

Wellfleet Shellfish Advisory Board
Hybrid Meeting Zoom/Town Hall Conference Room
Thursday March 14th, 2024; 6PM

In conformity with the provisions of Chapter 30A, Massachusetts General Laws, and Ch. 2 of the Acts of 2023, Notice is hereby filed that a meeting of the

Shellfish Advisory Board will be held on Thursday March 14th, 2024; 6PM

Said meeting will be open to the public and the press both virtually, as required by the provisions

of the Open Meeting Law, and in person at the Town Hall Conference Room

To virtually attend through Zoom Video Conferencing instructions to join are given below. If you

have technical difficulties, please contact the Chair of Committee at the following:

email_Media.Services.2@wellfleet-ma.gov

Join Zoom Meeting:

<https://zoom.us/j/94214261094?pwd=NW5FbVFCUTZZVzZaUldydjNMZ1lYZz09>

Meeting ID : 942 1426 1094

Passcode: 136251

Dial in by your local number: +1 929 205 6099 US (New York)

Agenda:

- Announcements and Public Comment
- Review Minutes
- Town Ice Machine Update and alternate funding sources
- Shellfish Revolving Fund Review
- Future Topics

Shellfish Advisory Board Meeting
March 4th, 2024 6pm
Town Hall Basement Conference Room

Board Members in attendance: Rebecca Taylor (Chair), Brad Morse (Vice Chair), Nick Sirucek (secretary), Adrien Kmiec, Stephen Pickard, Ethan Estey, John Duane (via Zoom), Chris Merl

Regrets: Damien Parkington

Announcements & Public Comment

- R. Taylor called meeting to order at 6:05pm
- D. Brunt commented on Overwintering Agreements and Annual Reports, made comments about

Approve Meeting Minutes

- Minutes reviewed, motion to approve by B.Morse, 2n'd by E.Estey, minutes approved 7-0

Town Ice Machine Update

- The SAB Ice Machine subcommittee presented the Board with a summary of their site visit and visit to the Provincetown Ice Machine, noted that the location on the south side of beach sticker/shellfish shack is the most viable location, noted that north side of the building has an underground tight tank and is too close to the road
- A.Kmiec commented on possible concerns from an abutter, including noise levels and traffic
- S.Pickard noted that the power company would need to do engineering and that could possible take a significant amount of time
- C.Merl commented that site needs to be specific in order for Eversource to do any engineering
- J.Wolf (Select Board liaison to SAB) commented that the condensing unit can be enclosed to help mitigate noise, commented that other sites at the marina aren't as viable as next to the shellfish department building
- J.Duane asked about the water disposal from the machines and if a dry well was needed
- The board discussed the next steps for the Select Board to take, if more funding sources are needed, and on the possibility of a warrant article, potential issues with abutter re: setbacks, easements, noise
- Public comments: M.Parent noted that the machine in question doesn't have a blower which is often the loudest part, T.Sayre noted that an abutter is likely to oppose the proposed placement, B.Bressenel commented that the project might need a Conservation Commission permit
- Board discussed next steps, what can be done with the currently available funds, timeline for a warrant article
- C.Merl commented that the RFP (request for proposal) covers different scenarios and that the Town Administrator is working on it
- J.Wolf commented that he will let SAB know when the Select Board will discuss the Ice Machine next

Horseshoe Crab Regulations

- B.Bressenel commented that the Mass DMF had a public hearing about new Horseshoe Crab harvest regulations, proposal includes closure of harvest for 3 months, new trip limits, and more. Noted that SAB wrote a letter in the past asking for a moratorium but the DMF denied it. Asked if the SAB would support these proposed regulation changes.
- S.Pickard asked why Wellfleet can't have closures like Monomoy and Nauset have; B.Bressenel responded that those specific areas have federal protections
- N.Sirucek commented on anecdotal evidence of horseshoe crabs feeding on bamboo worms
- J.Duane proposed writing a letter to the DMF in support of these proposed regulation changes
- S.Pickard raised concerns about the quality of trawl survey data
- Board discussed sending letter to DMF and if letter needed to be submitted to BOS in advance
- C.Merl made motion: "to send letter of support for proposed DMF horseshoe crab regulations", motion passed 7-0

