Minutes
Shellfish Advisory Board
January 20, 2016
Town Hall

Present: Barbara Austin, Jacob Puffer, Zack Dixon, Jim O'Connell, Rebecca Taylor, John Duane

Regrets: Tom Siggia,

Others in Attendance: Andy Koch (constable), John Mankevetch (assistant constable), Fred Richard, Edward Tesson, Susan Tesson, Glen Ohlund, Joel Fox, Justin Dalby Rob Doane, Andrew Cummings, John Wallace, Michelle Insley, Helen Miranda Wilson Chopper Young

Meeting called to order, 7:05 p.m.

1. MINUTES

Barbara Austin motion to accept minutes from November 19, 2016, Jacob Puffer seconded. Motion accepted, 6-0.

2. SHELLFISH LOAN FUND

Michelle Insley (SPAT) and Glen Ohlund (CDP) presented and explained the new loan program for Wellfleet Shellfish or Aquaculture Business

- Joint loan program between SPAT and CDP
- Designed to be more flexible and require less collateral than a bank loan.
- $60,000.00 in the fund / $20,000.00 max loan request
- First come, first serve
- Funds to be used for working capital or equipment (no refinancing or debt repayment)

Michelle stated that there will be a press release, announcement at the BOS meeting, announcement on WOMR, and an E-mail to the SPAT mailing list. She requested that SAB send an e-mail announcement to their list as well.

3. UPDATE ON ARC

Rob Doane, CBO of Aquaculture Research Group, announced that the renovation of their facility is on schedule and seed production and sales will be uninterrupted.

He also said that ARC now has an order form and is currently taking orders.

4. MASSACHUSETTS PETITE AND GEM REGULATIONS

Wellfleet aquaculturist Andrew Cummings presented SAB with the latest on the possibility of Massachusetts changing their regulations regarding the sale of petite oysters and gem clams.

Andrew had inquired with Mike Hickey (DMF) about the possibility of a regulation change and Mike was very receptive and stated that he has no problem with it as long as it is industry driven. Andrew also brought it up with Mass Aquaculture Association.

Andrew reported that there was a hearing in November at the Mass Aquaculture Advisory Committee meeting which was favorable to the idea. Since this is a regulatory change it has to go through a regulatory process with time for public review.

Andrew spoke with Mike Hickey yesterday (01/18/2016) and Mike said that it is probable that in state petite and gem sales will be allowed as early as May or as late as June.

Discussion among the board and audience included the following issues:

- how will this affect Vibrio regulation compliance? Consensus was that it would not have an affect as long as resubmerge protocol is followed.
- concern over driving the price down
- comment that maybe this will help with the overall quality of oyster coming out of Wellfleet
- Statement that the consumer is looking for a smaller oyster

Barbara asked to whom comments should be made and Andrew said that comments should go to Chris Schillaci or MAA.

5. OVERWINTERING GEAR REGULATION CHANGE

Helen Wilson briefed SAB that a problem with the new overwintering agreement was brought up at the last BOS meeting. Namely, that on some grants if oyster racks are sunk to 8 inches the oysters will get silted in and die.

Helen handed out the proposed change to the regulation 7.18.5. which included language that would allow the Shellfish Constable to allow a variance on a case by case basis. She asked Andy if this would work for him and he said yes and commented that there are only a couple of grants in town that this would apply to.

Joel Fox commented that the entire new overwintering regulation is too much. He said that all we need is the racks to be tagged and enforcement of the previously existing rules. He also expressed that BOS should not be changing the rules during the "mid-term" of a grant license. Helen explained that this is not a licensing-rule change, but a shellfishing regulation change.

Ed Tesson commented that the rule is perhaps overwritten and it would be sufficient to require that all gear be under 24" and tagged. He asked, why the 8" height limit?

Chopper Young responded that the Overwintering Agreement is an attempt to curb the problem of people not cleaning up their own mess.

Andy added that the ice does much less damage at 8" and that with this agreement he is trying to help those who want to leave their gear out for the winter and that the agreement may evolve year to year as necessary to help the industry.

Bob Wallace stated that this agreement protects neighbor from neighbor and that since its enactment he has seen more junk than ever come out of S.Wellfleet grants and go to the dump.

SAB discussed and approved of the language of the waiver portion of 7.18.5. Further discussion refined the language at the beginning of the Overwintering Agreement.

John Duane moved to recommend that BOS accept and approve the changes to 7.18.5 to read as follows:

DRAFT 7.18.5 Overwintering of Equipment on Grants

Racks, rebar or u hooks used to secure nets on a licensed area must either be securely fastened to within eight inches (8") of the bottom or removed by January 15, or before ice prevents removal. whichever comes first.

Any licensee who wishes to overwinter racks on their grant must obtain and sign an agreement form available from the Shellfish Department. **(See Appendix D.**)

In parts of the harbor where there may be a risk of silt covering overwintered racks on a licensed area, the Constable may waive the height requirement in 7.18.5, after a visit to the specific site and documenting the adjustment on the Agreement Form.

FORM OF AGREEMENT

I, ...,
agree to remove all metal racks, rebar or u hooks used to secure nets, ~~to~~

~~the bottom~~ or anything constructed of metal **that is not securely fastened to within 8" of the bottom** by January 15th, or before ice prevents removal, whichever comes first.

If I decide to store racks on my grant(s) over the winter, I agree to the following conditions:

1. All racks shall be tagged with the owner's name and grant number.
2. An accurate number of racks being left on the grant will be provided on this agreement form
3. All such racks must be pumped down to within 8" of the bottom.
4. Any racks that are damaged during the winter must be cleaned up by March 1st or when the departure of ice allows, whichever comes first.
5. I understand that I am solely liable for any damage my equipment may cause to other aquaculturists or the public.
6. Failure to adhere to these conditions can result in suspension or revocation of my grant license, in accordance with Section 11 of the Wellfleet Shellfishing Policy and Regulations.

Grant license #: .....

Number of racks to be overwintered:.....

Signature.....

Date:.....

Jim O'Connell seconded the motion and it passed, 6-0.

6. NEXT MEETING

Joel Fox commented on what he sees as the major problem of seaweed on the grants and in the harbor. He said that we must be feeding it somehow and it needs to be dealt with. Barbara Austin said that Barbara Murphy from Extension Services will be at the next SAB meeting and that she will ask her to comment on it.

NEXT MEETING SCHEDULED FOR TUE, MARCH 2 AT 7:00 PM

Meeting adjourned at 8:40 p.m.