

Shellfish Committee Minutes of the Meeting

DATE: April 18, 2012
TIME: 7:30 P.M. to 9:30 P.M.
LOCATION: MEAD Building

Shellfish Committee Members present:

Stuart Rapp, Andre Sampou, Matt Ostrowski, Les Hemmila

General Public present:

Karl I. Maki, Scott Mullin, Jennifer Mullin, Norman White

Town Staff present:

Doug Kalweit, Matthew Loo

Chairman's Report:

Stuart Rapp chaired the April 18th, 2012 meeting of the Shellfish Committee.

The Shellfish Committee adopted the minutes of the March 21st, 2012 meeting of the Shellfish Committee.

Natural Resources Report

DMF Shellfish Area Management Closures:

North Bay Closure:

North Bay: The waters, flats and all tributaries of that portion of North Bay, northeasterly of a line drawn from Point Isabella to the north tip of Grand Island; north of the Bridge Street Bridge and south of a line drawn across the mouth of the Marstons Mills River (DMF/SC:23.2; classified as conditionally approved; **status: Closed to shellfishing May 1 through October 31, all dates inclusive. The area shall not automatically reopen to shellfishing on November 1 and will remain closed until examined and shellfishing is allowed by DMF.**)

Pirate's Cove / Seapuit River (located at Sampson's Island) Closure:

Pirate's Cove, Seapuit River: The waters and flats and all tributaries thereto of that portion of Seapuit River and Pirates Cove in the Town of Barnstable, west of a line north from the "NO SHELLFISHING" sign at the westerly end of Dead Neck to the "NO SHELLFISHING" sign on Grand Island and east of a line drawn northeasterly from the northeast tip of Sampson's Island to the "NO SHELLFISHING" sign on the southwest end of Grand Island (DMF/SC:21.2; classified as conditionally approved; **status: Closed to shellfishing May 1 through October 31, all dates inclusive. The area shall not automatically reopen to shellfishing on November 1 and will remain closed until examined and shellfishing is allowed by DMF.**)

The Cotuit Narrows Closure:

Cotuit Narrows: The waters, flats and all tributaries of Cotuit Bay in the Town of Barnstable, south of a line drawn from Point Isabella to the north tip of Grand Island and north of a line drawn between the two "NO SHELLFISHING" signs (DMF/SC:21.1; classified as conditionally approved; **status: Closed to shellfishing May 1 through October 31, all dates inclusive. The area shall not automatically reopen to shellfishing on November 1 and will remain closed until examined and shellfishing is allowed by DMF.**)

Marstons Mill River and Prince Cove Shellfish Area Closure:

Marstons Mills River: The waters and flats and all tributaries thereto of Marstons Mills River in the Town of Barnstable, south of a line drawn across the mouth of Prince Cove, north of a line drawn across the mouth of the river and westerly of a line drawn northerly from the two "No Shellfishing" signs located at the mouth of Warren's Cove. (DMF/SC:23.1; classified as conditionally approved; **status: Closed to shellfishing May 1 through February 14, all dates inclusive. The area shall not automatically reopen to**

shellfishing on February 15 and will remain closed until examined and shellfishing is allowed by DMF.).

Prince Cove: The waters and flats and all tributaries thereto of Prince Cove in the Town of Barnstable, north of a line drawn across the mouth of Prince Cove (DMF/SC:23.1; classified as conditionally approved; **status: Closed to shellfishing May 1 through February 14, all dates inclusive. The area shall not automatically reopen to shellfishing on February 15 and will remain closed until examined and shellfishing is allowed by DMF.).**

• **Division of Marine Fisheries and Town of Barnstable Shellfish Relay Area Definitions for 2012 Out - of - Town Contaminated Quahog Relays:**

Closed April 3, 2012

Projected Opening: Sept. 2012

Cotuit Bay Relay Area DMF/SC 21.22

The Cotuit Bay Relay Area is defined as: the waters, flats and shoreline of that portion of Cotuit Bay between the "No Shellfishing" sign / posts located along the shoreline at 884 Main Street extending to the "NR" sign buoys located offshore.

