

Shellfish Advisory Board Meeting  
Thursday June 13, 2019  
9:00 am - Library

B. Austin called the meeting to order at 9:04 a.m.

Attended: Barbara Austin( chair), John Duane, Zack Dixon, Dave Seitler, Tom Siggia, Jacob Puffer, Brett Morse, Rebecca Taylor, Chip Benton

Regrets:

Others in attendance: Others: Nancy Civetta, Alfred Pickard, Stephen Pickard, Ben Pickard, Dan Stuart Morton, Ginny Parker, helen Miranda Wilson, Justin Dalby, Jacob Dalby, Fred Richard, Bradford Morse, Adriane Michaelis, Jamie Davenport, Bob Wallace, Michael Parlante, Alanna McGovern, Peggy Jennings, Kristine Barrio, Kathleen Bacon, Richard Blakely, Jerre Austin, Jared Hemmila, Wes Hemmila

Agenda:

1. Approval of minutes

**Barbara made a motion to approve minutes from May 15, 2019. Jake Puffer seconded, motion passed 7-0.**

2. Shellfish Dept. update

Nancy C. will e-mail May report to SAB when it is prepared.

-WSD has been talking to Nat. Park Service about expanding cultch areas.

-Contaminated Quahog relay has been done

-WSD has received 5 clutch deliveries

-discussion of using DPW to pick up mulch

-discussion of timing of putting down mulch

3. Update on additional landing sites for transfer of oysters during vibrio control season

-Nancy spoke with Mike Hickey

-current exemption is working very well, WSD doesn't want to jeopardize this exemption

-WSD will create a MOU with the two shell fishermen that want a different exemption and give it a trial run

- several people expressed interest in using the jetty as a drop off point

#### 4. Voting on Regulation Changes:

Discussion of adding to the definition of Domiciled Resident to include one year residency.

**Barbara made a motion that Nancy go to town counsel to see if it is legal to add one year residency to regulations and if so bring it to BOS. Rebecca seconded. Passed, 7-0.**

**Barbara made a motion to change regulation 6.4.7 South Lt. Island: South Lieutenant Island will be closed for the taking of (Add: oysters Strike: shellfish) from June 1st through September 30th. Jake Puffer seconded. Passed, 7-0.**

#### 5. Letter of support for ConsComm decision on Blasch house

- ConsCom has denied
  - owners are appealing by getting a letter from MEPA
- discussion of revetment impact to The Gut

#### 6. Overwintering discussion (first of two discussions; no vote)

- Nancy facilitated brainstorm for overwintering
  - Enforcement, Documentation, Fines
  - fines for loose gear
  - fee to overwinter
  - enforce pumping down, pump down lower
  - strict deadline for cleanup
  - no commercial activity until gear cleaned up

#### 7. Single use plastic

#### 8. Mass. Aquaculture Assn. listening session with Scott Soares and Seth Garfield re: HB746 An Act to relative to shellfish aquaculture licenses

- Seth from MAA is an oyster farmer for 38 years
- Scott Soares

They presented issues related to this proposed bill:

- transferability
  - changing from "may transfer" to "shall transfer"

- who can transfer? the bill proposes that the license holder (not the town) can transfer. Town still needs to approve transfer.
- renewal term, bill removes "15 years"

- what needs to be changed about State regulation and statute?
- this bill is not an attempt to usurp home rule

#### Questions/Comments

-Mike D. - this bill makes it easier for a large entity to buy shellfish leases (which are public resources). Changing "may" to "shall" creates a big loophole that would allow consolidation.

-no term limit allows entity to hold in perpetuity

-Helen, this is about land use. Each farm is different, management has to be by local regulatory board. This bill takes that power away, therefore the bill should be pulled. Do outreach to new shellfish communities, don't impose this on the entire commonwealth.

-BOS member - ability to sell the public bottom is huge change and benefits bigger corporations. Can you take "shall" back to "may"?

Also, the word sale is problematic.

-Brett - as it is now the little guy can get in to the business with little expense.

-Barnstable guy gave example that if one selectman objects to a transfer to his sons, he is out of luck.

-Helen - this is not broken, don't fix it. Go to other towns and help them fix it if they want and need.

-Mike D. - who wrote the bill? was an attorney consulted? No attorney. Becca added that is common practice.

-Scott - comments go through SAB to MAA

#### 9. Topics for future agendas

- Recreational vibrio rules
- Review dragging regulations

Possible Next meeting Tuesday, July 2 2019 - 12:00 p.m. Wellfleet Library  
Meeting adjourned at 12:06 pm