playing a poker game and have been handed three aces under the table before the hand was even dealt.

I understand this is a very complicated topic, and that is one of the reasons why these dynamics are so out of balance. In the world of politics, I am a realist- when these facts are looked at, very few people are really going to take the time to understand the "belly of the beast" regarding this whole topic. I love fishing, I care about our natural resources for future generations- and I so respect the fishing community. I see these facts clearly, and I believe it is my responsibility as a citizen to try my very best to put this discussion in a fair balance, not siding with anyone, but siding with the truth and what is fair. I also have great faith in our system of democracy. I must also state that I am not a professional accountant with all of these facts and numbers, and far from infallible, however I do believe the overall view of what I have presented is an excellent overview of the situation, a very difficult and complex situation to totally digest. This memo took me countless hours to research and write.

i also understand with wars going on, federal budgets, and so many other incredibly important issues, this is a challenging subject to get the attention necessary in order to see and fully understand the real problems and find the fair and realistic solutions. I am hoping my letter can put focus on that. And yes, what really counts here is fairness. After all, that is the foundation of the word "Democracy."

Yes, this is an eight-page letter, but it is covering over 25 years of unjustified and complicated legislation which has done tremendous damage to so many, and the legislation in question was not put into place for the spirit of true conservation of the resource, but rather with greed and unfairly monopolizing as much of the total quota as possible. These federal rules and regulations put into place over the years are more a testament to the phrase;

"A camel is a horse that was designed by a committee."

All of these unjust rules and regulations have been a tremendous pressure on people in the fishing community, especially New York, even forcing some individuals who I truly consider to be honest people, to skirt the regulations, not out of greed, but were forced to do so in the name of their very financial survival of their livelihood for themselves and their families. It has been tragic for them. I don't expect these federal regulations to change overnight, but this situation also cannot continue as the status quo. With the commercial fishing community suffering under these unfair regulations for over 25 years, if something is not done soon, there will be nothing to discuss, and the proud tradition of these New York fish packing houses will tragically disappear. This also must be addressed to rectify these terribly unfair quotas for all the commercial fishing boats of New York State. Additionally this injustice not only affects quotas with the commercial boats, but also directly affects the **recreational summer flounder** fishing quotas in a very unfair way to New York, compared to neighboring states.

I had mentioned earlier in this memo that I do not want to write this memo as a disgruntled fishermen just venting, rather I am writing it in the spirit of coming up with real and workable solutions and moving forward to a better system. In that spirit, I must honestly say that I have gone to the federal and state meetings involving fishermen. I can clearly see firsthand by sitting in the audience, that those meetings usually end up being truly a gripe session with unfocused ideas going in all different directions and looking to put another patch on a tubed tire that already has way too many patches. The trouble is that it is not the problem with the tube, or even the tire— the truth is that **the rim itself is bent**. By that I mean it is not tweaking the existing rules which will help- but an en"tire" new approach is needed. Rather than trying to solve everything at once, we must start with ONE specific issue, change that, and then build on those changes to progress with additional changes over time.

Now where to begin? ~ It's going to be very complicated to change the quota percentages "by state" of the summer flounder allocations and will take a lot of time. Additionally that change will run into tremendous resistance from those states that have had an unfair balance of the total quota for many years. It will take committees on top of committees and legislation on top of legislation with a lot of doubletalk and delays from those states with unfair quota advantages to move forward with those changes, yet that process should begin. **HOWEVER**, in order to **START** this process of change, a smaller and more "easy to digest" injustice should be the first step. Immediately addressing this horrendous and unfair situation where summer flounder and sea bass can only be brought into states and ports who issued those federal licenses would be a great first move to change.

It is far less complicated to correct this outrageous and unfair rule. It's much simpler to digest the insanity of it and will be obvious to anyone who spends a small amount of time looking into it and studying the facts. It is also something that would literally take just the "stroke of a pen" to change that law where **any boat with a federal license for summer flounder and sea bass should be able to go into any port of their choice, like all other federal species.** There is no reason for any other decision!

I would like someone to explain to me and all of the "going broke" New York fish packing houses, as well as a fishing vessel making a 1000 mile round-trip for no logical reason at all-and tell me why the only two species which fall into this "only go back to the port of your federal license issuance"- is exclusively done strictly on summer flounder and sea bass. If a boat has a federal squid license they can go into any port of their choice in the United States with an available landing license. The same is true with Ling, whiting, tilefish, bluefish, even scallops, a fishery with a massive volume and diversified geography. In fact EVERY species, except summer flounder and sea bass can go into any port in the country. There is no reasonable or logical answer as to why summer flounder and sea bass should be treated differently. It is clearly motivated by biased legislation which has absolutely devastated the New York fishing industry. The federal government, and especially the New York State DEC has a moral and ethical obligation and responsibility to change those rules as soon as possible.

