

# Environment Committee JOINT FAVORABLE REPORT

**Bill No.:** SB-840

AN ACT CONCERNING CONNECTICUT'S SHELLFISH RESTORATION

**Title:** PROGRAM AND THE CONNECTICUT SEAFOOD COUNCIL.

**Vote Date:** 2/26/2021

**Vote Action:** Joint Favorable

**PH Date:** February 10, 2021

**File No.:**

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## **SPONSORS OF BILL:**

Rep. Joseph P. Gresko, 121st Dist.

Rep. Travis Simms, 140th Dist.

Rep. Patricia A. Dillon, 92nd Dist.

Rep. Christine Palm, 36th Dist.

Sen. Catherine A. Osten, 19th Dist.

## **REASONS FOR BILL:**

Sections 1 and Sections 2 of SB840 seek to update state statutes to allow DoAg to receive non-state funds from various sources to distribute shell on designated oyster beds to increase the population of oysters.

Section 3 of SB840 updates the membership of the CT Seafood Council to include several new groups to reflect the makeup of Connecticut's aquaculture industry and various funding sources.

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

Department of Agriculture (DoAg) seeks to update Sections 1 and Sections 2 of SB840 seek to update state statutes to allow DoAg to receive non-state funds from state, private or federal programs to distribute shell on designated oyster beds to increase the population of oysters.

Section 3 of SB840 updates the membership of the CT Seafood Council to include several new groups to reflect the makeup of Connecticut's aquaculture industry and various funding sources. Updated language allows the receipt of funds from federal, municipal, non-profit or nongovernmental funds to encompass direct usage for seafood product or any related items.

DoAg seeks additional substitute language to update citation authority under 51-164n to include " all previously authorized statutory citation references".

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

Robert LaFrance, Director of Policy, Audubon Connecticut

Audubon CT supports SB840 Sections 1 and 2. SB840 helps to rebuild Connecticut's oyster beds, supports the environment and supports CT's shellfish economy. The change in statute provides the State's ability to leverage private and federal funds to implement and improve environmental strategies.

Joan Nichols, Executive Director, Connecticut Farm Bureau Association

Connecticut Farm Bureau Association (CFBA) supports SB840 with amendments. The shell fishermen of Connecticut farm several thousand acres underwater. They own the infrastructure and real estate to support their underwater farms and do NOT benefit under Public Act 490's current assessment law. The CFBA requests the following statutes amended to include additional terms to include aquaculture under PA490.

- **Sec. 12-107b. Definitions.** When used in sections 12-107a to 12-107e, inclusive, and 12- 107g: The term "farm land" means any tract or tracts of land, including underwater farmlands, woodland and wasteland, constituting a farm unit;
- **Sec. 12-107b. Definitions.** (8) The term "maritime heritage land" means that portion of waterfront real property owned by a licensed shellstock shipper, aquaculture operator or commercial lobster fisherman licensed pursuant to title 26, when such portion of such property is used by such shellstock shipper, aquaculture operator or fisherman for commercial lobstering or shellfishing purposes, provided in the tax year of the owner ending immediately prior to any assessment date with respect to which application is submitted pursuant to section 12-107g, not less than fifty per cent of the adjusted gross income of such shellstock shipper, aquaculture operator or fisherman, as determined for purposes of the federal income tax, is derived from commercial shellfishing, aquaculture or lobster fishing, subject to proof satisfactory to the assessor in the town in which such application is submitted. "Maritime heritage land" does not include buildings not used exclusively by such shellstock shipper, aquaculture operator or fisherman for commercial lobstering or shellfishing purposes.

CFBA supports the reestablishment of the Connecticut Seafood Council to benefit the industry, the economy and environment.

## Mystic Oysters

Mystic Oysters Supports SB840 with amendments. The pandemic has halted nearly all operations and shutdown the large suppliers to protect public health. The shellfishing industry has a long way to go to return to growth. The support of SB840 with amendment to Public Act 490 in order to remain economically viable and receive a fair assessment on Mystic Oyster's shellfish beds.

An example of the assessment is the shellfish bed in Mumford Cove increased from \$30/acre to over \$400/acre. The time and effort to return to a fair assessment was considerable to get back to a fair assessment. Including aquaculture farms under PA490 and expanding access to aquaculture producers under the maritime heritage definition helps the industry.

Mystic Oysters looks forward to partnering with the Department of Agriculture and the CT Seafood Council in support to the shellfishing industry.

## Copps Island Oysters

Copps Island Oysters supports SB840 with amendments. Underwater farmland faces increased tax costs every year of operations. Public Act 490 has no provision to treat aquacultures with fair treatment. PA490 does not define aquaculture in statute. Copps Island Oysters requests PA490 amended to include aquacultures in PA490. A standard formula for underwater farms helps solve the inequities of tax structure for the local industry.

Copps Island Oysters requests amending the PA490 Heritage classification. The high cost of expanded operations or new producers acquiring property is prohibitive due to the loss of working waterfront property. "Maritime Heritage Land" currently only applied to commercial fishermen. Amending PA490 to include aquaculture would improve access to working waterfront properties to cultivate their products.

1 additional testimony in support of SB840.

## **NATURE AND SOURCES OF OPPOSITION:**

None.

**Reported by: Steve Smith**

**Date: 3/10/21**