

Shellfish Committee Minutes of the Meeting

DATE: September 15, 2010
TIME: 7:30 P.M. to 9:30 P.M.
LOCATION: MEAD Building

Shellfish Committee Members present:

Stuart Rapp, Les Hemmila, Matt Ostrowski, Gerard Ganey, Robert Lancaster, Richard Haskell

General Public present:

Norman White, Mark Lazzari, Marian Scolles, Mark Begley, Josh Ostrom, Gary Ostrom

NR Staff present:

Doug Kalweit, Tom Marcotti

Chairman's Report:

Stuart Rapp chaired the September 15th, 2010 meeting of the Shellfish Committee.

Stuart Rapp requested Tom Marcotti review the video of the August 18th, 2010 meeting of the Shellfish Committee to determine if the Shellfish Committee passed a motion to close half or all of the Bay Street Relay Area (DMF/SC23.20) to commercial shellfishing until January 1, 2011.

Stuart announced that the vote by the Town Council to protect Shellfish Relay Areas and Recreational Shellfishing Areas as defined by the Coastal Resource Management Committee will be held on September 16th, 2010. Stuart urged those concerned about protecting these shellfish habitats / resources to attend the hearing.

Natural Resources Report

Doug Kalweit noted that several of the Shellfish Committee's members terms have expired. The Shellfish Committee reviewed the status of the committee's membership and what was required to update / renew member terms.

- **Barnstable Harbor Shellfishing Area Closures:**

The following areas are subject to seasonal water quality closure by the Division of Marine Fisheries from September 15th through December 14th, all dates inclusive.

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| - Barnstable Harbor, North (DMF/CCB:31.1) | Section 2.1, page 27 |
| - Barnstable Harbor (DMF/CCB:31.2) | Section 2.2, page 27 |
| - Barnstable Marshes (DMF/CCB:33.0) | Section 2.3, page 27 |
| - Upper Scorton Creek (DMF/CCB: 34.1) | Section 2.4, page 27 |

The above listed areas shall not automatically reopen to shellfishing on December 15th, 2010 and will remain closed until examined and shellfishing is allowed by DMF.

The Shellfish Committee reviewed the management protocols of the Division of Marine Fisheries in regards to water quality and rationale for closing areas.

- **Shellfish Relay Areas**

Effective Sunday, September 26, 2010 the following Shellfish Relay Areas are **open** for the recreational and commercial harvest of shellfish and seaworms, except as other rules and regulations apply:

Cotuit Bay Relay Area, DMF/SC21.22

The waters and flats of that portion of Cotuit Bay located between the sign/posts (when deployed) located along the shoreline at 884 Main Street (and extending to the offshore marker buoys when deployed).

Cordwood Lane Recreational Shellfishing Area (DMF/SC 21.21)

The Cordwood Landing Recreational Shellfishing Area is defined as: The waters, flats and shoreline within an area beginning from the "Closed to Commercial Harvest" sign/post located on the shore at 671 Old Post Road thence northeasterly to the "Closed to Commercial Harvest" sign/post located on the shore at 721 Old Post Road to the NR sign buoys located offshore.

West Bay Relay Area (DMF / SC 22.21)

The West Bay Relay Area is defined as: the waters, flats and shoreline within an area between the sign / post (when deployed) located on the shore at 116 South Bay Road and the sign / post (when deployed) located at the pier at 52 South Bay Road (and extending to the offshore marker buoys when deployed).

Piers, Dredging and Shellfish Habitat Issues:

The Shellfish Committee reviewed the following proposed dredging application:

Applicant: Michael A. Wirtz Tr.
 Application: (N.O.I.) Proposed maintenance dredging and new float at existing licensed pier.
 Location: 75 Bayberry Way, Osterville, MA. 02655
 (as shown on Assessors Map 091, parcel 007)

The Shellfish Committee reviewed the following proposed out-haul post Requests for Determination of Applicability:

Applicant: North Bay Beach Association
 Application: (R.D.A.) To permit and maintain the existing shore outhaul post systems.
 Location: Bay Street, Osterville, MA. 02655
 (as shown on Assessors Map 094, parcel 002)

Applicant: W. Frederick & Diana Uehlein, Trs. Of the 109 Eel River Rd. Nominee Trust
 Application: (R.D.A.) To permit and maintain the existing shore outhaul post systems.
 Location: 109 Eel River Road, Osterville, MA. 02655
 (as shown on Assessors Map 115, parcel 009)

Great Thatch and Little Thatch Island Commercial Shellfishing Management

The Shellfish Committee and the general public discussed the recreational and commercial shellfishing interests in the area of Great Thatch Island and Little Thatch Island in Barnstable Harbor. The maximal utilization of the resource in balance with sustainability was an area of focus. The committee reviewed the existing Town shellfish management regulation for the area: 407-19, and the history of the regulation. The Shellfish passed a motion recommending that the area of Great Thatch Island currently closed to commercial shellfishing, as posted by the Natural Resources Office since July 5th, 2005, be reopened to commercial shellfishing.