

Shellfish Committee Minutes of the Meeting

DATE: November 17, 2010
TIME: 7:30 P.M. to 9:30 P.M.
LOCATION: MEAD Building

Shellfish Committee Members present:

Stuart Rapp, Andre Sampou, Les Hemmila, Gerard Ganey, Richard Haskell

General Public present:

Paul Hendricks, Norman White

Town Staff present:

David Houghton, Doug Kalweit, Tom Marcotti

Chairman's Report:

Stuart Rapp chaired the November 17th, 2010 meeting of the Shellfish Committee.

The Shellfish Committee adopted the minutes of the October 20th, 2010 meeting of the Shellfish Committee.

Harris Meadows / Wampanoag Issues

Town Attorney, David Houghton presented information to the Shellfish Committee regarding Native American shellfishing rights and other issues such as vehicle parking by tribal members.

David Houghton informed the committee of the Town's efforts to research, survey and define boundaries and mark "Ways to Water" with signage. David explained the various deeds and definitions of the Harris Meadows Lane way to water and the Town's adjacent conservation area and access to the area. Any signage deployed needed the approval of the Old King's Highway Committee. Neighbors of Harris Meadows Lane met with Town officials to discuss the issues and concerns regarding the lane and conservation area and any public impact to the area.

Natural Resources Report

Tom Marcotti informed the Shellfish Committee of the following shellfish area openings by the Ma. Division of Marine Fisheries (DMF):

Harbor Bluff, Lewis Bay: The waters and flats and all tributaries thereto in Lewis Bay northwest of a line drawn from the southern end of Harbor Bluff in the Town of Barnstable to the end of Glenwood Street in the Town of Yarmouth and southerly of a line drawn from the end of Channel Point Road Way in the Town of Barnstable to the end of Columbus Avenue in the Town of Yarmouth. (DMF/SC:28.2; classified as conditionally approved; status: Closed to shellfishing June 1 through October 31, all dates inclusive. The area shall not automatically reopen to shellfishing on November 1 and will remain closed until examined and shellfishing is allowed by DMF.).

DMF certified and authorized the reopening of the Wianno Oyster Relay Area. The Town opened the area on November 3rd.

West Bay:

The **Wianno Oyster Area** is defined as: the waters and flats of that portion of West Bay between the signs at #141 Eel River Road and #239 Eel River Road and seaward for 150 ft.
(DMF/SC22.24)

Tom informed the committee of the continuance of the Bay Street Relay Area closure due to water quality issues. Fecal coliform counts in oyster sample meats were found to exceed the allowable amount allowed by the Ma. Division of Marine Fisheries for purposes of allowing shellfish harvests. Tom reviewed some water quality assessments, in consultation with Three Bays Preservation Inc, Town Coastal Resources Coordinator Karen Malkus and the Barnstable County Laboratory, that are being undertaken. The committee, staff and the public considered various plausible causes for the pollution. Stuart requested if oyster samples from the Wianno Oyster Relay Area could be retested. Norman White suggested that oysters from the area of concern be relayed for further depuration and tested. Doug Kalweit suggested analyzing the sediment of the relay area.

Other Business

Andre Sampou requested that the Town formally undertake the review and update the year 2000 Natural Resources Sub-Committee Significant Habitat Maps of the Three Bays as recommended by the Coastal Resources Management Committee.