Overwintering Form Review

- Board discussed the overwintering form and possible changes that could be made
- N.Sirucek commented that the form does not reference cages/condos specifically and the form only refers to "racks" when talking about gear to be overwintered
- S.Pickard commented that it's important to have a way to keep product out over winter
- A.Kmiec commented that if we make the form too vague that enforcement will be a challenge, noted that overwintering is site-specific
- Public Comments: D.Brunt thinks the Overwintering Form is "one-size-fits-all" and creates too much work for the Shellfish Department, that emphasis should be on enforcing if errant gear causes damages, M.Parent commented that condos aren't as damaging as racks if moved by ice, commented that strict overwintering regulations negatively effect year-round farm operations, and raised concerns about the lack of an end date on the agreement form, and the status of Wellfleet as a "Right to Farm" community. Noted difference in overwintering equipment vs overwintering product.
- E.Estey commented on how the overwintering regulations could be loosened
- Board agreed to table this item to a future meeting by unanimous consent

Future Topics

- Potential future topics discussed included: Ice Machine update and alternate funding sources, Shellfish Revolving Fund, Overwintering form, Chipman's Cove Cons Comm regs

Meeting adjourned

Materials used at this meeting: DMF Horseshoe Crab Management Proposal, Overwintering agreement, Feb 15th Minutes, 2019 Town Warrant Article 35, FY25 Shellfish Revolving Fund



Wellfleet Oyster Alliance / formerly Wellfleet SPAT Community Grant Application

Propose a project or initiative supporting Wellfleet's aquaculture or wild shellfishing community that aligns with WOA's mission.

Previous Grant Recipients include:

- MA Audubon's Wellfleet Bay Wildlife Sanctuary
- The Wellfleet Conservation Commission
- Friends of the Herring River
- Wellfleet Shellfish Harvester Relief Program
- Wellfleet Elementary School
- 246 Kitchen
- Marketing Campaign
- Wellfleet Shellfish Department
- Barnstable County Cape Cod Cooperative Extension
- Town of Wellfleet Maintenance Dredging Fund
- Wellfleet Recycling Committee
- Wellfleet Council on Aging
- East Coast Shellfish Growers Association
- MA Oyster Project
- Center for Coastal Studies Provincetown

- **For more information about WOA Community Grant Recipients, go to:** <https://wellfleetspat.org/about-spat/community-grants/>

Wellfleet Oyster Alliance's Mission Statement

Wellfleet WOA is a 501(c)(3) tax-exempt non-profit organization that produces and promotes the Wellfleet OysterFest®. The mission of the organization is to foster interest in Wellfleet's rich shellfishing industry. Our mission also includes supporting the Town of Wellfleet by educating the greater community about the benefits and value of its shellfishing history. This support takes the form of grants and scholarships awarded to local individuals or groups pursuing careers in the shellfishing industry or related fields, and in addition, the organization supports deserving causes and other organizations with a close tie to WOA's mission. Part of WOA's goal is also to support local individuals whose efforts and educational mission increase awareness of this important part of the community's livelihood. Each May, WOA awards a scholarship to a graduating Nauset Regional High School student pursuing four years of higher learning in aquaculture or a related field.

Eligibility Requirements

- Applicants must be sixteen years old or older.
- Wellfleet residents will receive first consideration. Non-residents will be considered if their projects directly support the WOA mission and are related to Wellfleet's shellfishing industry.
- All applicants must complete the form below and include a complete description of your project including its objectives, how the proposed project will support WOA's mission or benefit the community, and how the funds will be used as illustrated by a detailed budget.

- Compelling proposals greater than \$5K may be considered.
- This is a revolving application with no deadline date. Grant recipients will be notified within 6-8 weeks from the receipt of their application regarding the viability of their grant request.

WOA Community Grant Application

WOA/Wellfleet Oyster Alliance is a non-profit organization devoted to fostering a greater understanding of the history and traditions of aquaculture and wild fisheries, and to enhance the Town of Wellfleet by supporting its community.

WOA produces the annual **Wellfleet OysterFest**. Proceeds from the event support our educational mission and fund the Nauset Regional High School Scholarship and WOA Community Grant Awards programs.

Community Grants are awarded in amounts up to \$5,000 annually for programs and projects that primarily support WOA's educational mission and foster an appreciation for and increase awareness of Wellfleet's shellfishing industry. General grants are also considered to fund programs and projects that enrich the quality of life in Wellfleet, supporting nonprofit organizations that serve the health, social, educational, cultural, and environmental needs of the people who live here.

