

Edgartown Shellfish Committee
Tuesday, August 7, 2012, 7:00PM
Edgartown Shellfish Department Office Town Barn

Present: Chair – Jack Blake, Donald Benefit, Ralph Case,
Coop Gilkes, Ryan Smith,
Shellfish Dept. Paul Bagnall, Warren Gaines, Rob Morrison
Others: Marni Lipke – Recorder

Call meeting to order 7:04PM.

MINUTES

• **DONALD BENEFIT MOVED TO APPROVE THE JULY 3, 2012 MINUTES AS AMENDED: RALPH CASE SECONDED: MOTION PASSED UNANIMOUSLY: 3 AYES, 0 NAYS, 2 ABSTENTIONS—JACK BLAKE AND COOPER GILKES** due to absence.

COMMERCIAL, FAMILY, AQUACULTURE LICENSE APPLICATIONS

In the course of the meeting,

• **WITH THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE CHAIR JACK BLAKE SIGNED THE COMMERCIAL ALL SPECIES SHELLFISHING LICENSE APPLICATION FOR RALPH CASE.**

NEW BUSINESS

Meeting with Aquaculture License Holders

- There discussion on upweller locations was briefly reviewed (see 7/3/12 Minutes p.2).
- Mass. Division of Marine Fisheries (DMF) requested new hearings (complete with Army Corps of Engineers filing and GIS data) on all sites, because of the shift caused by the 2008 Norton Point barrier beach breach, This caused some consternation among those with hard worn and long established plots as it raised the possibility of protest or challenge and consequent possible loss of lease.
- A current leaseholder was hoping to shift south of the Dyke.
- Shellfish Biologist Paul Bagnall read out a “cease and desist” letter draft to Francis Fisher, Jr. (see documents on file) citing violations of his aquaculture lease concerning: liability insurance, lack of required signature, and violation of boundaries, The meeting considered:
- the difficulties and logistics of liabilling, impounding, and storing and/or selling equipment and live animals, in cooperation with the Harbormaster;

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- the number of cages and amount of equipment involved;
- disposal of the proceeds from such actions;
- Sandy Fisher's recourse to meet all requirements.

• **RALPH CASE MOVED TO ACCEPT THE SHELLFISH DEPARTMENT LETTER TO FRANCIS E. FISHER, JR. AND TO IMPLEMENT NECESSARY PROCEEDINGS; DONALD BENEFIT SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**

- All lease holders had installed buoys although there was likely to be some adjustment here and there. Everyone (except Sandy Fisher) was moving their equipment within their plot lines,

DEPUTIES/CONSTABLES' REPORT

- Edgartown Great Pond could not be opened, salinity was low and oxygen was dropping. The beach had been cut Saturday, August 4th but had already closed by Sunday morning. The Committee discussed: the large delta of sand, and other possible channel configurations.

- The newly appointed Dredge Dept. was interested in dredging the Edgartown Harbor but would first have to work on the Narrows, the Dyke Bridge approach, the Gut and Katama Boat Ramp. Cape Pogue was not as yet a priority.

OLD BUSINESS

Sengekontacket Closure Update

- Paul Bagnall reported on his lengthy and heated conference call with DMF representatives over sample timing after the July 27th 2.35 in. rainfall and the consequent unwarranted extension of the shellfishing closure. The Committee lamented DMF lab delays and questioned why Wampanoag Lab data, although State certified, was not acceptable.

Financial Update

The Department finished Fiscal Year 2012 (FY12) with a \$27 residual, and was now starting on its FY13 funds.

NEW BUSINESS

Sign Letter so Paul Can Sign Bills & Payroll

- **RALPH CASE MOVED TO AUTHORIZE AND DIRECT SHELLFISH WARDEN PAUL BAGNALL TO SIGN SHELLFISH DEPARTMENT INVOICES, BILLS, PAYROLL, CORRESPONDENCE, GRANT APPLICATIONS, ETC. AS NEEDED IN THE COURSE OF NORMAL BUSINESS; RYAN SMITH SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS.**

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MVSG Seed Update

The Martha's Vineyard Shellfish Group (MVSG) supplied 2 million quahog seed but there was about 30% mortality in Sengekontacket. The Deputies would thin down rafts in the coming weeks and plant them, saving some. There was some grain size alteration on the flats.

Meetings

- Edg. Shellfish – 7:00PM Tuesdays, September 4 & 8, 2012 at Town Hall

ADJOURNMENT

- **RALPH CASE MOVED TO ADJOURN AT 8:25PM, JACK BLAKE SECONDED, MOTION PASSED UNANIMOUSLY.**

Actions To Be Done:

- **All – whoever is not at the next meeting will be Chair**
- Paul/Jack - strongly urge all aquaculture leaseholders to attend September meeting.
- Paul – draft letter re: signature authorization.
- Jack – check temperature indicators – one missing?

September Agendas

- Minutes: 5/15/12, 8/7/12
- New Aquaculture Regulations Review

Unfinished Projects / Ongoing Actions

- Gate/fencing of Fishermen's Depot
- Photographs for Shellfish Dept. Office
- Paul – make available written deputy reports/hours on a bi-weekly basis.
- Warren/Rob – Report log at each Committee Meeting
- Public Hearing when /if there is an Edg. Great Pond oyster season.

Documents on file:

- Agenda 8/7/12
- Edgartown Application for a Commercial Shellfish Permit Ralph Case
- Draft Selectmen letter re: Francis Fisher, Jr. Aquaculture Lease issues 8/13/12

