



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

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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.