



North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
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:** Neal Robbins  
Director of Legislative Affairs

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

**DATE:** Oct. 1, 2013

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 [Neal.Robbins@ncdenr.gov](mailto:Neal.Robbins@ncdenr.gov).

cc: Assistant Secretary Brad Ives  
Division of Marine Fisheries Director Louis Daniel



## Division of Marine Fisheries Shellfish Rehabilitation Program 2013 Annual Legislative Report

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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 2012 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 and uses shells collected through the Oyster Shell Recycling Program. Cultch planting operations bridge fiscal years and materials expenditures are reported for fiscal years. The majority of #4 limestone marl that was deployed in the 2012 season was purchased in 2010 and 2011.

• Cultch Material (purchase and transportation)	\$ 206,335.66
• Salaries and personnel	\$ 790,057.86
• Operations, support equipment, and sampling programs	\$ 421,683.97
<b>TOTAL PROGRAM EXPENDITURES</b>	<b>\$1,418,077.49</b>

• Purchased oyster shells	119,970 bushels
• Recycled oyster shells	34,033 bushels
• Purchased #4 marl	124,192 bushels
<b>TOTAL CULTCH PLANTED</b>	<b>278,195 BUSHELS</b>

**Oyster Sanctuaries** – Sanctuaries are created by building reefs in viable oyster producing areas. Reefs have been constructed with a variety of materials including 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 seventh 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. This reef is located in the vicinity of Gibbs Shoal near Engelhard.

### 2011-2012

• Purchase of reef materials (Rip Rap, Reef Balls, Reef Cubes)	\$ 330,000.00
• Deployments (152.1 tons of Rip Rap 1,500 Ultra Reef Balls)	61 grids 7.78 acres

**Oyster Shell Recycling** – The division collects oyster shells from individuals, businesses and festivals and supplements the Shellfish Rehabilitation Program’s cultch planting resources. Recycled shells are used primarily in 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)	15,571 bushels
• Public donations (125 recycle locations)	9,890 bushels
• Festivals	1,923 bushels
<b>TOTAL SHELLS COLLECTED</b>	<b>27,384 BUSHELS</b>
• 2011 Tax Credits (57 businesses/one individual)	17,339 bushels
• Public outreach and education	\$ 1,499.00
• Operations	\$ 9,038.24
<b>TOTAL PROGRAM EXPENDITURES</b>	<b>\$10,537.24</b>

**2013 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 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 Oyster Sanctuary operations in FY 2011/2012 future funding will be sought through grants and cooperative projects.

**Projected 2012-13 Expenditures:**

• Cultch 200,000 bushels	\$ 351,000
• Gibbs Shoal -Reef Balls (CRFL-Funded)	\$ 420,000
• Salaries and personnel	\$ 941,199
• Operations	\$ 372,267
• <b>PROJECTED TOTAL PROGRAM EXPENDITURES</b>	<b>\$2,084,466</b>