WOA Community Grant Award Application

Applicant or Organization Information

Name: _____

Date: _____

Contact Person: _____

Address: _____

Phone Number: _____

Email: _____

Purpose of Grant (one sentence):

Proposed grant amount (\$5,000 or less): _____

Project Narrative

Please address the following questions, not to exceed more than two pages, and attach a completed application form.

- Project Description
- Describe your interest or involvement in Wellfleet's shellfishery or aquaculture in general.

- Project Goals and Activities
- How will this project benefit you and/or others in the Wellfleet shellfishing community? How will it enrich life in Wellfleet in general?
- Project Timeline
- Describe how you plan to measure outcomes and project success.
- Budget for Expenditures (may be attached as a separate document)

Endorsement

If you are under 18 years of age, please include the endorsement of an adult relative, friend, or teacher who will stand by you in this activity, and who has reviewed this application with you.

Name: _____

Relationship to candidate: _____

Phone number: _____

Signature of endorser: _____

Agreement

I accept responsibility for the accuracy of the information provided on this application. I understand that if I am awarded a Community Grant, a check will be made out to me or the organization that I represent solely to fund this project. Upon completion of my project, I will submit a project summary with the final budget to the WOA Board. This report may include supplemental materials such as photos, press, or testimonials.

Applicant's Signature: _____

Date: _____

Please submit an application packet to:

Wellfleet Oyster Alliance / PO Box 2156 / Wellfleet, MA 02667

508-349-3499 / wellfleetoa.com / vendors@wellfleetoa.org

VIEW GRANT OPPORTUNITY

MA-PID-24-001

Port Infrastructure Development Program

Department of Transportation

Maritime Administration

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[RELATED DOCUMENTS](#)

[PACKAGE](#)

General Information

Document Type:	Grants Notice	Version:	Synopsis 4
Funding Opportunity Number:	MA-PID-24-001	Posted Date:	Dec 27, 2023
Funding Opportunity Title:	Port Infrastructure Development Program	Last Updated Date:	Mar 08, 2024
Opportunity Category:	Discretionary	Original Closing Date for Applications:	Apr 30, 2024 No Explanation
Opportunity Category Explanation:		Current Closing Date for Applications:	May 10, 2024 Applications due before 11:59:59 on May 10, 2024
Funding Instrument Type:	Grant	Archive Date:	Jun 09, 2024
		Estimated Total Program Funding:	\$ 450,000,000

Category of Funding Activity: Transportation
Award Ceiling: \$112,500,000
Award Floor: \$1,000,000

Category Explanation: Funds projects that improve the safety, efficiency, or reliability of the movement of goods through ports or intermodal connections to ports.

Expected Number of Awards: 40

CFDA Number(s): 20.823 -- Port Infrastructure Development Program

Cost Sharing or Matching Requirement: Yes

Eligibility

Eligible Applicants: Special district governments
State governments
City or township governments
Native American tribal governments (Federally recognized)
County governments

Additional Information: States, political subdivision of a State or local government, public agency or publicly chartered authority established by

Eligibility: on or more States, special purpose district with a transportation function, Indian Tribe, multistate or multijurisdictional group of entities described above, or a lead entity described above jointly with a private entity or group of private entities.

Additional Information

Agency Name: Maritime Administration

Description: Announces the availability of \$450,000,000 for FY 2024 Port Infrastructure Development Program grants.

Link to Additional Information: [Port Infrastructure Development Program](#)

Grantor Contact Information: If you have difficulty accessing the full announcement electronically, please contact:
Grants.gov Contact Center
Phone Number: 1-800-518-4726 Hours of operation are 24 hours a day, 7 days a week. The contact center is closed on federal holidays. support@grants.gov

[Grants.gov Customer Support](#)

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Community

Additional Help

ARTICLE 34: Pre School Voucher Program for 3 year old children To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of **\$100,000**, or any other sum, for the purpose of partially paying the cost of preschool for three year old children of Wellfleet residents, provided, however that no sums shall be expended hereunder unless and until the Town shall have voted to assess an additional **\$100,000** in real estate and personal property taxes pursuant to the provisions of G. L. c. 59, §21C (Proposition 2½), or do or act anything thereon.

