

Shellfish Advisory Board Meeting  
Monday, February 10, 2020  
6:00 p.m., COA

Dave Seitler called the meeting to order at 6:05 p.m.

Attended: Dave Seitler, Tom Siggia, Zack Dixon, Jacob Puffer, Chip Benton, Rebecca Taylor, Damian Parkington

Regrets: John Duane

Others in attendance: Nancy Civetta, Barbara Austin, Brett Morse, Alec LaLone, John Wallace, Dan Morton, Richard Blakely, Helen M. Wilson, Alfred Pickard, Stephen Pickard, Bob Wallace, Iris Pickard, Cassandra Healy, Ed Tesson, Sue Tesson, Kathleen S. Bacon, Denise Coffey (Cape Cod Times), William Sullivan, Michael DeVasto, Michelle Insley, Nancy O'Connel, Margaret Jennings, Kristin Barrio, Chuck Cole, Jason Lance Weisman, Ethan Estey, Barbara Austin, William Young Jr.

Agenda:

1. Approval of minutes

**Jake Puffer made a motion to approve minutes from January 6, 2020. Dave Seitler seconded, motion passed 5-0.**

2. Shellfish Dept. update

Nancy Civetta gave highlights from the December report. The report is available on the WSD website page; <https://www.wellfleet-ma.gov/shellfish-department>

Nancy explained that dredging will start Oct 1 and she is working with Harbormasters to allow dragging of the channel in March to harvest shellfish before dredging. Oysters first, then clams. Nancy provided a map with proposed dragging area highlighted (attachment 1).

Moment of silence for Joel Fox.

Welcome Damian Parkington to SAB.

3. Spat Marketing

Michelle Insley presented SPATS marketing efforts with a slide show:

SPAT felt that Wellfleet Oyster could benefit from marketing/branding

-Hired Julie Qiu as a consultant

- held a workshop with growers and others in the industry

- worked with a graphic designer

- idea is that Wellfleet's have a great reputation but the market is as full as ever

- people are looking for an experience/an emotional reaction, not just a good oyster

- how to make Wellfleet's more desirable?

  - non-corporate, individual/family farms

  - do right by nature

  - live life on our own terms

  - sustainable

  - optimum, grit, resilience, self-reliance

Tagline is "Wellfleets - Cultivate Character" - it sums up our common values

Brand Position - The Quintessential American Oyster

Julie showed the logo that came from their work - the "oysterprint"

Next steps:

- Reconvene marketing work group

- Build out the website

- have committed \$100k to the marketing effort, spent \$25k so far

Comments from audience:

- Kathleen Bacon - looks a little bit gentrified

- Helen Wilson - Trademarking? Michelle - This is part of next steps.

- Helen - How would this brand work with the other brands that individual farms have already established? Available to anyone? Michelle -

yes, available to everyone (like Napa Valley wine)

- Helen - Not crazy about the graphics. Michelle - the oyster image could be refined.

-there is a disconnect between the image and the language tagline

-the flavor and taste is underplayed

-Wellfleets don't need marketing

- the taste sells them

- chefs want a story and a brand connects them to that story

-SPAT needs to commit to long term because branding/marketing is a chore

-Kathleen - "I get it, but . . . " revitalizing the brand doesn't sit right, we know Wellfleet. Michelle - we need to be in the game to keep up

Zack - in my recent experience, chefs are looking for the story of the farmer/harvester as much or more than the oyster itself. Branding/marketing achieves this.

#### 4. Overwintering

Nancy said she has tried to capture feedback and that she wants to hear from the community. She provided 2020 Overwintering Observations (attachment 2).

Jake P. asked if anyone wants anything changed in the overwintering agreement.

Dave Seidler stated that the original overwintering agreement was worked on for 2 1/2 years but never enforced. He suggested that we should go back to that to give it a chance to work.

Zack agreed

Dave read aloud the old overwintering agreement and the new overwintering agreement and fines for violations.

Jake asked Nancy what she thinks of going back to the old agreement.

Nancy answered Jake that she was lacking historical perspective when she created the new agreement and that she does not have a problem with going back to the original.

Damian asked about the fee and if maybe it should be fixed rather than per rack.

Tom Siggia commented that he liked the old agreement, but what he likes about the new one is the accuracy of the count of what is out there.

Comments from the audience:

Richard B. - last year was a fluke. before that gear was always retrieved. Not happy with the current overwintering rules.

Kathleen B. - I supported the new agreement, but I never heard that the old agreement was not enforced. She stated that she would approve going back to the old agreement.

Helen Wilson - Even if you're careful, gear can be dragged by ice.

