

# CITIZENS ADVISORY COMMITTEE

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of the New York – New Jersey  
Harbor Estuary Program

[www.HarborEstuary.org](http://www.HarborEstuary.org)

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To: Bob Martin, Commissioner, New Jersey Department of Environmental Protection.

Cc: Judith Enck, Regional Administrator, U.S. Environmental Protection Agency, Region 2.  
NY-NJ Harbor Estuary Program (HEP) Policy Committee.  
HEP Management Committee.  
HEP Habitat Restoration Work Group.  
HEP Pathogens Work Group.

From: Roland Lewis, Metropolitan Waterfront Alliance and Michelle Doran-McBean, Future City, Inc., Co-Chairs of the Citizens Advisory Committee of the New York-New Jersey Harbor Estuary Program (HEP CAC).

Re: NJDEP bans on oyster restoration research and oyster gardening projects in closed waters.

Date: July 1, 2010

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The Citizens Advisory Committee of the NY-NJ Harbor Estuary Program (HEP CAC) hereby resolves to express its opposition to the New Jersey Department of Environmental Protection's recently announced policy banning oyster restoration research and oyster gardening projects in waters closed to shellfishing. HEP CAC recognizes that oyster restoration is a key component of overall environmental restoration in the New York-New Jersey Harbor Estuary, that oysters are a keystone species that perform numerous and invaluable ecological functions and, through their prodigious ability to filter pollutants from the water, represent an opportunity to improve water quality and enhance ecosystem health that should not be missed. Further, oyster gardening and research present valuable educational opportunities and serve the public's inalienable right to access its public trust waters. We believe that any threat to human health is minimal, and is best addressed by already in place security features in existing and planned research and gardening projects and improved on-site security rather than an outright ban.

Sincerely,

Michelle Doran-McBean, Future City, Inc., NJ HEP CAC Co-Chair  
Roland Lewis, Metropolitan Waterfront Alliance, NY HEP CAC Co-Chair

NOTE: The New York-New Jersey Harbor Estuary Program (HEP) is a partner program and its members occasionally have conflicting positions on regulatory and management issues. One of HEP's roles is to facilitate the exchange of ideas and to work towards resolution of these issues. The opinions of individual agencies or committees do not necessarily reflect the opinion of the program as a whole.

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#### Citizens Advisory Committee Co-Chairs

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