Majority vote required

Board of Selectmen: Recommends 5-0.

Finance Committee: Recommends 7-0.

SUMMARY: This article would create a fund to be administered by the Human Services Committee to provide vouchers to Wellfleet residents in an amount not to exceed **\$7,000** per child to partially fund the cost of preschool for three-year-olds.

Effect on Property Taxes: The cost of \$100,000 would add 4.6 cents to the tax rate in the first year and would cost the owner of a median priced (\$538,524) single-family home \$24.55.

ARTICLE 35: Shellfish Revolving Fund To see if the Town will vote to establish a Revolving Fund for Shellfish Propagation in accordance with Massachusetts General Laws Chapter 44, Section 53E½, which will be kept separate and apart from all other monies by the Treasurer, and in which shall be deposited seventy-five percent (75%) of the receipts that are collected into the existing Shellfish Fund by said Town from the issuance of Commercial and Recreational Shellfish and Eel Permits, Aquaculture License Fees, and any other fees relating to the management, oversight and propagation of shellfish under the shellfish department's purview that may be established in the future. The principal of this fund shall be spent under the direction of the Shellfish Constable with the advice of the Shellfish Advisory Board subject to final approval of the Board of Selectmen, for the propagation, cultivation, protection and study of shellfish, including all or part of municipal salaries and fringe benefits of propagation employees. Interest earned on any revolving fund balance shall be treated as general fund revenue of the Town.
Or take any action in relation thereto.

Board of Selectmen: Recommends 5-0

Finance Committee: Recommends 5-0-1.

Shellfish Advisory Board: Recommends 7-0

SUMMARY: The purpose of this article is to create revolving fund for shellfish propagation in order to provide a sustainable shellfish resource, through propagation, for the benefit of commercial and recreational harvesters. The Shellfish Department's propagation efforts include the seeding of quahogs and oysters in all Wellfleet waterways which also contributes to improving water quality and natural oyster set in our harbor to benefit growers and spat collectors. The creation of this revolving fund takes the responsibility for funding the shellfish department's budget line 180 out of the taxpayer's pockets and puts it in the hands

of those who make their living in the shellfish industry and those who harvest shellfish recreationally. The Shellfish Propagation Revolving Fund revenues will be derived from shellfish grant revenue and permit fees. The Revolving Fund expenditures may be used for the propagation, cultivation, protection and study of shellfish only.

ARTICLE 36: Municipal Water System and Wastewater Funding: To see if the Town will vote to raise and appropriate and/or transfer from any available sources of funds the sum of \$120,000 for costs to 1.) review the municipal water system's operations and refine the Water Enterprise Fund's financial model and 2.) initiate implementation of the 208 Wastewater plan upon granting of the Watershed Permit by the Department of Environmental Protection; provided, however that no sums shall be expended hereunder unless and until the Town shall have voted to assess an additional \$120,000 in real estate and personal property taxes pursuant to the provisions of G. L. c. 59, §21C (Proposition 2 ½), or do or act anything thereon.

Majority vote required

Board of Selectmen: Recommends 5-0.

Finance Committee: Recommends 5-2.

Shellfish Advisory Board: Recommends 6-1

Board of Water Commissioners: 4-1

Comprehensive Wastewater Management Planning Committee: Recommends 3-0.

Board of Health: Reserve recommendation until town meeting.

SUMMARY:

The Water Commissioners, who are in charge of the Town's municipal water system, need to analyze their operations and refine their financial model. They currently have support from a Water System Clerk who is also a Town Committee Secretary, and a contractor who helps them with the management and monitoring of the technical operation of the System's infrastructure. There are no other staff members dedicated to the water system. More help will be needed to analyze and help with operations to meet their ongoing practical needs.

The Town is in the final stages of submitting a plan to the Department of Environmental Protection and the Cape Cod Commission for achieving consistent mitigation of the pollution of our watersheds, going forward. The Town has less capacity than needed to implement a State and Federally required wastewater plan and is required to do so under the State and EPA approved "208 Plan".

It is crucial for the Town to have financial resources readily available in the near future, for the use of consultants or other resources, in this time of transition, until it is no longer cost effective to do so. At that point the Town may look at hiring an employee to serve one, or both, of the departments and committees which have jurisdiction over our most precious resource.