John Wallace - All for the old contract, but have any empty racks required to be flush to the ground.

Barbara Austin - there is a difference between gear in use and overwintered gear. Dates need clarification: when am I out of compliance? when can I start putting gear back?

Don't like being forced to participate in beach clean-up.

Dave asked Barbara if she would be in favor of going back to the old one. She said yes but go down to 6".

Rebecca Taylor said that she is in favor of going back to the old but she likes knowing the numbers of gear out there.

Ethan Estey asked for clarification on the January 15 date.

Ed Tesson - described his experience with losing gear in the inner harbor and that he fears being in violation for a bag found in the silt that he could not find.

Mike Devasto - recused himself as member of Selectboard, commented as a farmer. The new contract is highly complicated. Condos should have to be removed. Fee should be for found gear, not for # of racks left out. Prefer the old contract with a few adjustments.

Ethan asked when we can put stuff back in - Nancy said she will work with people to help with this.

Zack suggested that Nancy takes these comments and suggestions and comes back to us at the next meeting.

Mike D. suggested that Nancy has discretion for those that would like to leave racks up for farming. Nancy suggested that they only keep up what can be removed in one tide.

Bob Wallace - keep it as simple as possible. If you're going to take money per rack make it a deposit, not a fee.

## 5. Future Agenda Topics

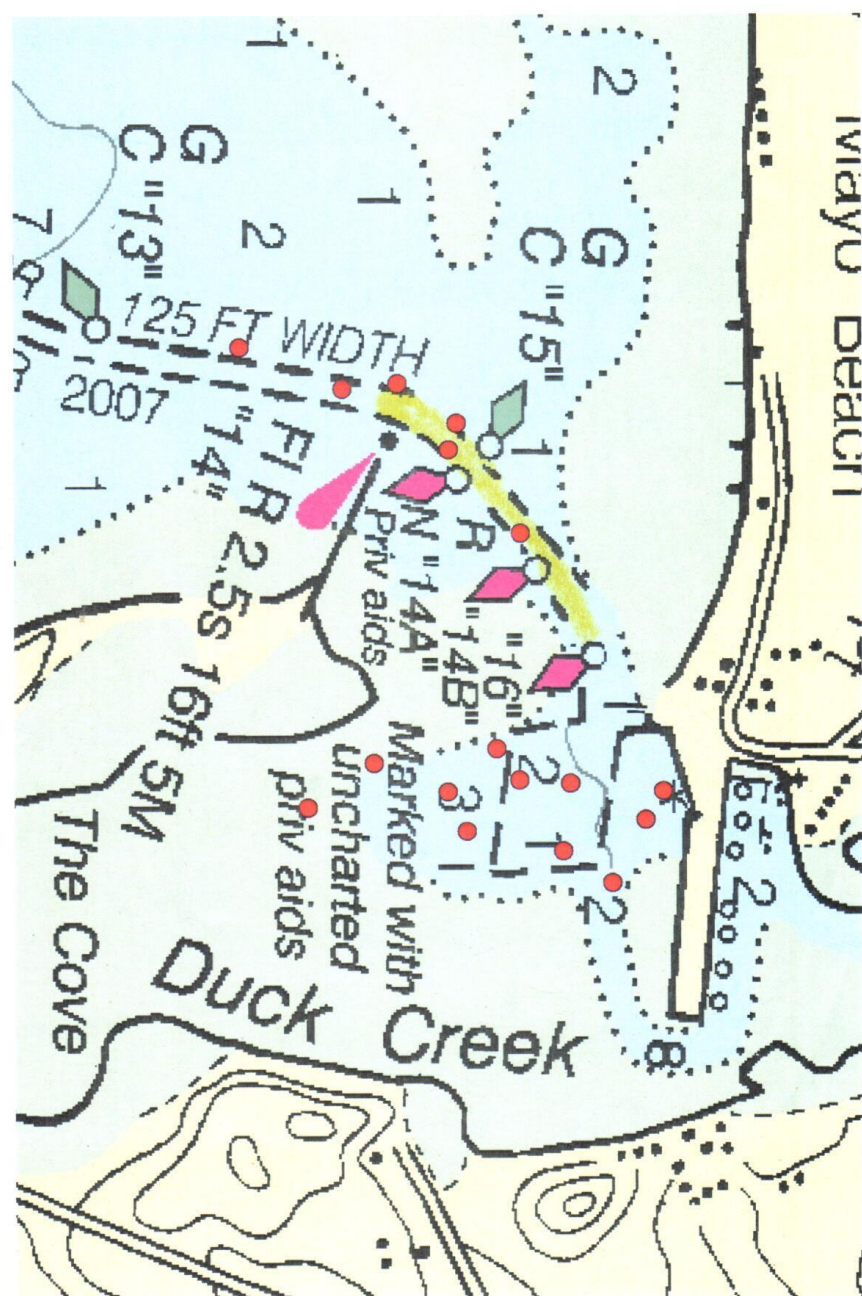
SAB letter of support for WSD cultching  
Annual report changes

FHR wants to come back  
Vote on disposition of town land  
report from county ext. on butter clams  
Nancy letter of support for permitting process for cultching

Next meeting March 6 at the COA at 6:00 pm.

