

Edgartown Shellfish Committee
Tuesday, November 7, 2017, 4:30PM
Edgartown Public Library

Present: Chair - Christian Thornton, Les Baynes, Madeline Fisher, Ryan Smith,
Nick Turner,
Shellfish Dept. Paul Bagnall, Warren Gaines, Rob Morrison,
Others: Tom Barrett, Jason Benefit, Jessica Burnham, Norma Costain,
Thomas Dowd, Woody Filley, Ann Floyd, Will Geresy, Margaret Knight,
Geoff Kontje, Tony Lima, Sarah McLane, Thomas "Boise" Rogers,
Noah Scheffer, Adam Thibodeau,
Recorder - Marni Lipke

The meeting was called to order at 4:31PM.

COMMERCIAL, FAMILY, AQUACULTURE LICENSE APPLICATIONS

- IT WAS THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE TO AUTHORIZE CHAIR CHRISTIAN THORNTON TO SIGN AQUACULTURE WAIT LIST APPLICATIONS FOR ADAM THIBODEAU.

CONSTABLE'S/DEPUTIES' REPORT

- Bay Scallop Update
- Fishermen were getting about 40 limits a day (wholesale scallop price was \$13/lb.). Staff was established in the building at the end of the dock, which was working out very well. Constable Paul Bagnall estimated the harvest would last until around Christmas. He expressed some concern about next year's seed but it was still early in the season.
- Eel Pond did not pass water testing and so was closed to all shellfishing except scallops. The Pond was a struggle to keep open in view of the wetlands, private property and avian pollution.
- The last 3 quahog rafts were planted in Katama Bay gravel—hoping for little necks in 3-4 years.

OLD BUSINESS

- Cape Pogue Aquaculture Proposal Hearing
(See documents on file & Minutes: 10/3/17 p.2-3, 10/17/17 p.2-3.)
Paul Bagnall and the Shellfish Committee proposed applying for 8 lots in 2 rows of 4 covering a total area 700 ft. by 900 ft. The staff and Committee answered questions from the public.
- Aquaculture was only allowed on non-productive bottoms, and scalloping in Southern Cape Pogue had been dormant/extinct for 20 or 30 years, partly evidenced by the lack of eelgrass.
- The request was triggered by an aquaculture plot application which opened the possibility of expanding the industry by making a multiple lot request—as preferred by the permitting

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agencies: Massachusetts Division of Marine Fisheries (DMF), Army Corps of Engineers, Edgartown Conservation Commission, etc.

- Previous requests outside Katama Bay (Shear Pin Pond and Middle Harbor) had not been particularly successful either due to poor business skills or adverse conditions (strong currents, summer traffic, etc.).

- There was a protest that the farms would spoil the pristine nature of Cape Pogue, which was surrounded by undeveloped land, wetlands and wildlife refuges. In addition the unspoiled wild was part of a court ruling denying piers, moorings, etc.—causing concern that this could trigger further development.

- Although there was always hope, it was unlikely Southern Cape Pogue wild scallop harvest would revive.

- On the other hand barge aquaculture provided habitat that attracted marine wildlife (finfish, lobsters, conch, eels, etc.) and in general the propagation of shellfish was considered environmentally beneficial. For example, the Major's Cove Oyster Farm in Sengekontacket Pond was started as a natural means of nitrogen filtering and reduction.

- It was suggested that the crop be varied to include other shellfish to insure against devastation by a single disease. Other methods of shellfish farming were being developed elsewhere, but they tended to be site specific.

- Town policy restricted aquaculture to 1% of a pond surface area—so 8 plots was the maximum for Cape Pogue. Katama Bay and Cape Pogue acreage varied through the decades with cuts and erosion. It was unclear if farm plots would be disallowed when a pond or bay acreage shrank. Aquaculture was otherwise exempt from zoning, but it was subject to local, state and federal regulations. There was a discussion on consistent enforcement.

- Aquaculture farms varied from very neat to somewhat chaotic. Corner buoys moved with the weather and cages were usually stacked two high.

- The 12 Katama aquaculture plots had taken about 20 years to fill; however Cape Pogue was likely to be shorter due to increased demand and 20 years experience.

- Storms and ice were a concern in terms of fishermen safety and staff was working with the DMF and Harbormaster on allowing winter work in the Harbor.

- The Trustees of Reservation (TTOR) representative asked if this would increase summer traffic/parking at the already busy Dyke Bridge; however fishermen were most likely to access plots by boat rather than standing in line for the On Time ferry and driving the extra miles.

- Upwellers (8 ft. by 20 ft.) would be placed outside the Narrows from May through September.

- The Shellfish Committee would hold a Public Hearing at its next meeting (see below: Meetings/Events). They would make a recommendation to the Board of Selectmen who would also hold a public hearing (although Selectmen hearings were often quite short). Depending on public and fishermen reaction the request could be modified.

- Thomas “Boise” Rogers, explained that business disputes with his previous partner had delayed use of his Katama aquaculture plot (see 10/3/17 Minutes p.3) since the initial 2009 lease.

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The dispute was now resolved and Boise Rogers had purchased a boat and 100 cages. He thanked the Department for donating some of Ray Gailey's equipment. Committee members understood his situation and wished to see him succeed.

IT WAS THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE TO ALLOW THOMAS ROGERS TO PROCEED WITH THE UNDERSTANDING THAT HE WOULD INFORM THE COMMITTEE OF ANY FURTHER DELAY AS SOON AS POSSIBLE.

- The Committee wished him luck, cautioned him to obey regulations and to be a good neighbor to maximize safety and profits.

MINUTES

• LES BAYNES MOVED TO APPROVE THE OCTOBER 17, 2017 MINUTES AS AMENDED: MADELINE FISHER SECONDED: MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.

NEW BUSINESS

Fiscal Year 2019 (FY19) Budget & Town Meeting Articles

The Shellfish Committee \$44,000 Article covered expenses comfortably last year due to the lack of quahog relay and scallop moving savings from less storms. The Department purchased a new inflatable (which had to be assembled) and the Fire Dept. donated their skiff.

This year's Article deadline was November 27th.

- Martha's Vineyard Shellfish Group voted to raise rates \$1,000 (to \$38,000).
- Other expenses were level funded: administration, Chappaquiddick Nursery, oyster farm and cultch; quahog relay and seeding; scallop seed, spat and moving; shellfish testing.

Town Report was due in January.

- The Committee discussed aquaculture hearing issues such as:
 - TTOR/Edgartown stewardship of Dyke Bridge;
 - pro-aquaculture advocates,
 - policing,
 - wealthy riparian owners relations with Katama Bay aquaculturists,
 - Cape Pogue proposal proximity to Chappaquiddick,
 - employment opportunities on the Island,
 - Wait List policy.

Meetings/Events

- Edg. Shellfish & Public Hearing - 4:30PM Tuesday, November 21, 2017
- Edg. Shellfish - 4:30PM Tuesdays, December 5 & 19, 2017 at the Library

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ADJOURNMENT

• LES BAYNES MOVED TO ADJOURN AT 5:55PM; MADELINE FISHER SECONDED; MOTION PASSED UNANIMOUSLY.

Actions To Be Done:

- All - consider Aquaculture Wait List Policy amendment.
- Paul - contact Scott Morgan of the Marine Advisory Committee re: Cape Pogue aquaculture

Documents on File:

- Agenda 11/7/17
- Boise statement: The Edgartown Shellfish Committee,...
- Shellfish Dept. Public Hearing statement (2 p.)