

**Town of Barnstable  
Shellfish Committee**  
1189 Phinneys Lane, Centerville Ma. 02632  
[www.town.barnstable.ma.us](http://www.town.barnstable.ma.us)



Office: 508-790-6273  
Fax: 508-790-6275

**Shellfish Committee Minutes of the Meeting**

**DATE: March 11, 2020**

**TIME: 6:30 P.M. to 7:38 P.M.**

**LOCATION: Barnstable Adult Community Center, 825 Falmouth Road, Hyannis MA**

**Shellfish Committee Members present:** Bill Shumway, Jacob Angelo, Patricia Farinha, Paul Caruso and Tyler Hagenstein

**Shellfish Committee Members absent:** Stuart Rapp, Robert Lancaster, Al Suprenant

**General Public present:** Jason French, John Nawoichik, Jill Nawoichik, Joe Weinberg, Dan Czupryna, William Korkuch, Mark Begley, Richard Haskell and Tom Ryshavy

**Town Council Liaison present:** Kristine Clark

**Town Staff present:** Tom Marcotti, Shellfish Biologist, Amy Croteau, Natural Resource Officer/Shellfish Constable and Lisa Henderson, Clerk of the Board

Bill Shumway chaired the March 11, 2020 meeting of the Shellfish Committee. Bill Shumway took a roll call of members present at the meeting. Bill Shumway 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 voted by majority to approve the Meeting Minutes from February 12, 2020 as presented by a motion made by Patricia Farinha and seconded by Tyler Hagenstein. Paul Caruso abstained his vote due to his absence at the February 12, 2020 meeting.

**2. Chairman's Comments: None**

### **3. Natural Resources Report:**

Tom Marcotti presented an update on the shellfish activities:

The lower portion of Shoestring Bay (DMF/SC20.3) will close to shellfishing April 1 through October 31. The area shall not automatically reopen to shellfishing on November 1 and will remain closed until examined and shellfishing is allowed by DMF.

Effective Wednesday April 1, 2020 Scudder Lane recreational shellfishing area (as defined) in Barnstable Harbor is closed to the harvest of all shellfish. Opening dates for the Scudder Lane Recreational Shellfishing Area will be posted annually.

The recreational harvest of oysters is prohibited throughout the Town of Barnstable effective Wednesday April 1, 2020.

The harvest of scallops shall be closed, (prohibited) effective April 1<sup>st</sup> annually, MGL CH130 sec 71. Open season will be posted annually.

We will try to go into the Centerville River and relay it. We will plan to chose 3 consolidated areas in East Bay (subject to survey) to put the stock and see how it does.

The sale of recreational shellfish permits are up. Shellfish merchandise sales are doing very well with the funds going into the "S" account.

Natural Resource Officer/Shellfish Constable Amy Croteau continued the Natural Resource Update.

We had a request for brood stock for oysters from East Bay and Centerville River from Mook. They are looking to diversify their brood stock oysters and are considering taking stock from three or four different areas in the North East Region to create their new brood stock. Their request is currently on hold because they did not obtain the proper scientific permit required by DMF to do so.

Tom Marcotti presented shellfishery information at the Mid Winter Shellfish Bash and Hash at the Cape Cod Maritime Museum on February 16<sup>th</sup>.

On March 1<sup>st</sup> oyster harvest limit went up to a full peck per week. The last day to harvest oysters is March 29<sup>th</sup>.

Recent enforcement issues: access limited oysters, oysters stashed in bags and hidden behind rocks that were confiscated.

Ninety seven Harbor Bluff Road revetment issues with rocks being placed in shellfish habitat. We are working with them getting into compliance and they since have moved all the rocks to the revetment. There has been enforcement action from Natural Resource as well as the Conservation Commission pertaining to this.

Excess seeding catches of oyster and quahogs, emergency response for a man and his kayak in January, Aquaculture license boundaries that we were having issued with have been resolved, we had some soft shell clamming pumping violations, we held a commercial shellfish license lottery

February 1<sup>st</sup>. We had two no-renewals and the two lottery winners accepted and provided necessary paperwork.

Commercial license renewals are ongoing. They have until April 30<sup>th</sup> to submit remaining paperwork and payment. However, if they want to continue fishing during the month of April they must submit all payments and documents by April 1<sup>st</sup> to continue commercially shellfishing.

March 1<sup>st</sup> through April 15<sup>th</sup> is Aquaculture cleanup month and a half.

We received the responses from DMF with regards to number of wish list items provided by Kenneth Aitenemmi. There was an expressed interest in getting out to the 1 mile mark for the purposes of potentially surf clamming, ocean quahog dredging, bay quahog dredging and sea scalloping. The formal response from DMF pertaining to surf clams and ocean quahogs would require permitting through the State as they are managed solely by DMF. A State permit is required to commercially fish for sea scallops. The question of what permits are needed is based on what activity is being conducted. At a minimum a commercial shellfish permit and transaction card are required and then there is the question of how the scallops are being harvested and must conform with the applicable regulations 322 CMR 4.06 and 322 CMR 6.05. DMF stressed that any Town permit holders cannot participate in State regulated fisheries without the appropriate DMF issued permits even if the activity occurs exclusively in Town waters. Commercial bay quahog dredging within that one mile requires State permitting as well.

We are still discussing internally the potential for commercial permit holders to dry drag, quahog dredge within certain areas of Three Bays certain times of the year.

Amy Croteau directed any further inquiries regarding the answers received by DMF be submitted directly to DMF.

#### **4. General discussion regarding the \$100k per year Town allocation for seed and propagation:**

The \$100k received per year is solely used for shell stock. No gear or labor and runs fiscally.

Many things are taken into consideration each fiscal year such as budget, weather, suppliers, vendors and dollar cost averages. There is a variety of ways to go about propagating. The procedures and protocol of how we grow our stock are available on the Town's website. Although we get stock from a variety of vendors using best management practices, ARC is the largest company we purchase from. Choosing a vendor can vary based on availability, diversity, reliability and budget. An inquiry was made by Jacob Angelo to make the vendors, seed, and specific amounts used for shell stock made available for the next meeting.

**5. Status of pending NOI pier applications before the Conservation Commission:**

Applicant Slifka, Rosalyn & Richard  
Project Location: 231 Baxters Neck Road  
Marstons Mills, MA 02648  
Map 074 & parcel 004  
Proposed Project: To extend the boardwalk landward to M.H.W., and to add dolphin piles.

Application was discussed. The Committee has no concerns. No vote taken.

Applicant: Bernadette T. Rehnert  
Project Location: 398 East Bay Road, Osterville, MA 02655  
Map 163 & parcel 014  
Proposed Project: To construct a timber boardwalk.

Application was discussed. The Committee has no concerns. No vote taken.

**6. Old Business:** Patricia Farinha mentioned the NOI for 40 & 50 Clamshell Road had requested a continuance with Conservation Commission. Patricia Farinha would like to visit the location. Jacob Angelo offered to accompany Patricia Farinha to the location.

**7. Matters not reasonably anticipated by the Chair: None**

The Shellfish Committee unanimously voted to approve a Motion made by Paul Caruso and seconded by Patricia Farinha to adjourn.

Respectfully submitted: Lisa Henderson – Clerk of the Board