

Edgartown Shellfish Committee
Tuesday, November 15, 2022, 4:30pm
At the Edgartown Library

Present: Christian Thornton, David Faber, Ryan Smith, Madeline Fisher, Nic Turner
Shellfish Dept. Rob Morrison, Warren Gaines, Chuck Fisher
Others: Juliet Mulinare (Recorder), Pedro deLima, Boise Rogers

The meeting of the Edgartown Shellfish Committee was called to order at 4:30pm.

SHELLFISH PERMITS & AQUACULTURE LICENSES

Rob presented three commercial shell fishing applications for approval: deLima, Fisher and Wild. All three applications are complete.

Motion placed on the floor by Madeline to approve the three commercial shell fishing applications. Ryan seconds, no further discussion, vote taken and approved unanimously, 5-0.

MINUTES

Christian made a motion to approve the 11/1/22 draft minutes, seconded by Madeline. No further discussion, vote taken and approved 4-0. Nic abstains.

DEPUTY & CONSTABLE'S REPORT

Warren reported that there are lots of scallops, the best year he's seen in over 10 years. There are 30+ limits coming in daily and it's taking around 3-4 hours to fulfill three bushels. Rob added that the fisherman are getting a good price at around \$24-\$26/lb. Rob said they are continuing with propagation efforts and noted that they took some of the large seed from Senge this past April and brought it to the MV Shellfish Group to try and avoid the effects of overwintering in the pond. This should help promote aquaculture diversity in the pond.

Rob reported that he had submitted the Department's 5 Year Capital Program Plan which includes funding for a new truck as well as the continued work on the Herring Creek phragmites clean-out. Rob said he is working with Wilkinson on a proposal for the environmental permitting needed for the Herring Creek project and is hoping to break ground this spring when the phragmites return. The Committee discussed the overall timeline for the project (about 5 years) and how the area should be handled once the remediation is complete. The Committee discussed the safety and efficacy of the proposed herbicide that will be applied with a targeted approach so as not to disturb the other vegetation in the area.

REVIEW OF SHELLFISH REGULATIONS

The Committee reviewed the update proposed by Rob to not allow fishermen with commercial licenses in other towns to obtain a recreational shell fishing permit in Edgartown in an effort to protect the resource for Edgartown residents and commercial fishermen. The Committee agreed that this was an appropriate update to the Town's existing regulations. The change would not take effect until April 1, 2023.

Motion placed on the floor by Christian that anyone who holds a commercial license in another town is prohibited from obtaining a recreational license in Edgartown. David seconds, no further discussion, vote taken and passed, 5-0.

The Committee then discussed adding a feature to the Town's online licensing option that requires people to acknowledge the regulations before purchasing a license.

The Committee will review the other regulations as well since the last time this was done was in 2017.

AQUACULTURE LEASE RENEWALS

The Committee spoke with Mr. Rogers, Katama oyster farm lease-holder, about the neglect of his equipment and the danger it poses. Mr. Rogers said he understood and had fallen behind on the upkeep of

his equipment due to financial reasons. He stated that he has seed and his intention is to clean everything up and push through. Christian reminded Mr. Rogers that the license is issued for “active” aqua culturists only, to hold the license, his operation must be active.

INCIDENT REPORT

Rob described an incident with one of the commercial scallop fishermen that led to the need for an incident report. Mr. Thomas returned to the dock with an extra bushel above his allotted amount. When questioned, he explained that the bushel was for a senior unable to scallop, which is permissible under the regulations as long as the Department is notified ahead of time, which in this instance, they were not. Rob confiscated the extra bushel and told Mr. Thomas to have the (senior) recipient come to the dock to collect them. Mr. Thomas departed the scene and then returned, grabbed the bushel out of the back of the Dept. truck and dumped the scallops into the harbor. Mr. Thomas was very agitated and verbally aggressive towards Rob throughout the encounter. After describing the incident, Rob recommended to the Committee that Mr. Thomas’s license should be suspended. Although the incident was enough to warrant a revocation of the license for the entire season, Rob felt that was not fair to Mr. Thomas who scallops for his livelihood. Rob suggested a five-day suspension instead as that would still send a strong message to Mr. Thomas. The Committee felt that Rob’s recommendation was appropriate, but if any further incidents should take place, the license will be revoked for the remainder of the season. The Committee also felt that the Selectboard should concur on the five-day suspension.

Motion placed on the floor by Christian to suspend Mr. Thomas’s commercial scalloping license for five days, with the concurrence of the Selectboard, and to revoke his ability to use the senior bushel option. David seconds the motion, no further discussion, vote taken and passed 5-0.

At 5:17pm, a motion to adjourn was made and seconded. No further discussion, vote taken and passed unanimously, 5-0

Minutes submitted by Juliet Mulinare.