

Shellfish Advisory Board Meeting
Wednesday January 6, 2020
6:00 p.m., Library

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

Attended: Dave Seitler, Zack Dixon, Jacob Puffer, Chip Benton, Rebecca Taylor
(until 7:00 pm)

Regrets: Tom Siggia, John Duane

Others in attendance: Nancy Civetta, Barbara Austin, Brett Morse, John Portnoy, Barbara Brennessell, Alec LaLone, John Wallace, Dan Morton, Richard Blakely, Helen M. Wilson, Stephen Pickard, Bob Wallace, Jerry Austin, Iris Pickard, Karen Johnson, Mia Baumgarten(video)

Agenda:

1. Approval of minutes

**Jake Puffer made a motion to approve minutes from December 9, 2019.
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 asked the board their thoughts on changing the regulation regarding the Annual License Fee to make the fee due on February 28th of each year (the same time the annual grant reports are due). The Board did not see any problem with this.

3. 2019 Annual Report

Dave Seitler made a motion to approve the 2019 annual report. Jake Puffer seconded, motion passed 5-0.

4. Plastics

Jake Puffer contacted
-Dept. of Agricultural in Florida

- would like to partner if we find funding
- Plastics company
 - interested in our specific application
 - waiting for return call

Nancy suggested that we create a description of our plastics program with goals and what it is that we need and we could involve Americorp.

Barbara A. suggested we contact the Recycling Committee.

Becca volunteered to be the contact and to begin to draft an SAB plastics program.

5. Shellfish Management Plan

Postponed to next meeting

6. Herring River Project

Zack relayed the concern from Shellfishing community about lack of insurance and read e-mail to and from FOHR (attachment 1)

John Portnoy handed out Monitoring at the Herring River to Protect Wellfleet's Shellfish Resources (attachment 2)

Discussion:

Richard B. - Bond the project. Barbara B. - All big construction companies are insured.

Each contractor will be insured, but the project itself has no way to be insured because it is a state and federal government

HRRP is not the liable party, correct? Helen said that the HREC is decider. SAB should request regular reports of the monitoring results from HRRP

Examples/Potential Issues

- oil spill or similar - accidents can happen during this big construction project
- sediment transport - studies show upstream, but what if?
- contaminants washing out
- depuration/alternate farming possibilities in case of a problem
 - Middle Meadow area could be used if the town held the grant rather than the individuals

-construction companies will be bonded. If a construction company does harm, what does it look like? who will represent the shell fishermen to help them negotiate that landscape? private attorney? town? HRRP?

- likelihood of Fecal coliform getting from the dike out into the harbor
 - John P. described the current conditions at the dike re: fecal coliform.
- Beginning of project is biggest concern
- grant holders getting their own insurance as a group
 - East Coast Shellfish Growers Association

Barbara B. Requested that this list be sent to her.

7. Dredging

On target to have the Federal channel dredged beginning Oct 1
Town working with the state to move on to around marina and Chipmans Cove area

Concerns:

- food grade hydraulic oil
- since spoils will be very soupy, transport boat needs to be watertight

WSD is working with Harbormaster to allow dragging in the channel before dredging. Ideas:

- April and September
- 3 hours before and after high tide
- hold a lottery to make it fair
- WSD on board to gather seed
- put buoys out to protect grants
- must have a Commercial Permit
- must not owe any money to the town

Questions/comments/ideas:

- why hold a lottery? treat it like open bottom
- when would dragging start?
- open to oystering first, then quahog
- deck load onto town barge
- if there is not much interest, WSD could hire a boat and take the product
- test tow
- may have to run this by the Town and DMF

8. WSD Employee

Zack gave results of his poll of shell fishermen

- all said no to additional employee
- themes were too much downtime, WSD operation efficiency, accountability for propagation efforts, cost, and no need for additional employee because all is going well.

Comments:

- Farmers and fishermen make a big investment and for the most part are very responsible. Vibrio compliance is an example
- There does need to be violations written up when necessary
- Additional employee is too expensive for the town. It's not the best way to spend that money.
- what are employee numbers like in other shellfishing communities
 - Barnstable - 4 full time and 3 part time
 - Dennis - 3 full time and 4 part time
 - Eastham - 3 full time and 1 part time

These other community Shellfish Departments have additional responsibilities besides shellfishing.

- we don't need to be babysat
- enforcement of regulations takes a lot of time and work
- can the Harbormaster or the Herring River Warden be recruited to help the WSD

Nancy added that the state is going to be giving the town more responsibility and that good help is hard to find.

Dave Seitler made a motion to not support the hiring of an additional Wellfleet Shellfish Department full time employee. Jake P. seconded. Passed 4-0.

9. Miscellaneous

9. Next meeting

Next meeting Feb 10 at the COA at 6:00 pm.

Meeting adjourned at 8:15 p.m.
ATTACHMENT 1

ZACK DIXON <zackwellfleet@gmail.com>

Tue, Dec 31, 2019, 9:10 AM (8 days ago)

Reply

to mcraig

Hi Martha,

There has been more concern expressed at the last SAB meeting regarding the HRRP's lack of a contingency plan in the event of shellfish bed closures due to the project.

I feel that the question has been asked repeatedly, but no definitive answer has been given. Am I correct that there is no contingency plan in place in case of a shellfish bed closure? and no plans to develop such a plan?

Thank you,

Zack Dixon
Holbrook Oyster Ranch, Inc.
30 Whereaway Lane
Wellfleet, Ma
774-722-1788



mcraig@herringriver.org

Mon, Jan 6, 12:31 PM (2 days ago)

Reply

to Nancy, David, John, Jake, me

Hi Zack,

I have been out of the country since before Christmas and am just seeing this message today.