So let's not get overwhelmed here-let's start the journey of solving all of these problems, but let us absolutely make those first steps of justice quickly and firmly towards resolving this one issue as a beginning regarding letting commercial boats go into any port to unload their catch. Yes, this is far from the only issue, but we have to start somewhere. This particular issue is easy to understand, terribly unfair, and should be immediately changed.

So for that little kid from East Rockaway who went fluke fishing as a kid in his little boat, who used to be me, I must put my writing powers and my long history of knowledge involved with this subject towards doing all I can in clarifying this information for a better tomorrow for myself, my fellow-fishermen and most importantly, for all of our children. My case has been stated, and actually, it's not "MY" case, but the case of the future for all of us. I hope all of the government officials in a position to make a change and a difference, will look "under the numbers" into the true facts of how this has all been so unfairly set up and will recognize the situation must improve for your constituents and in the name of fairness for The Great State of New York.

Thank you for taking the time in reading my letter. ~~ Mike Jacobs



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AskUs@lifb.com www.lifb.com

Testimony Seafood Task Force
Robert Carpenter, Long Island Farm Bureau

10-17-18

Long Island Farm Bureau is a nonprofit membership association representing the agricultural and aquaculture industry on Long Island.

We would like to recognize Fred Thiele and Ken LaValle for being champions of the Commercial Fishing Industry. There are many others over the years who have also spent many hours advocating for the industry on their own time on these issues that have been a stumbling block for the commercial fishing industry for the last few decades.

First and foremost, while marketing is a critical component to the success of the seafood industry, there are many more important regulatory, economic, and fundamental issues occurring with the sustainability of the producers. It is time that we all band together to work to solve the regulatory and legislative issues that affect the industry so we can have producers that are able to work on the water, be economically viable and be able to deal with reasonable and common sense regulations. That combined with a parallel track of marketing will ensure the survival of the industry.

Among the many issues the industry faces include:

- Allowing young people easy access to licenses
- Funding for capital improvements
- A better quota system and a restructure of federal laws
- A working relationship with regulators who should help not harm the industry.

All of these issues need to be resolved and fixed.

Second, there needs to be an understanding between government agencies and legislators who need to help the commercial industry instead of overly restricting them. A better working relationship between all regulatory agencies is essential for the survival of the industry and to foster growth.

Third, the industry needs preservation of working dock space before it is all gone. Without the infrastructure, it will become too difficult to be able to harvest, catch, and sell, and have access

to the water. This is true for the fishing industry, as well as, baymen and shellfish growers. Our land values have risen to the point that it is economically unfeasible for many growers to afford dock space and working waterfront.

Fourth, for aquaculture/oyster growers:

- Better and proper testing of water to prevent closings
- Easier regulations to market (shuck) on a local level

Finally, you have heard many comments tonight (and over the course of other meetings) about over regulation. I urge the agencies represented here to take these comments seriously and assemble a task force of commercial harvesters and producers to identify and make sensible resolutions/suggestions to our legislators so there can be real change to solve these issues. We do not need another meeting or task force with input with comments, but a real effort to effect change and that starts by identifying the problems by industry and advocating for practical solutions and real funding mechanisms. After these issues are dealt with, suggestions can be made for a funding wish list to help with marketing and capital needs.

Muehlemann, Elisabeth (ESD)

From: Michael Osinski <mike@widowsholeoysters.com>
Sent: Saturday, October 20, 2018 9:22 AM
To: Muehlemann, Elisabeth (ESD); Isabel Jen Osinski
Subject: Re: Seafood Round Table Follow Up

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Elisabeth,

As my wife ad said at the meeting, a great way to combine education and marketing of Long Island seafood is for every state university and junior college to maintain a Long Island oyster bar. As parents of a daughter at Cornell, we know the curriculum is filled with courses on sustainability - what better way to reinforce the classroom than for students to eat delicious, New York sustainably farmed oysters. The millennial age group is a large consumer of oysters, so the oyster bars should be popular. And cafeteria workers, once shown how to shuck, will enjoy the revenues that accrete in their tip jars.

This costs the state nothing, as it is already feedings hundreds of thousands of college students a day - but not buying a cent of that food from Long Island waters! Simply redirect some of the money to healthy sustainable Long Island farmed oysters. Reinforce the lesson in the classrooms with a healthy, nutritious and tasty morsel from our bays.

