

Shellfish Advisory Board Meeting  
April 12<sup>th</sup>, 2024 6pm  
Wellfleet Adult Community Center

Board members in attendance: Rebecca Taylor (chair), Brad Morse (vice chair), Nick Sirucek (Secretary), Adrien Kmiec, Stephen Pickard, Ethan Estey, Chris Merl  
Regrets: John Duane

#### Announcements & Public Comment

-Board voted 6-0 to seat alternate Chris Merl as voting member for this meeting

#### Review Minutes

-Board reviewed the previous meetings minutes and voted to approve 7-0

#### Herring River Project/Duck Harbor Overwash

-Carole Ridley, Project Coordinator for the Herring River Project, gave a powerpoint presentation detailing how the project is progressing

-Jeff Sanders from the Cape Cod National Seashore spoke about the CCNS clearing of trees from Duck Harbor. Noted that overwash in 2021 started killing vegetation in the area, and that clearing trees now will help to allow the salt marsh to restore, improve access for mosquito management, and is something that would have to have been done in the future anyway. Noted that ~125 acres in Duck Harbor was killed by salt water intrusion from the overwash and ~25 acres on the west side of Herring River. Noted that the overwash started in 2021 and was not a part of the Herring River Project. Spoke to how the Park Service is actively managing debris, and checks the river daily and clears culverts of debris. Says they have not seen any material flow out below the dike or onto shellfish grant areas.

-John Portnoy of the Herring River Project spoke of water quality monitoring. Noted that reports of reddish sediment in the water was due to the overwash causing an increase in iron oxide as a result of salt water oxidizing iron in marsh clay.

-Jeff Sanders said that iron oxide isn't harmful to the environment and that NPS does water quality testing monthly at two locations near the Herring River dike. NPS will continue monitoring river chemistry changes due to overwashes. Said that NPS is looking to install new water monitoring devices in more areas including near Old Saw. In response to a question regarding any pollutants that may leech into the water from the landfill, Jeff Sanders said that it is being monitored and that there is no detectable plume from the landfill in the groundwater, and that there is no expected change in the groundwater levels and flow near the landfill. Said that the plan is for monitoring to continue as the tide gate management progresses. Said that NPS wants to keep SAB informed of their monitoring efforts as the project progresses.

-C.Merl asked if the flooding that we've seen on town roads was anticipated

-NPS representatives responded that it was anticipated in the future and that's why certain roads in town were designated to be raised as part of the project, but that the overwash "threw a curveball" before the roads could be raised

-A.Kmiec asked if soil testing was being done to monitor any chemicals that may be present in soil that could enter the groundwater

-NPS representatives responded that soil is being tested in multiple areas where construction is occurring and where it will occur

-B.Morse spoke of his concerns about tree removal at Duck Harbor allowing more wind and water to flow through the area. Raised concerns about the landfill leaching contaminants into the river

-A.Kmiec asked if there was an discussion of slowing/stopping the breakthrough at Duck Harbor, and if culverts were planned to be widened

- NPS representatives responded that the idea was considered, but its town land, not National Seashore, and the town determined that it was not a realistic idea. Added that if High Toss was opened the water would drain faster, but it would create a risk of the coffer dams flooding over. Noted that the NPS is working on modeling different scenarios
- A.Kmiec commented that the salt water overwash in Duck Harbor is currently just sitting in the marsh area and killing vegetation. NPS representatives responded that the areas that are being impacted by the overwash are areas that would eventually be restored anyway
- E.Estey spoke to his role as a Herring Warden and how the clearing and overwash are effecting the herring passage; thanked the NPS for their testing
- S.Pickard asked about data monitoring from Old Saw
- NPS representatives said that they do have a monitor there, but is it hard to maintain, and that they are looking into putting another monitor by Old Saw
- B.Morse asked if any septic systems in the area were being affected
- NPS representatives said that there has been no problems with septic systems in the area so far
- Shellfish Constable Nancy Civetta asked about certain areas where soil contaminant levels are elevated, and if these areas could contaminate the water
- NPS representatives said that these areas require “special handling”, and that when such an area is identified the soil is either removed and taken away, or buried deep under clean material. Said that there is no risk of contaminants leeching out
- Helen Miranda Wilson, speaking in her individual capacity, spoke of the Herring River Executive Council and their Adaptive Management plan, and how when new “wildcard” issues arise the council can move to deal with them
- Diane Brunt asked about the parameters of the water testing being done (O2, salinity, temperature, iron, etc), asked about any testing being done on the effect on shellfish, and asked about the role of phragmites in capturing contaminants
- NPS representatives responded with a list of parameters being monitored, that the Center for Coastal Studies is doing studies regarding changes and a “spat survey”, and that the current plan for phragmites is to mow and remove them
- Nancy Civetta commented that the USGS is going to do a study, and asked if there a way to incorporate shellfish monitoring into that study
- NPS responded that they can collaborate on this
- Carole Ridley said that the HRP can provide regular updates about the project in the future
- N.Sirucek asked the SAB about sending one of its board members to apply to the Herring River Project Stakeholders group. The board decided that they would discuss this at their next meeting
- Carole Ridley noted that stakeholder members are appointed by the Executive Council, which will be meeting again in June
- E.Estey spoke of his concerns of water quality changes affecting oysters. Suggested racks of oysters be placed near the dike/Herring River and possibly other areas
- NPS responded that they have funding to do this project in 2026 after the restoration
- The board thanked the Herring River Project representatives and National Park Representatives for their input