Effect on Property Taxes: The cost of \$120,000 would add 5.5 cents to the tax rate in the first year and would cost the owner of a median priced (\$538,524) single-family home \$29.46.



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

ARTICLE NO. 13 – SHELLFISH REVOLVING FUND SPENDING LIMIT

(Consent Calendar):

To see if the Town will vote to establish a spending limit for FY2025 of \$60,000.00 for the Shellfish Revolving Fund established pursuant to MGL Chapter 44, Section 53E1/2, or to do or act on anything thereto.

(Requested by the Selectboard)

Majority Vote Required

Recommendations:

Selectboard:

Insert Yes – 0, No - 0, Abstain – 0. (Recuse)

Recommend Yes – 0, No - 0, Abstain – 0. (Recuse)

Finance Committee:

SUMMARY: The purpose of this article is to establish the spending limit for the Shellfish Revolving Fund which was established for propagation efforts. The Shellfish Department's propagation efforts include the seeding of quahogs and oysters in all Wellfleet waterways which also contributes to improving water quality and natural oyster set in our harbor to benefit growers and spat collectors. This revolving fund takes the responsibility for funding the shellfish department's budget line 180 out of the taxpayers' pockets and puts it in the hands of those who make their living in the shellfish industry and those who harvest shellfish recreationally. The Shellfish Propagation Revolving Fund revenues will be derived from shellfish grant revenue and permit fees. The Revolving Fund expenditures may be used for the propagation, cultivation, protection, and study of shellfish only.

wellfleet-ma.gov/shellfish-department

Phone (508) 349-0325



shellfish@wellfleet-ma.gov

Filter by: Segment 1: 20, 24
Segment 2: 179, 180

Parameters: Fiscal Year: 2023 Start Date: 7/1/2022 end: 6/30/2023

Ledger History - Allocated Trial Balance - Revenue Ledger

Account Number		Allocated	Debits	Credits	Ending
20-179-4420-201002	SHELLFISH	0.00	4,613.02	37,073.95	32,460.93
24-179-4320-000000	SHELLFISH RRA	0.00	8,648.98	108,221.80	99,572.82
2 Account(s) totaling:		0.00	13,262.00	145,295.75	132,033.75

Filter by: Segment 1: 20, 24
Segment 2: 179, 180

Parameters: Fiscal Year: 2023 Start Date: 7/1/2022 end: 6/30/2023

Ledger History - Allocated Trial Balance - Expenditure Ledger

Account Number		Allocated	Debits	Credits	Ending
20-179-5580-201013	SHELLFISH PROP REVOLVING	0.00	35.00	0.00	-35.00
20-179-5961-596101	Shellfish - Transfer to General Fund - OFU	45,000.00	45,000.00	0.00	0.00
20-179-5974-000000	Shellfish - Transfer to Marina Enterprise - OFU	0.00	5,000.00	0.00	-5,000.00
24-179-5580-000000	SHELLFISH RRA	140,849.21	51,079.92	1,250.00	91,019.29
4 Account(s) totaling:		185,849.21	101,114.92	1,250.00	85,984.29

Filter by: Segment 1: 20, 24
Segment 2: 179, 180

Parameters: Fiscal Year: 2024 Start Date: 7/1/2023 end: 6/30/2024

Ledger History - Allocated Trial Balance - Revenue Ledger

Account Number		Allocated	Debits	Credits	Ending
20-179-4420-201002	SHELLFISH	0.00	25.00	18,864.99	18,839.99
24-179-4320-000000	SHELLFISH RRA	0.00	75.00	55,830.01	55,755.01
2 Account(s) totaling:		0.00	100.00	74,695.00	74,595.00

Filter by: Segment 1: 20, 24
Segment 2: 179, 180

Parameters: Fiscal Year: 2024 Start Date: 7/1/2023 end: 6/30/2024

Ledger History - Allocated Trial Balance - Expenditure Ledger

Account Number		Allocated	Debits	Credits	Ending
20-179-5961-596101	Shellfish - Transfer to General Fund - OFU	25,000.00	25,000.00	0.00	0.00
24-179-5580-000000	SHELLFISH RRA	0.00	10,472.38	0.00	-10,472.38
2 Account(s) totaling:		25,000.00	35,472.38	0.00	-10,472.38