Also, we could use some property tax relief. Our shoreline farm is taxed at a premium, yet it is used for agricultural purposes. Help us out with the town's tax assessor. Also, we need to build housing for workers, can the tax on that property be minimized. Does the state have funding for infrastructure? We are doubling our production and want to market more intensively. We already sell to the best restaurants in the world: Eleven Madison Park, Le Bernardine and Blue Hill at Stone Barns are just a few of our famous customers. Our daughter, who is studying marine biology at Cornell, wants to take over the farm so we are ramping up. Is there any funding for expansion? To help with marketing upstate?

Thanks,

Mike and Isabel Osinski

Widow's Hole Oyster Company

Greenport, NY

On 10/18/18 2:56 PM, Muehlemann, Elisabeth (ESD) wrote:

Muehlemann, Elisabeth (ESD)

From: Isabel Osinski <isabel@widowsholeoysters.com>
Sent: Sunday, October 21, 2018 10:08 PM
To: Muehlemann, Elisabeth (ESD); mike@widowsholeoysters.com
Subject: Re: Seafood Round Table Follow Up

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Dear Elisabeth,

Thank you for your request for input. Our suggestion is to simply buy oysters and eat oysters.

NYS government can directly and tremendously facilitate the NY oyster industry by buying oysters.. NYS feeds a lot of people everyday.

If NYS would directly fund oyster farmers by buying their product this would provide a stimulus directly to the oyster farmers, essentially creating a futures market. Farmers, if guaranteed a future cash stream, will then be able to invest in their own infrastructure and expansion. An oyster farmer that has pre-sold a percentage of a crop is a successful farmer and in a position to invest in their farm's future.

Currently, oysters for consumption are not bought in volume by any NYS government entity. It seems simplistic to merely ask you to buy our product. The government spends millions of dollars for hatcheries, grants, and projects such as building oyster reefs. (Every oyster farmer creates reefs and habitat, oysters are sustainable and can ease ocean acidification.)

Here at Widow's Hole Oysters, problems encountered in our 20+ years of farming have been surmounted by selling oysters to self-fund solutions. It is unfair for established farmers to now have the government give-away dockage and landings to competing oyster farmers. Likewise, from an oyster farmers outlook, it seems that grants go to the same organizations, usually benefit the few, and can foster a culture of exclusion. Teamwork, whereas, would be the result if the govt directly infused farmers through equitable purchases. I believe that with high volume sales to NY govt, oyster farmers will unite and resolve industry problems. I envision a robust marketplace and a community of farmers that will reach out to government agencies as partners. Relationships between customers and clients are very strong and can do a lot to grow a business sector..

NYS has a unique opportunity to build community, show integrity, ingenuity, and create a strong oyster industry. We hope that you will consider purchasing oysters and hope that you will partner-up with your NY oyster farmers for our shared future.

Sincerely,,
Isabel & Mike Osinski.

Oct.21, 2018

Comments to the New York State Seafood Industry Roundtable Meeting
Riverhead Town Hall
200 Howell Avenue
Riverhead, NY
October 17, 2018

Good evening.

My name is Mary Bess Phillips , 210 Atlantic Ave., Greenport, NY. I am here this evening to enter some comments and thoughts to be considered in the report document being created in response to the sponsored legislation by Senator Kenneth P. La Valle and Assemblyman Fred Thiele that was signed by Governor Cuomo July 31, 2018.

For full disclosure I am an elected Village Trustee in the Village of Greenport, and here this evening representing our family commercial fishing interest – the FV Illusion, Greenport Seafood Dock and fish market.

My education and experience in the commercial fishing industry started on our wedding day November 14, 1982. My husband Mark S. Phillips is the Captain/Owner of the FV Illusion. Our son Nathan Phillips and I are involved in the shore side activities of our business life. Actually the “Illusion” is the last dragger in the Federal Fisheries that calls Greenport homeport. Along with Greenport Seafood Dock being the last pack out and trucking facility in the Village of Greenport. Where once there were several on the village working waterfront – now we are it.

Included in our business model over the years I have participation in the following:

Past member of NYDEC MRAC,

For many years a volunteer for the Suffolk County Co-Operative Extension Marine Program, including being a past Board President for the association Board of Directors.

