

**Edgartown Shellfish Committee**  
**Tuesday, September 18, 2012, 7:00PM**  
**Edgartown Town Hall**

Present: Chair - Jack Blake, Donald Benefit, Ralph Case, Cooper Gilkes,  
Ryan Smith  
Shellfish Dept. Paul Bagnall, Warren Gaines, Rob Morrison,  
Others: David Berube, Stephen Kuehne, Holly Mercier,

The meeting was called to order.

**PUBLIC HEARING FOR 2012-2013 BAY SCALLOP SEASON**

Proper notice having been posted as required by law the public hearing was opened. Fishermen and Shellfish Dept. staff reported on the status of scallops and debated a number of factors.

- Early opening resulted in a week or so of good pricing.
- Some suggested a later opening: to increase growth, maybe extend the season on the other end, and in case there was still spatting (the Deputies had cut some open and reported they were done).
- Sengekontacket/Anthiers Pond was loaded especially around Felix Neck and there was a long debate on any overlap with family license holders.
- The Deputies felt there was plenty for all, whereas next year looked to be a sparse set.
- Dragging was forbidden in Sengekontacket. Access to Cape Pogue family area was more difficult entailing a four-wheel drive and over-sand license or a long walk.
- Family licensees were more likely to fish on weekends and currently many family holders took their share by going out with commercial fishermen.
- A more regular winter than last year could mean possible freeze-outs.
- If the opening was on Monday it would allow commercial fishermen eight days of early fishing and only impact one weekend for family takers.
- A level washbasket allowed mounding to the handles, while a struck washbasket could only be filled so that a ruler could be drawn across the rim.

**DONALD BENEFIT MOVED TO:**

- **OPEN THE FAMILY SCALLOP SEASON MONDAY, OCTOBER 1, 2012;**
  - **OPEN THE COMMERCIAL SCALLOP SEASON MONDAY, OCTOBER 22, 2012 IN ALL AREAS, FOR FIVE (5) DAYS PER WEEK MONDAY THROUGH FRIDAY; SETTING THE LIMIT AT THREE (3) LEVEL TEN-GALLON WASHBASKETS PER DAY;**
  - **DRAGGING WAS ALLOWED OUTSIDE CAPE POGUE STARTING OCTOBER 1, 2012 BUT NO DRAGGING IN CAPE POGUE UNTIL SATURDAY, OCTOBER 20, 2012;**
- RYAN SMITH SECONDED; MOTION PASSED: 4 AYES, 1 NAY- RALPH CASE, 0 ABSTENTIONS.**

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- A survey of 20 or 30 other towns showed that shellfishing was forbidden when the temperature was 30°F rather than the Edgartown 28°F (see below: Actions).

COMMERCIAL, FAMILY, AQUACULTURE LICENSE APPLICATIONS

- **WITH THE CONSENSUS OF THE EDGARTOWN SHELLFISH COMMITTEE CHAIR JACK BLAKE SIGNED THE COMMERCIAL ALL SPECIES SHELLFISHING LICENSE APPLICATION FOR HOLLY MERCIER.**

DEPUTIES/CONSTABLES' REPORT

The Deputies moved 20 totes of oysters from fishermen to Eel and Sengekontacket Ponds and to Katama Bay. There was a steamer die-off in Nashmois although they were doing better near the pier.

NEW BUSINESS

There was considerable protest on the shortening of the dredge season, particularly as the window was already very short (October 8, 2012 through January 15, 2013). There was speculation that it was to reduce personnel benefit costs, a minor expenditure compared with the larger project and benefits.

- The Dredge Committee could offer to cover the benefits gap in their own budget.
- **DONALD BENEFIT MOVED TO SEND A LETTER TO THE BOARD OF SELECTMEN ASKING WHY THE DREDGING SEASON HAD BEEN SHORTENED; COOP GILKES SECONDED; MOTION PASSED UNANIMOUSLY: 5 AYES, 0 NAYS, 0 ABSTENTIONS** (see below: Actions).

OLD BUSINESS

Chappaquiddick Nursery Update

The Committee expressed interest in spawning scallops in the Hatchery. The discussion focused on spawning and releasing versus conditioning the set before release.

- If scallops were just spawned there would be no way to track results.
- On the other hand there were debates on the difficulties and survival rate of setting in the building, including the need to grow algae.
- A rack of tanks would be removed to allow a spawning table and settling tank. Hot fresh water, already on site, should be sufficient. Experienced personnel and/or training was required (see below: Actions).

Sengekontacket Closure Update

Although currently open, rain was predicted for tonight or tomorrow.

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Aquaculture Leases Update

- Shellfish Biologist and Constable Paul Bagnall and a representative from the Martha's Vineyard Commission (MVC) surveyed the plots and notified lease holders of their GPS coordinates. There were protests that some lease holders plots were considerably above the 150 ft. by 300 ft. dimensions required (see below: Actions).
- The Committee revisited Ray Gailey's request to move from Shear Pen to Cape Pogue near the Dike.
  - Mr. Gailey currently had some equipment or bags at the new site and there was a general consensus that these must be removed (see below: Actions).
  - Coop Gilkes and Donald Benefit protested that Cape Pogue was very important to scallopers.
  - Regulations stated aquaculture leaseholders must allow dipping in case of a good natural set on their plot.
  - The process was for Mr. Gailey to apply to the Selectmen, who were unlikely to grant a lease without Shellfish Committee approval.
    - = If the request was granted the Selectmen would formally ask the Mass. Division of Marine Fisheries (DMF) to conduct a survey of the area and if any natural set were found DMF would prohibit any aquaculture.
  - **JACK BLAKE MOVED TO APPROVE RAY GAILEY'S REQUEST TO MOVE HIS AQUACULTURE SITE TO POCHA POND NEAR THE DIKE WITH CONDITIONS AS FOLLOWS:**
    - **THE DREDGE COMMITTEE IS ALLOWED TO ANCHOR ON THE SITE;**
    - = **ANY RAFT MUST BE ANCHORED AT TWO POINTS SO THAT IT WAS NEVER MORE THAN 40 FT. FROM THE SHORE;**
    - THERE WAS NO SECOND AND THE MOTION WAS TABLED** (see below: Actions).

Meetings

- Edg. Shellfish - 7:00PM Tuesdays, October 2, & 16 2012 at Town Hall

ADJOURNMENT

ON A MOTION DULY MADE AND SECONDED THE MEETING ADJOURNED  
AT 8:20PM

**Actions To Be Done:**

- Paul - draft letter to Selectmen asking about shortened dredge season.
- Jack - sign letter to Selectmen.

continued >

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

- Paul – check other town temperature cut-offs.
- Paul – estimate Chappaquiddick spawning cost: infrastructure, equipment, personnel.  
- bring Chappaquiddick spawning up at MVSG meeting.
- Paul – enforce aquaculture plot lines at 150ft. by 300ft.  
- enforce good buoy anchors.
- Paul – ask Ray Gailey to attend October 2<sup>nd</sup> meeting.
- Paul/Deputies – request/enforce Ray Gailey to remove all bags and equipment from the new site.

**October Agendas**

- Minutes: 9/4/12, 9/18/12
- New Aquaculture Regulations Review  
- Vote Amended Regulations  
- Enforcement of 150ft x 300ft. Bounds,  
- Ray Gailey Request
- Report on Temperature Cut-Off
- Report on Chappaquiddick Nursery Scallop Spawning Program Costs
- Update on Dredge Letter

**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 9/18/12
- Sign In Sheet 9/18/12