#### Cultching, Quahog Relay, and Propagation

- A.Kmiec noted that at the last SAB meeting, the SAB provided suggestions regarding cultching, quahog relay, and propagation to the Shellfish Department, and asked for the Shellfish Departments response to these suggestions
- John Mankevetch, Assistant Constable for Propagation, responded that the Shellfish Department is totally willing to try the SAB's suggestions on quahog relay areas and cultching areas, but noted that they are currently constrained by the currently permitted areas

- B.Morse asked if the outer bars at Chipman's Cove were being looked at for cultching
- John Mankevetch said that they were
- Jude Ahern asked the WSD about how many cultching strips were planned for and if upland homeowners were being informed
- Nancy Civetta responded that upland owners would be informed when the permitting process starts
- Tim Sayre asked about the timing of cultch deployment, and noted that this was raised as a concern at the last SAB meeting
- John Mankevetch said that the target starting date is June 3<sup>rd</sup> at 5AM. Noted that the water temperature is only in the mid-40s currently and his target temperature is 68F. Spoke of how the timing is tricky since everything needs to be scheduled in advance with cultch delivery, helpers, tides, etc. Noted that hats have been working great, but cultching doesn't always catch as good of a set
- E.Estey asked WSD about how much cultch is planned for this year
- John Mankevetch stated that the plan is for 8 30-yard containers of cultch, but that if the town gets more permitted areas that this can expand
- B.Morse asked when cultching is expected to finish
- John Mankevetch stated that cultching is expected to be completed by sometime around July 4<sup>th</sup>
- Diane Brunt asked how long it takes to put out cultch strips, John responded that one 30-yard container takes about 4 trips
- Jude Ahern commented that last year from March to August, the Shellfish Department spent a lot of time and effort on the proposed dredging mitigation plan. Commented that this was a waste.
- C.Merl agreed with Jude; commented that he didn't think Blackfish Creek was a good area for the mitigation plan. Gave suggestions about stockpiling cultch and aging it for longer
- John Mankevetch commented that the cultch that the town buys is already aged, and that they had received cultch early in the past and let it sit, but they received complaints from neighbors. Said that the Shellfish Department is willing to consider any suggestions about how to improve cultching
- E.Estey suggested deploying small amounts of cultching every day in early June to see when the set starts
- John Mankevetch responded that the WSD did something similar in the past to prove the existence of a late oyster set in the Cove so DMF would allow hats to be kept in longer
- B.Morse asked the WSD if the Center for Coastal Studies had weighed in on the contaminated quahog relay
- Nancy Civetta said that the CFCS was informed of the program and had no further questions
- A.Kmiec asked if the WSD had ever looked into a local source for quahogs to replant
- Nancy Civetta said that that could be a possibility, but the issue is the cost of the clams, since quahogs from Taunton are far cheaper
- Diane Brunt asked about the quahog relay
- John Mankevetch spoke about the process of receiving the clams and how they are planted in the Cove. Noted that the Taunton clams are the cheapest source and that all the testing shows that the program is working

Review Regulation 6.5.3 re: gross vehicle weight

- The board discussed the meaning of this regulation and how it could potentially effect what trucks could be used by shellfisherman
- S.Pickard suggested eliminating the weight section from the regulation entirely
- Board noted that this regulation dated back to 1985 and how things have changed since then
- B.Morse noted that larger trucks mean that fewer trips are needed
- N.Sirucek noted that is was unclear if the intent of the regulation was to limit the Gross Vehicle Weight Rating or the actual weight of the truck plus cargo
- Nancy Civetta noted that some grant licenses have vehicle weight conditions on them

-Rodney Avery commented that since the vibrio icing regulations were put in place, larger trucks are now needed to safely transport coolers full of ice slurry

-The board made the following motions related to this regulation:

Motion: "Recommend to remove the GVW limit from regulation 6.5.3", motion passed 7-0

Motion: "Recommend to remove the GVW limit from any grant licenses that contain them", motion passed 7-0

### Ice Machine Update

-Tim Sayre commented that the Interim Town Administrator is in contact with Town Counsel regarding requested legal opinions in relation to the Ice Machine

-Nancy Civetta said that the MADMF has a program for 3 grants for Ice Machines that could be applied for and used for infrastructure

-The board discussed applying for the Wellfleet Oyster Alliance grant

-The board made the following motion: "To designate Nick Sirucek and Adrien Kmiec to fill out the Wellfleet Oyster Alliance grant application and bring it back to the Shellfish Advisory Board", motion passed 6-0

### Beach Cleanup Event

-a representative from the Wellfleet Recycling Committee asked the Shellfish Advisory Board to sponsor their Earth Day Beach Cleanup event on April 20<sup>th</sup>

-The board made the following motion: "For Shellfish Advisory Board to sign up as a co-sponsor for the Earth Day Beach Cleanup event.", motion passed 7-0

### Future Topics

The board discussed possible future topics including Duck Harbor overwash, Herring River Project, Ice Machine update and funding sources, continued discussion of Reg 6.5.3 re: vehicle weight, overwintering form review

Materials used at this meeting:

2023 Quahog Relay Permit, 2023 Quahod Relay Summary for DMF, Conservation Commission Comprehensive Cultching Report, March 27<sup>th</sup> Minutes, WOA Community Grant application, Ford Super Duty GVWR chart