



Town of Barnstable
Community Services Department
Marine and Environmental Affairs Division
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Shellfish Committee Minutes of the Meeting

DATE: October 21, 2015

TIME: 7:30 P.M. to 8:48 P.M.

LOCATION: Senior Center, 825 Falmouth Road, Hyannis

Shellfish Committee Members present: Robert Lancaster, Linda Romano, Albert Surprenant, Richard Haskell, Stuart Rapp

General Public present: Christine Laurie, Scott Laurie, Christopher Freeman, Mark Begley, Avery Revere - Friends of Barnstable Harbor, Dick Kraus

Town Council Liaison present: Phil Wallace

Town Staff present: Doug Kalweit, Tom Marcotti, Liz Lewis, Terri McDonald

Stuart Rapp chaired the October 21, 2015 meeting of the Shellfish Committee.

Stuart Rapp took a roll call of members present at the meeting.

Stuart Rapp read a notice at the beginning of the meeting:

NOTICE OF RECORDING

"Please note that tonight's meeting is recorded and broadcast on Channel 18 and, in accordance with MGL Chapter 30A, s. 20, I must inquire whether anyone is taping this meeting and to please make their presence known."

1.) Meeting minutes:

The Shellfish Committee unanimously approved a motion made by Robert Lancaster and seconded by Linda Romano to approve the meeting minutes from September 16, 2015 with the following changes: Name Change on Page 3 from Richard Ganey to Gerard Ganey. A motion was made by Richard Haskell and seconded by Robert Lancaster to approve the September 16, 2015 minutes as amended.

2.) Chairman's comments:

Stuart Rapp asked Avery Revere, President of Friends of Barnstable Harbor to speak. The attached document was discussed regarding utilization of the Barnstable Boat Basin by commercial fisherman and ways the Town can help. Topics discussed included: sand and snow removal at ramps, parking and use of hoist.

3.) Natural Resource Propagation Report:

Tom Marcotti informed the Committee of the following area openings:

Shellfish Closures and Openings: November 2015

- **Shellfishing Area Status**

The shellfish areas listed below are scheduled to reopen on November 1st pending approval by the Massachusetts Division of Marine Fisheries:

2.5 **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.**)

2.9 **Harbor Bluff, Lewis Bay:** The waters and flats and all tributaries thereto in Lewis Bay northwest of a line drawn from the southern end of Harbor Bluff in the Town of Barnstable to the end of Glenwood Street in the Town of Yarmouth and southerly of a line drawn from the end of Channel Point Road Way in the Town of Barnstable to the end of Columbus Avenue in the Town of Yarmouth. (DMF/SC:28.2; classified as conditionally approved; **status: Closed to shellfishing June 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.**)

2.10 **Lewis Bay:** The waters and flats of that portion of Lewis Bay in the Town of Barnstable, west of a line drawn from the Town Way at Harbor Bluff in a southwest direction to the Hyannis Yacht Club Pier and east of a line drawn from the end of the stone jetty at Snow's Creek to the "No Shellfishing" sign on the opposite shore. (DMF/SC:28.8; classified as conditionally approved; **status: Closed to shellfishing June 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.**)

2.11 **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.**)

2.12 **Shoestring Bay:** The waters, flats and all tributaries of Shoestring Bay in the Towns of Mashpee and Barnstable, easterly of a line drawn south from the southernmost point of Mashpee Neck to Punkhorn Point; northerly of a line drawn from Punkhorn Point to Ryefield Point and southerly of a line drawn from Simons Narrows Road in the Town of Mashpee to the "Public Way to Water" in the Town of Barnstable. (DMF/SC:20.3; classified as conditionally approved; **status: Closed to shellfishing April 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.**)

- **Scudder Lane Recreational Shellfishing Area Opening**

Effective Wednesday, **November 4th, 2015**, the Scudder Lane Recreational Shellfishing Area in Barnstable Harbor is open for the **recreational** harvest of shellfish, except for a portion(s) of the area defined and marked by yellow buoys, which will remain closed for shellfish propagation project protection and/or scientific research project protection. (For more details see related notices of shellfish management closure for said projects.).

Effective Friday, **April 1, 2016**, the Scudder Lane Recreational Shellfishing Area in Barnstable Harbor is closed to the harvest of all shellfish unless closed sooner for management or public health purposes.

The Scudder Lane Recreational Shellfishing Area extends from the sign post near the beach house west of the Scudder Lane Landing to the Barnstable Yacht Club pier, and extends to the Huckins Island tidal flat.

Closed portions of the Scudder Lane Recreational Shellfishing Area for shellfish project protection:

Those portions of the Scudder Lane Recreational Shellfishing Area within an area(s) defined by yellow buoys are indefinitely closed to the harvest of all shellfish.

Natural Resources has deployed predator exclusion netting to protect quahog seed planted in the area, Please do not disturb the project netting or quahogs. Yellow buoys mark the boundaries of the project sites.

Please do not jeopardize the project by tampering with the deployed gear and equipment. Abiding by these conditions will insure the integrity of the project equipment and the safety of the public. It is the hope of all those involved in this project that any inconvenience to anyone's use of the public lands and resources in the harbor is compensated by the successful enhancement of the natural resources of the harbor for the benefit of all. Thank you for your cooperation. For more information please contact the Natural Resources Office.

