

## Shellfish Committee Minutes of the Meeting

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**DATE:** March 18, 2009  
**TIME:** 7:30 P.M. to 9:30 P.M.  
**LOCATION:** MEAD Building

**Shellfish Committee Members present:**

Stuart Rapp, Richard Haskell, Gerard Ganey, Les Hemmila

**General Public present:**

John Nawoichik

**NR Staff present:**

Doug Kalweit, Tom Marcotti

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### Chairman's Report:

Stuart Rapp chaired the March 18, 2009 meeting of the Shellfish Committee.

Stuart Rapp forwarded the review and approval of the Minutes of the February 18, 2009 Meeting of the Shellfish Committee to the April 2009 Shellfish Committee meeting.

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### Natural Resources Report:

#### Shellfish Area Closures

- **Shoestring Bay Closure:**

The lower portion of Shoestring Bay closed to all shellfishing as of April 1, 2008 per order of DMF.

**The lower portion of Shoestring Bay is defined as:** The waters, flats and all tributaries of Shoestring Bay in the Towns of Mashpee and Barnstable, easterly of a line drawn south from the southernmost point of Mashpee Neck to Punkhorn Point; northerly of a line drawn from Punkhorn Point to Ryefield Point and southerly of a line drawn from Simons Narrows Road in the Town of Mashpee to the "Public Way to Water" in the Town of Barnstable. (DMF/SC20.3; classified as conditionally approved; **status: Closed to shellfishing April 1 through November 30, all dates inclusive. The area shall not automatically reopen to shellfishing on January 1 and will remain closed until examined and shellfishing is allowed by DMF.**)

- **Scudder Lane Recreational Shellfishing Area Seasonal Closure:**

Effective Wednesday, April 1, 2009, the Scudder Lane Recreational Shellfishing Area (as defined) in Barnstable Harbor is closed to the harvest of all shellfish. Opening dates for the Scudder Lane Recreational Shellfishing Area will be posted annually.

- **DMF Scallop Season Closure:**

The harvest of scallops shall be closed, (prohibited) effective April 1st annually, MGL CH 130 sec. 71. Open season will be posted annually.

- **Clamming Class For Kids:**

Barnstable's Natural Resources Program will offer two FREE shellfishing classes for young people,  
Monday, April 20<sup>th</sup> @ 2:00 P.M. at the Bridge Street Landing, Osterville  
Saturday, April 25<sup>th</sup> @ 5:30 P.M. at the Bridge Street Landing, Osterville  
For more information call Natural Resources during office hours Monday – Friday from 8:30 A.M. to 4:15 P.M. at 508-790-6272 or direct your questions via e-mail to kris.clark@town.barnstable.ma.us

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## Piers, Dredging and Shellfish Habitat Issues:

The Shellfish Committee reviewed and discussed the following proposed pier applications:

Applicant: **Peter Baxter**

Application: (N.O.I.) Construction of bank access stairs, pier with ramp and float and bank plantings  
Location: 278 Clamshell Cove Road, Cotuit, MA. 02635

Applicant: **Richard M. & Anna Tocci**

Application: (N.O.I.) Construct and maintain a timber pier, ramp, and float in North Bay.

Location: 80 Great Bay Road, Osterville, MA. (as shown on Assessors Map 093-074)

The Shellfish Committee forwarded a discussion of the R. & A. Tocci pier proposal to the April meeting of the Shellfish Committee.

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## Shellfish Propagation

The Shellfish Committee discussed the Spring 2009 Out-of-Town Contaminated Quahog Relays and the practicality of utilizing various established relay areas located throughout the Town.

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## Commercial Shellfish Permits

The Shellfish Committee forwarded Tom George's written suggestion to revise the Commercial Shellfish Permit lottery regulation to the next meeting of the Shellfish Committee. Les Hemmila suggested that Tom George be present to present his suggestion. Doug Kalweit introduced (for discussion) the concept of issuing a certain number of new commercial shellfish permits in addition to the existing permits. The Shellfish Committee discussed various aspects of the commercial shellfishery including: the current commercial shellfish lottery regulation and Native American shellfishing rights. The Shellfish Committee planned to set up a meeting with the Town legal department and Wampanoag members to further address and define Native American shellfishing rights.

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## Town Sea Scallop Fishery

The Shellfish Committee discussed the creation of a Town regulated sea scallop fishery. The Shellfish Committee reviewed Code of Massachusetts Regulations 7.05, 6.05 and 4.10 since it is a state regulated fishery.

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## Old Business

The Shellfish Committee discussed a recommendation to remove David Pratt as a member of the Shellfish Committee as he has missed too many meetings.