Past Board member of the New York Seafood Council

Past Long Island Farm Bureau Board of Director Member representing the commercial fishing industry

Participation in various committees and groups that have discussed the same four items on your agenda where the one item of importance seem to be forgotten – without fish or shellfish to harvest you will be marketing seafood product from Maine, Massachusetts, Rhode Island, Connecticut, New Jersey, Virginia and North Carolina. The New York consumer is looking for the local product from our local waters. But in being truthful and explain to a customer in the fish market that the seafood is from other states we continue on with a discussion that I call “Fisheries Management 101”

In simple terms, there is a communication breakdown between Albany and the Long Island commercial fishing community. Currently the only conduit from the harvesters to the legislators is a small department on Belle Meade Road in Setauket to the decision makers in Albany at the NYSDEC. I am amazed how the Setauket Office staff deal with the frustrations of finfish, shellfish and water quality issues on a daily basis.

As they, along with us, interact with the Federal government, National Marine Fisheries, Coast Guard, Atlantic State Fisheries Commission and New York State as regulatory agencies.

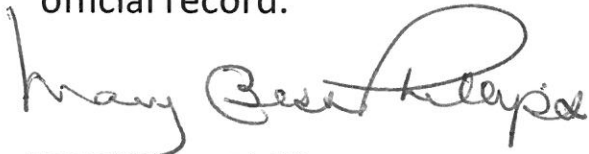
There are four actions that a harvester of seafood needs to stay in business

- Fish to harvest
- Protect the working waterfront from development – we need the infrastructure and shore side services for the harvesters to stay in business
- A second certified testing lab for water quality to support opening shellfish harvesting areas currently closed and other testing needs for the commercial seafood industry
- Funding the Setauket Office – The majority of salt water fishing is done in water surrounding Long Island - our commercial fishing industry are “real time” data collectors. Understanding our business model and operations is difficult for someone who has never been on back deck picking fish or sorting clams, bay scallops and oysters.

In closing I brought tonight a few copies of a publication from our local Suffolk Times Newspaper that tells the stories of a true working waterfront in our Village of Greenport. If you are presenting a list of actions to the New York State Legislature in this report I have one final comment.

Expansion of opportunities for New York Seafood requires that we keep the commercial fisher men and women in business.

Thank you for the opportunity to present my comments into your official record.

A handwritten signature in cursive script, reading "Mary Bess Phillips". The signature is written in dark ink and is positioned above the printed name.

Mary Bess Phillips

Proud wife, business partner and member of the commercial fishing industry



LAST TRAWLER OUT OF GREENPORT

Captain Mark Phillips and the Illusion

STORY BY STEVE WICK

PHOTOS BY DAVID BENTHAL

“It’s not fish you’re buying – it’s men’s lives.”
—Sir Walter Scott.

The Predator sits dockside in Greenport, behind Alice’s Fish Market, a rusting hulk of a fishing trawler, 75 feet long and with no certain future to speak of. It is Mark Phillips’ boat, but he is away most days trolling offshore for squid in his other trawler, the Illusion.

“It is not going to sea anytime soon,” Phillips said by cellphone, an edge of weary disgust in his voice. “The Predator’s days have come and gone.”

The Illusion was dragging for squid near Nantucket on a hot day in mid-July. Phillips had started that week near Jones Inlet on western Long Island, but the ocean had heated up and the squid, which don’t like warm water, were scarce, so he moved the Illusion farther east in pursuit of success.

He said he hoped to get a decent harvest trolling for squid, offload at a facility in Point Judith, R.I., refuel and get the Illusion back to Greenport to replace a generator and, with his wife, Mary Bess, attend their son Nate’s wedding at Brecknock Hall in early August.

There are few, if any, industries anywhere in America that compare to commercial fishing. It might compare to farming, sort of, but you can’t drown while farming, or break down miles offshore, or get caught in a “perfect” storm or get your foot wrapped in a chain and be dragged overboard.

Captain Mark Phillips
works the net on
the Illusion.



As there are few industries like fishing, there are few places anywhere on Long Island quite like Greenport, which in the recent past was home to more than two dozen federally permitted trawlers. Today, there is one such vessel: the Illusion. The Greenport of the past, the Greenport of the working waterfront, the Greenport of the imagination, is no more.

"The industry was crushed by the state and by regulations," said Phillips, offering sentiments echoed by his wife and son, who run the fish market. Mary Bess is also a Greenport Village trustee.

"We were put out of business. That's the simple truth," Mark Phillips continued. "The people in Albany didn't think about what they were doing to us, and they didn't seem to care, either."

Commercial fishing is among the most heavily regulated industries in the country, layered with state and federal rules that, to a newcomer trying to understand them, sound too complex ever to be fully understood. And the rules change frequently. What's legal one month is banned the next.