Meeting adjourned at 8:18 p.m.

ATTACHMENT 1



## ATTACHMENT 2

# Wellfleet Shellfish Department

300 Main Street, Wellfleet, Massachusetts 02667

## 2020 OVERWINTERING OBSERVATIONS

### Statistics:

- We received a total of 72 contracts, 13 were one day late, eight were two days late, and 13 were more than two days late.
- 29 written warnings were issued, most for not having a contract turned in. Every single person was notified with a personal phone call. As of the end of January, eight of these warnings have been rectified, and we still have not received four contracts, although we know there is gear out.
- We have conducted 84 grant inspections for compliance with overwintering requirements such as tagging.
- 20 follow up grant inspections need to be done to review for compliance (we need the negative tides in mid-February).
- Currently, six grants are out of compliance, and we are bringing the issues to Shellfish Advisory for feedback on enforcement.
- We put our boat in the water so we could help a grant holder remove a dozen empty racks from his grant.
- Many individual meetings with grant holders were held to educate about new overwintering regulations and to solicit feedback.

- We have about 850 less racks in the harbor this winter as opposed to last.
- Boats continue to pull up lost aquaculture gear, even as recently as Thursday.

#### WSD Observations:

- The January 15 date has worked for years, and this year is an anomaly in its warmth in contrast to the last few which were ice plagued.
- While we sent out Criers and text messages on Sept. 30 and Nov. 12 with new overwintering information and a link to the new contract, most people who turned in contracts late and received written warnings simply did not understand that this year we were quantifying more than racks – including clam nets. *This worked in some people's favor as having seven days after a written warning allowed them more time to get gear off.*
- Other people turned in contracts with what they were *going* to leave, not what was *currently* out there, not realizing that the contract states that we would be doing grant inspections as soon as the contract was turned in. This accounted for a couple of written warnings, as well. *Don't turn in contract until what is out there matches what you put on it.*
- Putting racks flush to the ground went contrary to getting racks off, so need to find another way to accommodate that.  
[wellfleet-ma.gov/shellfish-department](http://wellfleet-ma.gov/shellfish-department)  
 Phone (508) 349-0325 Fax (508) 349-0305

Feedback from Farmers:



- Allow a maximum of 35 or 40 racks with market-bound oysters to not get pushed down as long as grant holder documents having the infrastructure and manpower to get them all off in one tide, no matter the height...+2 or -2. (Or how ever many racks a grantholder can demonstrate can get off in one tide.)
- Pushing to be flush doesn't work in all locations or for all operations. At least 2" for attaching zip ties and pulling them back out is needed. *We did not measure. No warnings were given for gear height unless not pushed down at all.*
- Clarify language about "no commercial activity." *Intention is harvesting for market/sales, not farm maintenance.*  
Questions to be Discussed:
- Guidance from Town Administrator for money collected for racks over 100: We can deposit to Shellfish Fund and then we can add a new line item to Shellfish Dept. 179 budget designated for Aquaculture Gear Clean Up. We would keep track of it annually and pull it from Shellfish Fund to fund that line item only. Center for Coastal Studies will help us this year. Would allow us to hire boat assistance for more days of clean up.
- Initiate different overwintering contracts determined by grant area or even individually.
- Depending on area, allow racks with no product to be buried (pushed down to be flush and soon covered by sand).
- Discussion about how to identify clam nets and recover them since bound by contract to do so.
- No wording about when it is OK to safely bring gear back. Intention is *when threat of ice is over*, but how to decide?

Considerations: farming works with weather, not dates, and sun angle and daylight change a lot Jan. to March.

FYI: Beginning January 9, Nancy spent almost all of her hours during the month on overwintering grant oversight and enforcement—save for a few meetings and commercial permit holder orientations. Johnny and Chris also dedicated the better part of three weeks of low tides to doing grant inspections and speaking with grantholders to get feedback. Little to no commercial patrol was done, and recreational patrol was opportunistic. Boat oversight was fairly even because it happens at high, not low water.

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