

**Edgartown Shellfish Committee**  
**Tuesday, October 16, 2018, 4:30PM**  
**Edgartown Public Library**

Present: Chair – Christian Thornton, Les Baynes, Ryan Smith,  
Shellfish Dept. Paul Bagnall, Warren Gaines, Rob Morrison, Jason Mallory,  
Others: Tom Scott, Igor Vukoje,  
Recorder – Marni Lipke

The meeting was called to order at 4:35PM. (*Recorder's Note: discussion has been summarized and grouped for clarity and brevity.*)

MINUTES

• **CHRISTIAN THORNTON MOVED TO APPROVE THE OCTOBER 2, 2018 MINUTES: LES BAYNES SECONDED: MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 0 ABSTENTION.**

COMMERCIAL, FAMILY, AQUACULTURE LICENSE APPLICATIONS

• IT WAS THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE TO AUTHORIZE CHAIR CHRISTIAN THORNTON TO SIGN THE COMMERCIAL SHELLFISH APPLICATIONS FOR TOM SCOTT, AND IGOR VOKOJE.

Applicants were welcomed and advised to read the regulations and ask staff if they had any questions. The signed applications had to be submitted to Town Hall within 48 hrs.

CONSTABLE'S & DEPUTIES' REPORT

- Half the Major's Cove Oysters were being air-dried and the other half would follow.
- All quahog rafts were planted except for one being held for the Dredge gravel run.
- New staff member Jason Mallory's training was going smoothly.
- The fresh water system was drained and turned off at the Chappaquiddick Nursery.
- The State issued a blanket closure after the previous week's 4 in. of rain.

Bay Scallop Season

- Warren Gaines saw one full washbasket from Cape Pogue so there was some fishing to be had as the grass cleared out, but most family harvests were falling short.
- Shellfish Constable and Biologist Paul Bagnall attended the Division of Marine Fisheries, (DMF) Conference on the effect of dragging on the bay scallop harvest, in order to insist on good science rather than superficial conclusions. For example a study should:
  - determine what was evidence of a drag;
  - differentiate between light dragging, heavy dragging;
  - account for frequency and number of drags;
  - utilize up-to-date drag gear; etc.

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NEW BUSINESS

FY20 Budget Update                   (See documents on file.)

- Financial articles were due by November 20th and the Annual Town Report by January 4th.
- The Department budget was likely to be similar to last year's.

OLD BUSINESS

Katama Wait List     (See below: Actions.)

- Ray Auger neither responded nor signed for the registered letter (see 9/4/18 Minutes p.1). Pending final verification the way was now open for Jack Blake to transfer his lot to Dan Gilkes.
- The Smith/Smith/Smith lot transfer (see 9/4/18 Minutes p.1-2) and the Castro Middle Flats lot application (see 8/21/18 Minutes p.1) were also pending Selectmen approval.
- Thomas "Boise" Rogers (see 5/1/18 Minutes p.1) was working his lot daily, making reasonable progress on about 30 cages.
- There was some concern over an upweller still in the channel and a rumor that Jeremy Schaeffer was getting married and moving to a Chilmark lease/license.
- There were beautiful oysters in Eel Pond from Sandy Fisher's cages (see 7/17/18 Minutes p.1-2).

The Committee discussed various issues of transfer and wait list policy.

- There was much debate on the difficult legalities of tying valuable gear to the \$5 lease/license.
- A wait list put the original tenant in a weak position financially since the wait list candidate could take the plot without purchasing the tenant's equipment, leaving the tenant saddled with substantial capital loss.
- If the wait list were eliminated the lot holder could advertise the business for sale and negotiate a price. However this might put lots beyond the means of many fishermen.
- There were similar business situations; for example fishing license holders often wanted to sell their boats with the license; restaurateurs couldn't always sell equipment/furnishings with the business.
- Other factors were in play. The former tenant could refuse to vacate the lot. The stiff competition put pressure on wait list candidates.
- Currently someone on the wait list could remain in position despite multiple refusals of available lots. There was general consensus that this was untenable, but no agreement on what limit should be set—3, 2, 1 or 0 refusals. Lease/license opportunities were infrequent, in Wellfleet for example they were passed down within families for generations. Mr. Auger signed on to the wait list before 2012.
- Currently a lease/license could only be transferred to immediate family (spouse, children), but this could be expanded to include other relations such as siblings or in-laws (see 9/4/18 Minutes p.1-2) or to business partners and employees/apprentices (see 5/1/18 & 5/15/18 Minutes p.2).
- The Committee was interested in the opinion of expert Jack Blake's, as well of absent Committee members.

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Meetings/Events

- Edg. Shellfish - 4:30PM Tuesdays, November 6 & 20, 2018 at the Library

ADJOURNMENT

- **LES BAYNES MOVED TO ADJOURN THE MEETING AT 5:29PM; CHRISTIAN THORNTON SECONDED; MOTION PASSED UNANIMOUSLY.**

**Actions To Be Done:**

- Paul - remind Selectmen regarding authorization of Smith & Castro aquaculture licenses.
- Paul - document Augur contact attempts: run letter tracking # and phone him a couple times.
- Paul/Christian - ask Jack Blake to attend Committee meetings on aquaculture wait list issues.
- November Agenda
  - Aquaculture License/Wait List Regulations
  - Action/Vote on Augur Wait List position
  - FY20 Department Budget and Warrant Articles

**Documents on File:**

- Agenda 10/16/18
- Hagerty memo re: 2020 Budget / 2019 ATM & STM Calendar (2 p.) 10/10/18