

Edgartown Shellfish Committee
Tuesday, April 5, 2016, 4:30PM
Edgartown Town Hall

Present: Chair - Ryan Smith, Les Baines, Donald Benefit, Christian Thornton,
Coop Gilkes
Shellfish Dept. Paul Bagnall, Warren Gaines, Rob Morrison,
Others: Dennis Jackson, Great Pond Foundation - Elizabeth Ricketts
Recorder - Marni Lipke

The meeting was called to order at 4:30PM.

COMMERCIAL, FAMILY, AQUACULTURE LICENSE APPLICATIONS

• IT WAS THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE TO AUTHORIZE CHAIR RYAN SMITH TO SIGN THE COMMERCIAL SHELLFISHING APPLICATION FOR DENNIS JACKSON.

DEPUTIES' & CONSTABLE'S REPORT

• Bay Scallop Season Update

The season was over but not without two citations for fishing in a closed area and one for coming in late (see below: p. 2).

• The Edgartown Great Pond oyster season was going well with about 6 fishermen coming back with limits by 10:00AM. The wild oysters were not as perfect as those from aquaculture, but were selling at about 28¢ a piece. There were plenty to find and no one was fishing in the sanctuaries. This first natural set in 7 years was a good harvest—about 150 bushels total so far.

• All commercial licenses expired April 1st, so fishermen should be reminded to renew.

- At the end of the meeting IT WAS THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE TO CLOSE THE EDGARTOWN GREAT POND OYSTER SEASON ON APRIL 29, 2016.

• Staff was working on the Major's Cove oyster farm, repairing gear, relocating floats and air drying cages.

• Aquaculturist Ray Gailey died, and a survey found:

- 12 full cages of 12 bags each of market sized oysters on his lease in Shear Pen,

- 3-4 cages of dead oysters that had washed up,

- a dozen cages in the Narrows full of 2 in. seed; and

- another dozen cages of 2 in. seed in Poucha,

making a significant investment of gear and oysters, most of it off-site and illegal (see 7/2/15 Minutes p. 1), that would take at least a week to remove. His Fisherman's Depot lot would eventually be put out for the next person on the wait list. Estate issues were unclear, but the family so far showed no interest in the fishing business and had no wholesaler license.

Edgartown Shellfish Committee
April 5, 2016

2

- The 2015-16 season Citation Update was reviewed
- Nick Viera - 4 - late return, harvesting seed, over limit, fishing in closed area—fines unpaid;
- David Viera - 2 - late return, harvesting seed—fines unpaid;
- Angela Fisher - 2 - late return, harvesting seed—fines unpaid;
- Mike Hathaway - 1 - harvesting seed—fine paid;
- Dan Thomas - 1 - fishing in closed area—fine unpaid.

Issues included:

- review of regulations (see 5/2/08 Minutes & documents on file);
- penalty carry over from this season to next season;
- including regulations with license for better review;
- enforcing regulation to set precedent and empower Shellfish staff;
- informing Selectmen of seriousness of offense and Committee's demonstrations of leniency;
- Selectmen unpredictable support for Shellfish regulations.

• **LES BAYNES MOVED:**

- **THAT ALL FINES MUST BE PAID BEFORE A LICENSE COULD BE RENEWED,**
- **TO SEND WARNING LETTERS TO DAVID VIERA AND ANGELA FISHER,**
- **TO RECOMMEND TO THE BOARD OF SELECTMEN THAT THEY SUSPEND THE NICK VIERA's COMMERCIAL SHELLFISHING LICENSE FOR ONE WEEK AT THE START OF THE NEXT SCALLOP SEASON;**

CHRISTIAN THORNTON SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.

- Edgartown Great Pond was opened March 16th and didn't close till March 30th. Salinity was up to 28 ppt. but had probably dropped a couple points with the recent heavy rain.
- The steamer set survived the winter, but crab predation was a serious concern.

NEW BUSINESS

• Leland, Schifter Poucha Pond Sampling Results

The good news was a Pond sampling report from the Woods Hole Group (WHG), however it was conducted in November/December, some gear froze skewing results, and tidal data was inaccurate. All the chemicals would have to be retested during high summer months.

- **IT WAS THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE TO DIRECT SHELLFISH BIOLOGIST AND CONSTABLE PAUL BAGNALL TO SEND A LETTER TO THE SELECTMEN REGARDING THE LELAND SHIFTER REPORT DATA GAPS (see below: Actions).**

Edgartown Shellfish Committee
April 5, 2016

3

OLD BUSINESS

- Wrigley Pier - The Planning Board tabled the issue until May (see 3/2/16 Minutes p. 1).

NEW BUSINESS

- Town Meeting Reporting

The Shellfish Articles were reviewed: level funded Major's Cove Oyster Farm and Martha's Vineyard Shellfish Group dues, funding for an outboard and truck replacements. All were urged to attend.

- Vibrio Update (See 2/2/16 Minutes p. 1 & 11/3/15 Minutes p. 2.)

New regulations were:

- icing time 1 hour, and
- allowance of relays to Eel Pond.

The Scheffers were set up and willing to allow communal soaking for two weeks. In addition the Division of Marine Fisheries (DMF) would survey the remaining 6 lots for communal use, when they came to survey Ryan and Joe Smith's Middle Harbor leases. Shellfish staff and Environmental Police Officer (EPO) were responsible for enforcement. Aquaculturist Ryan Smith found the set up difficult but doable. It was agreed that restaurants with raw bars were the weak link, and Board of Health agent Matt Poole would be conducting a workshop.

- The "Ready to Serve By Date" labels were also mentioned (see below: Actions).
- Serious complaints were starting over oyster cages still off lease plots in and around the Harbor. Fishermen will lose the winter moving privilege as well as cause problems for others if the situation was not immediately remedied.

In view of tight spacing and scheduling of Town Hall meeting rooms:

- **IT WAS THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE TO SHIFT THE MEETING LOCATION TO THE NEW EDGARTOWN PUBLIC LIBRARY.**

Meetings/Events

- Edg. Shellfish - 4:30PM Tuesdays, April 19, & May 3, 2016 [at the Edgartown Library](#)
- Annual & Special Town Meeting - 7:00PM, Tuesday, April 12, 2016

ADJOURNMENT

- **LES BAINES MOVED TO ADJOURN AT 5:40PM; DONALD BENEFIT SECONDED; MOTION PASSED UNANIMOUSLY.**

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Edgartown Shellfish Committee
April 5, 2016

4

Actions To Be Done :

- April 19 Agenda - Minutes 2/16, 3/1, 3/15, 4/5
- Paul/Warren/Rob/Pete - remind fishermen to renew their licenses.
- Ryan/Christian - draft plan for *Ready to Serve by: Date* labels.
- Paul/Warren/Rob - send warning letter to David Viera and Angela Fisher.
- Paul- draft letter to Selectmen re: citation report & Nick Viera suspension.
- Paul- give citation report to Kristy Rose.
- Paul- draft letter to Selectmen re: Shifter Leland testing & cc: MVC, BOH, Marine Advisory.
- Paul/Warren/Rob/Pete - start spring aquaculture clean up: markers, return to leases, etc.

Documents on File:

- Agenda 4/5/16
- Edgartown Shellfish Dept. close of Cape Pogue scallop season 3/23/16
- Edg. Shellfish Dept. 2015=16 Citation Update 4/5/16
- Woods Hole Group letter re: Results of Water Quality Testing on Poucha Pond (34 p.)
2/26/16