

Shellfish Committee Minutes of the Meeting

DATE: October 16, 2013
TIME: 7:30 P.M. to 9:30 P.M.
LOCATION: MEAD Building

Shellfish Committee Members present: Stuart Rapp, Albert Surprenant, Les Hemmila, Gerard Ganey,
Linda Romano, Andre Sampou

General Public present: Kevin Flaherty, Christopher Freeman

Town Council Liaison: June Daley

Town Staff present: Doug Kalweit, Tom Marcotti

Chairman's Report

Stuart Rapp chaired the October 16, 2013 meeting of the Shellfish Committee.

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."

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

The Shellfish Committee unanimously approved a motion and adopted the minutes of the September 18th, 2013 meeting of the Shellfish Committee.

Natural Resources Report

Shellfish Closures and Openings: October and November 2013

- **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/SC20.3; 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 6th, 2013**, 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 Tuesday, **April 1, 2014**, 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 6th, 2013**, Town of Barnstable waters currently open to the harvest of soft shell clams and quahogs are open for the **recreational** harvest of oysters.

Effective Tuesday, **April 1st, 2014**, 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, October 27, 2013** scallops may be harvested **recreationally** subject to existing scallop regulations.

Effective **Monday, October 28, 2013** 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 Oyster and Quahog Relay Area Openings:**

The area listed below is scheduled to reopen on **November 1st, 2013** pending approval by the Massachusetts Division of Marine Fisheries, subject to state and local rules and regulations.

North Bay:

North Bay Relay Area (DMF/SC23.22) The North Bay Relay Area is defined as: the waters, flats and shoreline of that portion of North Bay from the pier at 79 Sand Point Road to the pier at 86 Sand Point Road extending to the navigational channel at the northern entrance to Cotuit Bay and to the offshore sign/buoys in North Bay.

The areas listed below are scheduled to reopen on **November 6th, 2013** pending approval by the Massachusetts Division of Marine Fisheries, subject to state and local rules and regulations.

West Bay:

The **Wianno Oyster Area (DMF/SC22.24)** is defined as: the waters and flats of that portion of West Bay between the signs at #141 Eel River Road and #239 Eel River Road and seaward for 150 ft.

Effective until Thursday, January 2nd, 2014, commercial shellfishing is prohibited within the Wianno Oyster Relay Area.

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 Thursday, January 2nd, 2014, commercial shellfishing is prohibited within the Bay Street Relay Area.

- **West Bay Recreational Shellfishing Area Closure:**

**TOWN OF BARNSTABLE SHELLFISH MANAGEMENT CLOSURE
UNDER THE AUTHORITY OF BARNSTABLE SHELLFISH REGULATION 407-8G and 407-15F**

**CLOSED PORTION OF WEST BAY
FOR QUAHOG SEED PROTECTION:**

Effective **Wednesday, November 6th, 2013** The West Bay Recreational Shellfishing Area as defined is closed to the harvest of all shellfish and seaworms.

West Bay:

The **West Bay Recreational Shellfishing Area (DMF/SC 22.11)** is defined as the waters, flats and shoreline within an area beginning from the West Bay Landing at Bridge Street to the Wianno Yacht Club pier to the "NR / No Shellfishing" sign/buoys located offshore.

Old Business

The Shellfish Committee continued their discussion of introducing a plan to possibly develop more private shellfish aquaculture grants in Barnstable Harbor to accommodate the people on the waiting list. Stuart Rapp informed Town Council liaison, June Daley, that the committee is willing to formulate a proposal plan (including language and maps) for submittal to the Town Council as an agenda item. June Daley informed the committee that she met with the Town Manager and Assistant Town Manager to discuss the Shellfish Committee's proposal.

New Business

Les Hemmila informed the Shellfish Committee of the need for an aquaculture sub-committee to the Shellfish Committee in order to effectively address various issues that are important to the industry (i.e., best management practices, disease management, public health issues, regulations, etc.). Al Surprenant, Les Hemmila and Kevin Flaherty informed the committee on many components of the shellfish aquaculture industry pertinent to Barnstable, particularly concerning *Vibrio parahaemolyticus* management issues. Stuart Rapp and June Daley noted that the sub-committee would need to follow the rules and practices of any other public meeting group (i.e., postings of meetings, agendas, minutes, etc.). Stuart Rapp appointed Les Hemmila as the chairman and Richard Haskell and Robert Lancaster as members of the aquaculture sub-committee.