



North Carolina Department of Environment and Natural Resources

Beverly Eaves Perdue  
Governor

Dee Freeman  
Secretary

**MEMORANDUM**

TO: JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS  
The Honorable Thom Tillis, Speaker of the House of Representatives  
The Honorable Phil Berger, President Pro Tempore

FROM: Kari Barsness *KKB*  
Director of Legislative and Intergovernmental Affairs

SUBJECT: N.C. Shellfish Rehabilitation Program Report  
Division of Marine Fisheries

DATE: October 1, 2012

Pursuant to Session Law 1997-443, the Division of Marine Fisheries shall report to the Joint Legislative Commission on Seafood and Aquaculture on the expenditure of Shellfish Rehabilitation Program funds annually, beginning Jan. 1, 1998. The report will now be presented to the Joint Legislative Commission on Governmental Operations since the Joint Legislative Committee on Seafood and Aquaculture was eliminated in Session Law 2011-291.

If you have any questions or need additional information, please contact me by phone at 919-707-8618 or via email at [Kari.Barsness@ncdenr.gov](mailto:Kari.Barsness@ncdenr.gov).

cc: Assistant Secretary David Knight  
Division of Marine Fisheries Director Louis Daniel  
Kristin Walker, Fiscal Research Division  
Lanier McRee, Fiscal Research Division  
Mariah Matheson, Research Division



## Division of Marine Fisheries Shellfish Rehabilitation Program 2012 Annual Legislative Report

Each year, the Division of Marine Fisheries is required to report to the Joint Legislative Commission on Government Operations on the purchases and expenditures of the state's Shellfish Rehabilitation Program. Following is a report covering the 2011 activities.

**Cultch Planting Activities** - Oyster shell and marl are "planted" in coastal waters identified as prime shellfish-growing areas to promote oyster growth and enhance habitat. The division purchases shell from vendors for cultch planting activities. In 2011, the division lost one of its primary shell vendors; however, three new vendors were found, helping to offset the loss of the key vendor. The majority of #4 limestone marl that was received in 2010 and 2011 will be planted in 2012.

• Cultch Material (purchase and transportation)	\$ 194,691.51
• Salaries and personnel	\$ 960,372.85
• Operations, support equipment, and sampling programs	\$ 439,963.76
<b>TOTAL PROGRAM EXPENDITURES</b>	<b>\$1,595,028.12</b>

• Purchased oyster shells	122,156 bushels
• Recycled oyster shells	17,315 bushels
• Purchased #4 marl	26,968 bushels
<b>TOTAL CULTCH PLANTED</b>	<b>166,439 BUSHELS</b>

**Oyster Sanctuaries** – Sanctuaries are created by building reefs on previously viable oyster producing sites. Reefs are constructed with a combination of natural oyster shell, Class B rip-rap marl and /or precast concrete materials. These reefs serve as habitat that attract native oyster larvae, as well as clams, juvenile finfish, crabs and marine organisms, which in turn attract larger fish, enhancing hook-and-line fishing. Harvest of oysters and the use of bottom-disturbing gear are prohibited in the sanctuaries, allowing a brood stock of oysters to develop. Spawn from this brood stock is carried by tides throughout North Carolina's coastal waters, enhancing oyster populations.

Currently, 10 oyster sanctuaries are located in estuarine waters from Dare to Carteret counties. This is the fourth year of operation under the Oyster Sanctuary Program. The program is supported by state appropriations, grants and cooperative agreements.

In 2009, the Marine Fisheries and Wildlife Resources commissions approved a Coastal Recreational Fishing License Grant to build a Coastal Fishing Reef/Oyster Sanctuary to enhance recreational fishing opportunities in the Pamlico Sound.

### 2009-2010

• Purchase 9,000 tons Class B rip rap	\$ 339,750.00
• Deployments Dec. 2009	4 mounds
• Deployments in 2010	58 mounds

#### 2010-2011

- Purchase 6,304.79 tons Class B rip rap \$ 258,496.39
- Deployments in 2011 37 mounds

**Oyster Shell Recycling** – The division collects oyster shells from individuals, businesses and festivals and places them onto oyster sanctuaries and hand-harvest areas to help rebuild oyster stocks. These shells, which historically were considered garbage, or were used for landscaping purposes, now go back into our coastal waters to help produce more oysters.

- Restaurant donations (76 participating businesses) 14,782 bushels
- Public donations (125 recycle locations) 9,375 bushels
- Festivals 2,570 bushels
- **TOTAL SHELLS COLLECTED 26,727 BUSHELS**
- 2011 Tax Credits (57 businesses/one individuals) 17,339 bushels
- Public outreach and education \$13,803
- Operations \$24,929
- **TOTAL PROGRAM EXPENDITURES \$38,732**

**2012 Operations** - The proposed enhancement activities will continue to incorporate the recommendations of the Oyster Fishery Management Plan as follows:

- The division will continue to hold and encourage participation in cultch planting meetings and incorporate input into enhancement activities to minimize effects of management actions. Efforts are underway to establish expanded hand-harvest areas.
- The existing policy to limit the number of new planting sites to 30 per year in the northern area has been formalized and will continue to be used.
- The Oyster Shell Recycling Program will continue to expand to inland counties.
- The Oyster Sanctuary Program will continue by making deployments on existing and new oyster sanctuaries, monitoring existing sanctuary structures, and investigating new locations for program expansion.

Due to the loss of appropriations for operations in FY 2011/2012 future funding will be sought through grants and cooperative projects.

#### Projected 2011-12 Expenditures:

- Materials:
  - Cultch 180,000 bushels \$ 266,000
  - Gibbs Shoal -Reef Balls (CRFL-Funded) \$ 420,000
  - Salaries and personnel \$ 914,530
  - Operations \$ 603,851
- **PROJECTED TOTAL PROGRAM EXPENDITURES \$2,204,381**