

Minutes
Shellfish Advisory Board
April 27, 2016
Town Hall

Present: Barbara Austin, Jacob Puffer, Tom Siggia, Zack Dixon, Rebecca Taylor

Regrets: Jim O'Connell, John Duane

Others in Attendance: Andy Koch (Shellfish Constable, John Mankevetch (Assistant Constable), Fred Richard, Justin Dalby, Michelle Insley, Helen Miranda Wilson, Martha Craig, Gary Joseph, John Portnoy, Barbara Brennessel, Don Palladino, Pat Woodbury, John Portnoy

Meeting called to order 7:05 p.m.

1. FRIENDS OF THE HERRING RIVER

The President of Friends of Herring River Restoration Committee Don Palladino gave SAB an update on the project.

Key points:

- The Final Environmental Impact Report will be published in June/July (It is available through the FHRRRC website).
- The dike will be replaced and the river will be restored incrementally.
- Submission of permits for the project will begin in the fall and construction on roads could start in 2019.
- Most sediment is expected to travel upstream, and thus will not affect downstream oyster beds.

Three towns and the National Seashore are the Executive Council. They make the decisions.

Zack asked about sediment coming out of the river and possibly affecting shellfish beds. John P. answered that net sediment transfer will be upstream.

He added that the opening of the river is already threatened by fecal coliform. Highest right around the dike. During the ebb tide it is at it's worst. With tidal restoration that gets diluted.

Zack asked if there is any contingency plan for unexpected/harmful results to shellfishing? Don Palladino replied that there is no insurance policy, as such. He added that there is a baseline now so when the project starts it can be monitored and if the trend is not what is expected the project can be stopped (adaptive management approach).

John P. reiterated that projects like this lower coliform bacteria concentrations. Barbara Brennessel said that HHRC currently has inquiries into DMF about their water sampling/testing protocols.

Barbara Austin asked if growers insurance would cover a closure. It was stated that USDA says it covers only mortality, not closures.

Helen Wilson - Is the velocity of the water going in and out going to increase? Will this affect sediment drop?

John P. said that modeling has been done, but that he does not have the answer. It is a complicated answer, because it is not just one place, there are several bends.

Fred Richard - When will the actual start off allowing water flow happen, 2018? Don replied, "I don't think we are that far along.

Helen - Are you coordinating with the dredging project? Don - I sit in on their meetings and take information back to the Restoration Committee. Reason being, I would like to know if there is the possibility of using the dredged material for our project (on the river, or stockpile it).

Barbara A asked when the road is raised will they put in new catch basins? Martha replied that the engineers are committed to improving drainage from what it is now (country drainage). Don said that they will look at the catch basins at the intersection of Hopkins and High Toss to see how they are working.

Barbara A asked what happened at town meeting last night regarding High Toss Rd.? Helen said that it passed by a 2/3 voice vote. Barbara A. stated that now we know the road will not be maintained, will it be lowered? Don P. said that the selectmen have not yet decided. John P. added that it is best for the marsh if the road is scraped down to marsh level.

Barbara A. asked about DDT and other pesticides used in the past? John P. said that high levels have not been found. There are high levels of arsenic and lead, but the project could help with that.

John P stated that they are doing pre-restoration water sampling for things like ammonium nitrate (can cause algae bloom) so we can compare specific areas of concern during the project.

John P. handed out a chart from the 2005 that shows Fecal Coliform levels from upstream of the dike to Egg Island.

Gary Joseph wanted to discuss the mouth of the Herring River. He reminded that getting this open is a driving force of the project. The scientists say that it is possible. Shellfishing is a natural resource and this project can not do harm to any natural resource . . . it is documented and in writing.

Barbara A. - Why is the area around the dike so good for shellfishing in the 1980's? Is it because the dike was broken? John P. replied yes, that was probably one reason. Also, DMF was not sampling then. There probably was high levels of fecal coliform then, too. But, it may have been better because the dike was broken.

Helen asked John to talk about the fish. John P. stated that Mummichog follow the flood tide to get on the marsh surface where they eat. They can survive in the mud through low tide. They feed on mosquito larvae so they are a very important predator. They are absent now because the water quality is so bad.

Barbara A. asked if the the herring are having a tough time getting upriver? Don said that they are getting all the way to Gull Pond. Barbara B. said that she doesn't know how they are getting through the dike, some have bruises and lesions. She said that they are working now with a Nauset High School project to monitor at which times the herring get through the dike.

Barbara A. asked if it has been decided if there will be a bridge across High Toss? Don P. answered that the petition at town meeting to have a bridge did not pass. We are now looking at an unrestricted flow across High Toss. Helen said that it looks like a good possibility that the marsh is just going to go across there and access will be from the new Chequessett Dike. She said that 80% of this project is above High Toss Rd. An obstruction there may impede water flow.

Rebecca asked if there is anything of archeological value/interest? John P. said that they are wrapping up a study now that includes a paper study and samples anywhere that ground will be broken.

2. DISCUSSION OF CULTCHING

Barbara A. stated that the Nat. Seashore does not want cultching up the river because they are doing water monitoring for the HRRP. Don said that he has spoken with George Price and Harry Terkanian and they are aware of the concern and the existence of the town's right to propagate. Harry said that it can not come up before town meeting.

Andy said that he will ask Harry what he should do. Helen said that worst case is that Andy will have to hold off cultching three spots. She added that she thinks that the study may be over.

Barbara A. said that it is very important that the Seashore does not think that they can prevent us from propagating. We need to maintain any rights that we have.

Barbara B. said that this came about because even if cultching is classified as propagation, it still needs to be permitted.

Pat W. stated that DMF is aware of and approves of the cultching activities.

Barbara B. said that she thinks there needs to be a meeting and some consensus reached. Andy replied that there was a meeting and that we came to an agreement with the Park Service. Barbara B. stated that it needs to be in writing.

Pat B. asked if there is a permit for cultching?

Andy - no.

Helen - Yes, Hillary got it.

John P. - It is a state requirement. That was a fill permit from DEP. You need a permit form the state to cultch in any area.

John P. added that Pre-restoration monitoring is basically done. There needs to be a meeting with the Seashore that includes the higher ups and the researchers so that we can all accommodate each others needs.

Don P. - this is time sensitive because it is soon time to start cultching. When do you usually start? Andy said he likes to start the second week of May.

Barbara B. said there should be a meeting with the Seashore soon so it can go to ConsCom for the permit.

Helen suggested that an SAB member should be at the meeting.

Gary Joseph said that it is essential that we learn to cooperate with the Park Service (HRRC, SAB, Shellfish Dept. and all other related to Wellfleet Harbor).

3. BEACH CLEAN-UP

This Saturday is beach clean-up.

Next Meeting scheduled for Tue, May 17th at 7:00 p.m.

Meeting adjourned at 9:08 p.m.