Adding to the misery of anyone trying to make a living as a commercial fisherman are, of course, the ups and downs of fishing itself. It is not exactly an easy, get up in the morning, go to work, come home in time for dinner way to earn a living. Think of the fishermen in the book and movie "The Perfect Storm" to get a slight understanding of the challenges and dangers. There are a million variables, as anyone who watches "Deadliest Catch" on the Discovery Channel surely knows.

Phillips fishes for more than 230 days a year, away from his family, trying to stay afloat financially in an industry he's worked in since his teenage years. Topping the list of industry-killing measures, Phillips and others say, is New York State's so-called fuel tax, which adds more than 40 cents to each gallon of gas.

For a boat like the Illusion, which can burn 150,000 gallons of fuel a year, the tax is an upfront payment to the state, which the Phillipses compare to an interest-free loan that's eventually returned to them when they pay their tax bill. It's murder on cash flow.

Some of the fish Phillips catches is sold at Alice's Fish Market in Greenport, which is managed by his wife, Mary Bess, and their son, Nate.



On a midsummer day, Mary Bess and Nate Phillips, standing behind the counter of the fish market, ticked off the names of other fishing trawlers that once called Greenport home. Most are out of business; others moved to states like Rhode Island that don't have the fuel tax; others moved to harbors closer to the fishing grounds, like Montauk or Shinnecock, for the simple reason that it reduces distances traveled and, thus, fuel use and expenses.

"There was the Debbie and Judy, the Miss Nancy, the Bay of Isles, the Miss Heather, the Bearded Clam, Katie and Meg, Susan Rose, Evening Prayer, Prince of Peace, John Boy and the White Water," Nate said. "They are no longer here."

The two walked outside into the bright, hot summer sun and stood by the dock, the Predator tied up behind them like an exhibit in a museum. Looking at it reminds a visitor of seeing a dinosaur reconstructed from found bones in a natural history museum. The ship, its edges stained with rust, its riggings hanging off the stern, is a metaphor for an industry, a village and, on a personal level, a disappearing way of life. What made Greenport distinctive for so long has faded away.

"We can list all the families in Greenport that were once in fishing," Ms. Phillips said. "And the support systems, too — the ice houses, the marine services, hardware stores, the packout houses, all of it. Even Claudio's at one time had a packout house where commercial boats could tie up and offload their catch."

Now, those places are trendy restaurants, galleries and other tourist attractions. A popular merry-go-round sits by the harbor on Front Street near the center of the village. Children's entertainment has replaced the past.

Mark Phillips, 61, was born in Sag Harbor and raised in Cutchogue. He says he began fishing as an 8-year-old. He worked on a lobster boat out of Mattituck Inlet and by the age of 10, he was working on a trawler

dragging for scup. What was caught was trucked to the Fulton Fish Market in New York City. He graduated from Mattituck High School in 1975 and, as he remembers so clearly today, there was one future for him: fishing.

"That's all I wanted," he said. "I've always been interested in the water ... By 1977, I started building my own boat, the John F. Phillips, at 60 feet. I fished in Long Island Sound and later started going out to the Georges Bank for yellowtail flounder.

"Joe Rose helped me a lot. His boat was the Susan Rose. He is now out of Cape May and North Carolina," Phillips said. "We had boats from North Carolina and Virginia docking in Greenport. You probably had two dozen offshore boats here and that many small draggers. The marina across from my fish market, where Porto Bello is, was all draggers. It wasn't a marina for yachts."

Former Greenport mayor David Kapell said, "What attracted me to Greenport in 1978 was the working waterfront and the ability for my young family to afford a home. At the time, there were several fishing trawlers and a fleet of baymen home — ported in the village in addition to offshore trawlers ... There were two fish processing plants that employed over 100 people.

"The impact on the local economy was big," Kapell continued. "A common sight was crewmen rolling overflowing shopping carts to their boats with provisions for a 10-day trip. Ice trucks made constant trips down Main Street to and from Greenport Ice Company on First Street. Greenport Shipyard was busy hauling and servicing the fleet with support from a network of local tradesmen."

To Nate Phillips, the hope is that he will have a future in fishing once his dad retires. "I'd like to think I can work in porgies, but-terfish, squid, bluefish, but I doubt it will work out that way," he said. "But that's what I want to do."

Mark Phillips is not sanguine about the future.

"We've completely destroyed the working waterfront so we can have a tourist economy," he said. "We've decided we don't want fishermen." □

..... Mary Bess and Nate Phillips in
..... front of the Predator, the second
..... of the family's boats.