- **Oysters**

Effective Wednesday, **November 4th, 2015**, Town of Barnstable waters currently open to the harvest of soft shell clams and quahogs are open for the **recreational** harvest of oysters.

Effective Friday, **April 1st, 2016**, the harvest of oysters is prohibited throughout the Town of Barnstable unless closed sooner for management or public health purposes.

LEGAL SIZE OYSTER: Minimum legal harvest size is three (3) inches longest length.

RECREATIONAL HARVEST LIMIT: Not more than 1/2 peck (5 quarts dry measure) per calendar week.

SHELLFISH MANAGEMENT: The Natural Resources Office reserves the right to prohibit the harvest of shellfish at any time in any area of the Town for management purposes.

- **Scallop Season**

Effective **Sunday, November 1, 2015** scallops may be harvested **recreationally** subject to existing scallop regulations.

Effective **Monday, November 2, 2015** scallops may be harvested **commercially** subject to existing scallop regulations. Harvest by commercial permit on Sunday is prohibited.

LEGAL SIZE SCALLOP: CMR 322 6.11

Prohibition on harvest and possession of seed scallops.

No person shall land or possess scallops without a well-defined growth line and that growth line shall measure at least 10 millimeters from the hinge of the shell.

Exception. Bay Scallops that have a well-defined raised annual growth line located less than 10 millimeters (mm) from the hinge of the shell, shall be lawful to harvest and possess if the shell height is at least 63.5 millimeters or 2.5 inches.

RECREATIONAL HARVEST LIMIT: One (1) level tote basket, as defined, per week, may be harvested daily.

COMMERCIAL HARVEST LIMIT: Not more than four (4) level tote baskets, as defined, per day.

CLOSED SEASON: April 1 to opening date in October or November as regulated by the Town.

• **Contaminated Quahog Relay Area Opening:**

Effective Sunday, November 1, 2015 the following Shellfish Relay Area is **open** for the **recreational** harvest of shellfish and seaworms only, except as other rules and regulations apply:

North Bay:

The **Bay Street Relay Area (DMF/SC23.20)** is defined as: the waters, flats and tributaries of that portion of North Bay from the Town landing at Bay Street to the sign at the tip of the salt marsh at 237 Seapuit Road and extending to the offshore sign/buoys.

Effective until Saturday, January 2nd, 2016, commercial shellfishing is prohibited within the Bay Street Relay Area.

4.) Status of pending pier applications before the Conservation Committee

Review and discussion of proposed pier application for Longfields LLC, at 288 Clamshell Cove Road, Cotuit (Agent Arlene Wilson Associates, Inc.)

The Shellfish Committee approved a motion made by Robert Lancaster and seconded by Richard Haskell to not recommend approval of this pier application. This motion was opposed by Al Surprenant

Review and discussion of proposed pier application for 628 Poponessett Road, Cotuit at Crocker's Neck for reconstruction of an existing pier with kayak rack and float.

This is a shellfishing prohibited area, the Shellfish Committee made no motions regarding this application.

5.) Old Business

Discussion of "out of Town" shellfish license holder parking.
Tabled until next meeting.

6.) New Business

Discussion and possible vote regarding proposed 2016 shellfish permit fees.

Doug Kalweit presented a proposed fee structure for 2016 to meet financial shortcomings of the shellfish budget. After much discussion he was requested to provide further financial information to the Committee for review before voting on the issue. This item will be on the agenda for the next meeting on November 18, 2015.

Discussion and vote on renewal application of Richard Kraus for 2 acres site ng 023, License number 10-05, and issuance of a new license for a period of 10 years.

The Shellfish Committee unanimously approved a motion made by Robert Lancaster and seconded by Linda Romano to recommend approval of the renewal application of Richard Kraus for 2 acres site ng 023, License number 10-05, and issuance of a new license for a period of 10 years

Discussion and vote on renewal application of Christina Laurie for 2 acres site ng 024 Licensed number 10-04, and issuance of a new license for a period of 10 years.

The Shellfish Committee unanimously approved a motion made by Al Surprenant and seconded by Richard Haskell to recommend approval of the renewal application of Christina Laurie for 2 acres site ng 024 Licensed number 10-04, and issuance of a new license for a period of 10 years.

Discussion and vote on renewal application of Susan Nickerson for 2 acres site ng 033 Licensed number 11-02, and issuance of a new license for a period of 10 years.

Continued until the next meeting.

Discussion and vote on new application of Susan Begley for existing site (ng 030, 2 acres) previously licensed to Max Kumin (License number 12-01), and issuance of a new license for a period of 5 years.

The Shellfish Committee unanimously approved a motion made by Al Surprenant and seconded by Linda Romano to recommend approval of the new application of Susan Begley for existing site (ng 030, 2 acres) previously licensed to Max Kumin (License number 12-01), and issuance of a new license for a period of 5 years.

7.) Miscellaneous:

Discussion on implementing a yearly fee to maintain position on the Waitlist for Aquaculture Grants to better distribute the fee increases.

The Shellfish Committee unanimously approved a motion made by Robert Lancaster and seconded by Al Surprenant to adjourn the meeting at 8:48 p.m.

Next Meeting will be held at the Senior Center, 825 Falmouth Road, Hyannis on November 18, 2015 at 7:30pm

Respectfully submitted,

Terri McDonald, Administrative Assistant