

**Edgartown Shellfish Committee**  
**Tuesday, October 15, 2019, 4:30PM**  
**Edgartown Public Library**

Present: Acting Chair – Les Baynes, Madeline Fisher, , Nick Turner,  
Shellfish Dept. Paul Bagnall, Jason Mallory, Rob Morrison,  
Others: Recorder – Marni Lipke

The meeting was called to order at 4:37PM. (*Recorder's Note: discussion has been summarized and grouped for clarity and brevity.*)

CONSTABLE'S & DEPUTIES' REPORT

- Staff was working on the usual fall projects:
  - repairing the Chappaquiddick Nursery siding;
  - considering building new oyster farm rafts (the old hand-me-downs were at the end of their lifespan).
- Constable Paul Bagnall sent correspondence to the Selectmen (see documents on file) regarding the Commercial Fishing of Family Areas amendment (see 9/3/19 Minutes p.1), the Scheffer transfer (see 9/3/19 Minutes p.2) and the scallop season recommendations (see 9/17/19 Minutes p.1-2).

OLD BUSINESS

Bay Scallop Season

- The family scallop season was still lackluster; only one full washbasket was brought in and that took an entire day dip netting Cape Pogue. There were no wash-ups from the recent nor'easter.
- The Committee scheduled a public hearing to reconsider commercial limits (see below: Actions & Meetings/Events).

Aquaculture Rules and Regulations

Staff suggested a new regulation requiring upwellers be removed before winter weather damage, drift or wash-up. Most aquaculturists considered this common sense as an upweller was a major investment. In general Mark DeFeo was hired to pull them out of the water.

- **LES BAYNES MOVED TO RECOMMEND SHELLFISH REGULATIONS BE AMENDED AS FOLLOWS: "SECTION 11H2. ALL UPWELLERS MUST BE REMOVED FROM THE WATER BY DECEMBER 31<sup>ST</sup> OF EACH YEAR"; NICK TURNER SECONDED: MOTION PASSED UNANIMOUSLY 3 AYES, 0 NAYS, 0 ABSTENTIONS.** (See below: Actions.)

NEW BUSINESS

Vibrio (Vp) Update

- Massachusetts Division of Marine Fisheries (DMF) reported the fifth Vibrio case in two months but refrained from closing Katama Bay regarding:

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- the imminent end of the vibrio season;
- dropping water temperatures,
- questionable transportation issues in one case.

The Committee and staff credited increased icing and shade requirements as well as restaurant trainings for safe service for the improved season.

Aquaculture Violations

- The State had not yet responded to the incident report (see 10/1/19 Minutes p.2). Madeline Fisher protested lack of knowledge about the report to the State. Staff reported that the State was present at the scene so that Sandy Fisher knew he would be cited. A brief discussion followed:

- Staff adherence to protocol, with offer to further modify communications on request;
- fair rules of engagement on all sides and Town culture;
- agreement for better communications.

- Les Baynes asked about opening a private aquaculture plot in Sengekontacket. Staff suggested a series of potential problems that made it a risky proposition given the work and financial investment needed for a successful farm:

- Majors Cove closure during the summer season;
- entire Pond subject to rainfall closures;
- extreme difficulty of relaying oysters to Eel Pond for remediation.

- The Committee asked about the status of Jason Bennett (see Minutes: 9/18/18 p.2 & 2/5/19 p.2., & 3/5/19 p.1, & 4/2/19 p.2 & 5/21/19 p.1, & 9/3/19 p.2) who had been liquidating his farm for about a year but seemed to be indecisive about whether he was staying or quitting the business. **IT WAS THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE TO REQUEST JASON BENNETT ATTEND THE NEXT MEETING.**

- The Committee requested the current wait list be added to the bottom of all Minutes.

Meetings/Events

- Edg. Shellfish - 4:30PM Tuesdays, November 5 & 19, 2019 at the Library
- Edg. Shellfish Public Hearing - 4:30PM Tuesday, November 19, 2019 at the Library
- MV Oyster Fest - May 8 & 9, 2020 at the MV Museum

ADJOURNMENT

**• LES BAYNES MOVED TO ADJOURN THE MEETING AT 4:58PM; NICK TURNER SECONDED; MOTION PASSED UNANIMOUSLY.**

Actions To Be Done:

- Paul - post November 5th public hearing

continued

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**Actions To Be Done (cont.):**

- Paul – check with Selectmen re:
  - Scheffer transfer,
  - regulation updates (commercial license/family taking & aquaculture/upweller removal).
- Staff – request Jason Bennett attend the next meeting.
- Staff – inform Sandy Fisher if/when local action is considered.
- November Agendas
  - Minutes: 10/1/19, 10/15/19
  - 11/5/19 Scallop Season Recommendations
  - Jason Bennett Status
  - Kite-boarding Regulations Update

**Documents on File:**

- Agenda 10/15/19
- Bagnall letter re: Regulation Changes and Scheffer Transfer 10/11/19
- Bagnall letter re: Bay Scallop Season Recommendations 9/22/19

**Wait List as of 10/1/19**

<del>Ray Auger</del>	<del>5/7/13</del>
<del>Julia Smith</del>	<del>5/7/13</del>
<del>Daniel Gilkes</del>	<del>10/4/16</del>
Micah Agnoli	6/21/17
Adam Castro	9/5/17
<del>Noah Scheffer</del>	<del>9/5/17</del>
Evan & Andrea Donnelly	9/19/17
Clinton Fisher	9/19/17
Lila Fischer	1/16/18
Liam Cosgrove	9/17/19