Closed April 3, 2012

Projected Opening: Sept. 2012

Hyannis Harbor Relay Area DMF/SC27.22

The Hyannis Harbor Relay Area is defined as: the waters, flats and shoreline of that portion of Hyannis Harbor between the Hyannisport Yacht Club pier and the pier located at 10 Hyannis Avenue, and from the seaward end of the Hyannisport Yacht Club pier to the offshore sign/buoy located seaward of the pier at 10 Hyannis Avenue.

Closed April 3, 2012

Projected Opening: May 2013

West Bay Relay Area (DMF / SC 22.21)

The West Bay Relay Area is defined as: the waters, flats and shoreline within an area between the "No Shellfishing" sign / post located on the shore at 116 South Bay Road and the "No Shellfishing" sign /post located at the pier at 58 South Bay Road to the "NR" sign buoys located offshore.

Closure Pending

Cordwood Lane Relay Area (Northern Portion) DMF/SC 21.21

The northern portion of the Cordwood Lane Relay Area is defined as: the waters, flats and shoreline of that portion of Cotuit Bay located within the area defined by the "No Shellfishing" sign/post located on the shore at 721 Old Post Road to the NR "No Shellfishing" sign/buoy located offshore to the green navigational buoy at the southern end of the Cotuit Narrows to the "No Shellfishing" sign/post located on the shore at 797 Old Post Road.

• **Division of Marine Fisheries and Town of Barnstable Shellfish Relay Area Definitions for 2012 In - Town Contaminated Quahog Relays:**

Harvest Source: Centerville River, Bumps River, East Bay

Closed April 23, 2012

Bay Street Relay Area DMF/SC23.20

The Bay Street Relay Area is defined as: the waters, flats and tributaries of that portion of North Bay from the Town landing at Bay Street to the "No Shellfishing" sign / post at the tip of the salt marsh at 237 Seapuit Road and extending to the offshore "NR" sign buoys.

• **SHELLFISH MANAGEMENT NOTICE**

Under the authority of Barnstable shellfish regulation 407-8G:

**GRAND ISLAND SHELLFISH PROPAGATION / NURSERY AREA
Effective, May 1, 2012 through May 30, 2012**

The **recreational** (only) harvest of shellfish is allowed in the **northern** portion of the "Grand Island Shellfish Propagation / Nursery Area", except as other rules and regulations apply.

Pier Applications

The Shellfish Committee reviewed a letter submitted to the committee by the applicant's legal and engineering representatives, John Kenney and Brad Vertollo, representing Pesce Engineering & Associates, Inc. regarding the following project:

Applicant: Laura Trust, Trustee, 183 Bay Street Realty Trust
Application: The proposed project (N.O.I.) involves a proposed 15 ft. ramp & 8 ft. X 16 ft. float for an existing dock on the subject property.
Location: 183 Bay Street, Osterville, MA 02655, Map 117, Parcel 152

Stuart read from the letter:

"...Please allow this letter to confirm that I have checked with my client and confirmed that the float and ramp for the proposed dock extension will be removed during the off-season if approval is received for its installation..."

Shellfish Aquaculture License Application

The Shellfish Committee reviewed and discussed the shellfish aquaculture licensed site application of Scorton Creek Oyster Co., Scott Mullin, President. Karl I. Maki proposed to transfer his site (ng011) to the applicant. The applicant's proposed shellfish aquaculture site is located in Barnstable Harbor (site ng011; 2.0 acres). A public hearing for the proposed transfer application will be held on Thursday, April 18, 2012 in the Selectman's Conference Room, Town Hall Building, 367 Main Street, Hyannis, MA.

Karl I. Maki and Scott and Jennifer Mullin attended the committee meeting to discuss the transfer / application and answer questions from the committee. Discussion focused on aspects of Town of Barnstable shellfish aquaculture regulations 407-47 and 407-57 and the issuance of a license to a corporate entity vs. an individual. Scott Mullin of Scorton Creek Oyster Co. informed the committee that he would withdraw his application.

Old Business

The Shellfish Committee discussed the issue of filling vacancies on the Shellfish Committee's membership.

The Shellfish Committee reviewed an example of the (state) commercial shellfishing catch reports, for the Town of Barnstable, as submitted to the MA. Division of Marine Fisheries. The committee prefers to see the (town) commercial catch reports coincide with the state reports by unit measure, i.e., "count" and "pounds" where applicable. Stuart was inquiring with the Town legal dept. regarding how public the Town commercial shellfishing catch reports have to be.