

Shellfish Advisory Board Meeting  
March 27<sup>th</sup>, 2024 7PM  
Wellfleet Adult Community Center

Board Members in attendance: Rebecca Taylor (Chair), Brad Morse (Vice Chair), Nick Sirucek (secretary), Adrien Kmiec, Stephen Pickard, Chris Merl

Regrets: Ethan Estey, Damien Parkington, John Duane

### Announcements & Public Comment

- No announcements from board
- Wellfleet homeowner John Cowles spoke of his requirement as a waterfront property owner to do annual sand replenishment, and commented of how he is seeking to have the amount of sand reduced due to how quickly it washes away and potential impacts of the sand spreading to nearby shellfishing areas. Mr. Cowles asked the board and public for letters or comments in support of a reduction in the replenishment amount in relation to any negative impacts of the sand on nearby shellfishing areas
- Board members and members of the public commented on Mr. Cowles' request and spoke of issues related to beach replenishment
- Constable Civetta noted that the Conservation Commission has had meetings about it and WSD has weighed in
- Chair Taylor read a letter from a member of the public suggesting a solar canopy for the proposed Ice Machine
- Chris Merl seated as a voting member due to absences

### Review Minutes

- Last meeting minutes not available, no action taken

### Town Ice Machine update and funding sources

- Ice Machine subcommittee member Brad Morse informed the board that Interim Town Administrator Tom Guerino is working on grant applications
- R. Taylor noted that the location still hasn't been determined yet
- B. Morse asked Constable Civetta if she was aware if a legal opinion regarding use of the Shellfish Revolving Fund for the Ice Machine has been given yet; Constable Civetta stated that as of now, no opinion has been issued
- C. Merl commented that he would gather more info for the next meeting and that the board could start working on the Wellfleet Oyster Alliance grant
- Tim Sayre noted that the RFP will be open for bids starting April 1<sup>st</sup> and the process could take 3-4 weeks
- Jude Ahern suggested that other grants from organizations such as Food-Export Northeast, be pursued; noted that the Select Board wants to review/approve grants
- H. Miranda Wilson noted that the Select Board has a policy on grant revenue, noted that she spoke with different officials about their Ice Machine projects. Asked general questions about how much volume of ice is needed for the fishery and how many shellfishermen have their own

ice machines

- Board members discussed different types of ice and their pros/cons
- Constable Civetta asked general questions about the project; if the plan was for it to be available for use by the general public or fishermen/shellfishermen
- C. Merl commented that the general idea is for users to register an account with the town and have a keycode for access, and with video monitoring
- Constable Civetta questioned if there is any concern that public use will take away from commercial use
- S. Pickard commented that if the machines are high-volume enough there shouldn't be an issue
- H. Miranda Wilson spoke on town counsel's 2002 opinion regarding use of the Mayo Beach bathhouse, noted that staffing of the Ice Machine is still an important unresolved issue
- S. Pickard commented that staffing can't be decided until a location is determined

### Cultching, clam relay, and propagation

- A. Kmiec commented that he would like to speak with the Assistant Constable for Propagation about cultching about a future meeting
- Constable Civetta asked the board about suggestions on how to improve cultching and what areas to focus on, and that the department would come back to SAB at a future meeting
- The Board reviewed cultching maps with Constable Civetta and gave suggestions for areas to focus cultching efforts on. Board members noted that the outer bars in Chipman's Cove should be a focus, as they have historically been productive areas for a wild set. Board members gave suggestions on timing of cultch deployment, pre-marking areas for cultching, placement of cultch near clams areas, orientation of cultch strips, cultching areas near Herring River, cultching areas near Blackfish Creek and Lieutenant's Island, broodstock placed near cultch, etc
- Board reviewed areas used for the contaminated Quahog Relay, asked if there were any proposed changes for the program
- Constable Civetta noted that the program involves 800 bushels of quahogs placed in 4 different areas
- S. Pickard suggested that the area on the south side of the marina may be a good area
- D. Brunt commented on her concerns about the quahog relay in general, questioned if there are any environmental concerns with using contaminated clams and if non-contaminated clams could be used
- Constable Civetta noted that the program is approved by the state, the clams are tested for other contaminants before being moved, "clean" quahogs would be much more expensive than the 4-7 cents per clam for Taunton clams, and that fecal coliform doesn't contaminate the environment
- S. Pickard asked if more testing could be done on the clams including meat samples, commented that the biggest benefit of the program may be the clams spawning and propagating the harbor
- D. Brunt asked of alternatives to the relay and if they could be discussed at a future meeting
- A. Kmiec asked Constable Civetta if WSD has ever considered keeping a relay clam area closed for 2 years in order to act as a spawning bed
- Constable Civetta commented that she would need to ask the state about that, and could possibly do a management closure on a relay clam area
- Board discussed propagation
- Constable Civetta noted that WSD was not buying seed this year because of a large hat seed

crop, but will be getting 88k oyster seed from the county. Noted that WSD plans to buy more hats for future propagation