As you know, the restoration of shellfish resources is a primary objective of the Herring River Restoration project. As John Portnoy explained at the HRSG meeting, Egg Island shellfish resources are currently at risk of fecal coliform contamination under existing dike management. I think we should discuss your questions and the ways the project is designed to protect shellfish stakeholders' interests.

I just learned that the SAB is scheduled to discuss the project tonight. No one from the project was notified of this, but we will attempt to have some Friends of Herring River Board members attend. We also like to schedule a detailed presentation or discussion with the SAB at a later time.

Thanks,
Martha

ATTACHMENT 2

Herring River Restoration Project, Monitoring Brief; October 2019

Monitoring at the Herring River to Protect Wellfleet's Shellfish Resources

Cape Cod National Seashore, Friends of Herring River, Center for Coastal Studies, and several other organizations are collecting data from the river and Wellfleet Harbor to help understand the extent to which the river influences water quality and sediment dynamics in the harbor and how it may change with the restoration project. Some of these were summarized at public meetings in 2016 and 2017. Video recordings of these meetings can be seen at <http://www.friendsofherringriver.org/Videos>. Additional meetings will be held when new data and new studies are ready to be presented.

Recent and ongoing studies are described below. Each of these, along with additional work that is still under consideration, will continue or will be repeated at the appropriate stage after the restoration project begins.

- National Seashore Monthly Water Quality Monitoring: Since 2005, scientists from the National Seashore have sampled water quality at 6 - 11 stations from Route 6 to the harbor each month. Variables analyzed include dissolved oxygen, pH (acidity), nitrogen, phosphorus, silica, iron, chlorophyll, and suspended sediment. The data provide a long-term trend of water quality throughout the Herring River floodplain.
- Continuous Real-Time Water Level and Water Quality Network: In 2017 Friends of Herring River installed 5 stations (4 in the river, 1 in the harbor) equipped with instruments that measure water level, salinity, temperature, dissolved oxygen, and pH at 15-minute intervals. The data provide both long-term trends (months to years) and short-term changes (hours to days) at each location. Data can be viewed on a public website to allow anyone to track changes as the project is implemented. (<https://v2.wqdatalive.com/public/820>)
- 2013-2015 Water Quality and Estuarine Habitat Assessment from High Toss to the Harbor: The National Seashore conducted two studies between 2013 and 2015; one to assess movement of nutrients, carbon, and sediment in the downstream and upstream reaches of the river, and the other to study baseline inventories of benthic invertebrates and food webs. These studies provide information on nutrient status and particle movement from the river to the harbor and will be repeated as the restoration project is implemented. A NPS publication documenting this work is under review.
- USGS Water Quality Monitoring: The U.S. Geological Survey collected data at the Chequessett Neck Road dike from 2015 into 2018. Data collection will be reinitiated in 2020. This study uses an automated device to sample water passing through the dike during ebb and flood tides to separately analyze water moving in and out of the river and during varied tidal events. Samples are analyzed for nutrients and suspended sediment. A USGS report covering data collected so far is currently under review and will be released in 2020.

- Surficial Sediment Samples in Aquaculture Areas: Samples of the top 2-3 inches of sediment were

Herring River Restoration Project, Monitoring Brief; October 2019

taken at multiple sites near Mayo Beach, Egg Island, and Powers Landing by National Seashore scientists in 2006, 2010, and 2017. The samples analyzed the percent of organic material and the amounts of fine and coarse sediment. Describing these baseline sediment characteristics of Wellfleet Harbor is key to understanding current sedimentation trends to inform how the system may respond to reconnection with the Herring River.

- Harbor Sediment and Bathymetric Mapping: In 2019 the National Seashore, Friends of Herring River, and Center for Coastal Studies are beginning a multi-parameter study to describe the sediment characteristics and seafloor elevation in aquaculture areas close to the river. This study involves high resolution and highly accurate data obtained by GPS-based ground survey, drone-based aerial photography, and boat-based side-scan sonar. The data product will be a detailed map of the area depicting bottom elevations, channel dimensions, tidal shoals, and flats that will show how the harbor changes from season-to-season and as the restoration project is implemented.
- Characterization of River Sediment: Similar to the harbor mapping project, the National Seashore is examining sediment from the river and floodplain upstream of Chequessett Neck Road and is surveying elevations across the marsh to understand the pre-restoration conditions and assess how sediment may migrate throughout the system when the restoration project is underway.
- Fecal Coliform: National Seashore and cooperating scientists collected data that were published in 2009 that documented how the

restoration project would improve water quality in shellfishing areas that are now closed to harvest due to bacterial contamination. The sampling conducted for this research will be repeated at least once prior to the beginning of the restoration project and will be repeated again throughout the implementation period to quantify and confirm the conclusions cited in the publication (Portnoy and Allen 2009).

If monitoring programs detect trends that could potentially impact Wellfleet Harbor shellfish resources, management actions that could be considered to minimize risk include:

- Slow the pace or reduce the size of tide gate openings, or close gates, to reduce tide range as the potential impact or issue is assessed and resolved
 - Open tide gates only in winter when the level biological activity is low and the likelihood of water quality impacts is minimal
 - Open tide gates only during flooding tides to drive sediment upstream and reduce the potential for it to move downstream
 - Manage tide gates to promote transport of sediment upstream of Chequessett Neck Road and deposition on the river floodplain
 - Dredge sediment from channels and grade it on the marsh to avoid downstream transport
 - Plant or otherwise establish salt marsh vegetation on the marsh to avoid sediment erosion or install non-vegetated erosion control measures as appropriate
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