### Shellfish Revolving Fund Review and FY25 SRF Spending Limit

- B. Morse asked if the increased funds for expanding permitting harborwide, and if it was too costly and the project too large
- Constable Civetta commented that WSD wants to expand the permitted areas, but it's not a "harborwide" plan
- Constable Civetta gave a presentation to the board about the proposed expanded areas. Noted that the first step is to determine what areas to cultch. Commented that the WSD will come back to SAB and other boards when areas are surveyed and the maps are made. Noted that the WSD wants the cultching areas to be more effective and any plans need to be approved by the Conservation Commission
- C. Merl asked how large of an expansion was planned
- Constable Civetta noted that the plan was 10 loads of cultch a year, but that the plan is still in the idea stage
- S. Pickard suggested that cultching efforts be spread out more, be not as concentrated in the harbor
- C. Merl asked if \$41k was total price for the surveying and permitting
- Constable Civetta said that that was the estimate, but if it ends up being more that SRF increase request could be increased
- C. Merl asked if the SRF could be used for the Ice Machine
- Constable Civetta commented that in her opinion she doesn't see how the Ice Machine would fall under the scope of the SRF for propagation. Noted that in her opinion the use of the word "protection" in the shellfish applied to the wild fishery. Noted that the SRF protects the department from budget shortfalls. Noted that trucks and other equipment are paid for from the Shellfish Fund, not the Revolving Fund for propagation.
- N. Sirucek made a motion: "Recommend the requested increase of the Shellfish Revolving Fund spending limit to \$76,000 for FY2025"
- C. Merl asked what the plan is for the the accumulated funds in the SRF
- Constable Civetta commented that the eventual goal is for the SRF to pay for the salary of the Propagation Constable
- S. Pickard questioned the use of the word "protection" in the SRF warrant, and how it could be interpreted more broadly
- Constable Civetta reiterated that her intent of the word "protection" in the SRF warrant was for protection of the wild fishery
- D. Brunt commented that the Constable asked the Select Board to vote to increase the limit, but the BOS wanted it sent to SAB for review first.
- Constable Civetta said she took the Select Board's input and came back to SAB
- N. Sirucek restated his motion, "Recommend the requested increase of the Shellfish Revolving Fund spending limit to \$76,000 for FY2025", 2nd'd by A. Kmic
- S. Pickard noted that the limit increase request has changed once, and if it would change again. Noted that the motion amount assumes that the town will accept/receive a grant from WOA. Asked if WSD will come back to SAB if grant money doesn't come through
- H. Miranda Wilson noted that additional funds could be approved at the fall town meeting
- Board voted on motion, motion passed 5-1

## Herring River Project and Duck Harbor overwash

- R. Taylor commented that she talked to Carole Ridley from the Herring River Project, and that she would be willing to come talk to SAB in April or May. Would also reach out to other experts
- S. Pickard commented on Duck Harbor overwash, noted that the color of the water has changed and an increase in sediments. Noted that water gets tested but questioned if meats are being tested
- Constable Civetta commented that she could contact the county for further baseline testing
- S. Pickard commented on the need for SRF could be used for testing. Commented on the need for baseline testing for when the Herring River opens further to monitor any changes
- H. Miranda Wilson noted that she is on the Herring River Council and sits in on technical team meeting. Suggested that the technical team be contacted for whatever testing data they have
- A. Kmiec questioned why no one involved in the project has tried to slow down the Duck Harbor breakthrough
- Constable Civetta commented that the scenario changed and that the Duck Harbor breakthrough wasn't part of the plan. Park decided to mulch the Duck Harbor area. Noted that there is a need to understand how the Duck Harbor breakthrough will effect the project
- H. Miranda Wilson said that the Park Service is studying it already, and that the Herring River Project is discussing how to deal with the woodchip material that is impeding flow, suggested SAB discuss the issue again at a future meeting
- S. Pickard commented that the Duck Harbor breakthrough might affect the timeline of expected changes related to the Herring River Project, reiterated that meat testing of shellfish near the river should be done for baseline data
- D. Brunt commented on the revolving fund, said that WSD should get meats of shellfish tested, and said that the Center for Coastal Studies doesn't support the quahog relay
- Board made a motion: "Invite Herring River group to next meeting and request shellfish data", motion passed 6-0

## Possible Future Topics

- Board discussed possible future topics, including: Herring River Project and Duck Harbor overwash, beach cleanup, Ice Machine update and funding, cultching, relay and propagation, and Regulation 6.5.2 re: truck GVWRs

Next meeting date April 12, 6pm

## Materials used at this meeting:

- 2019 Town Warrant Article 35 (SRF)
- 2023 Quahog relay permit
- FY25 Revolving Fund Warrant Article
- ConsComm Comprehensive Cultching Report 2020-2023
- 2023 Quahog Relay summary for DMF