

Shellfish Committee Minutes of the Meeting

DATE: February 16, 2011
TIME: 7:30 P.M. to 9:30 P.M.
LOCATION: MEAD Building

Shellfish Committee Members present:

Stuart Rapp, Andre Sampou, Gerard Ganey, Matt Ostrowski, Richard Haskell

General Public present:

Town Staff present:

Doug Kalweit, Tom Marcotti

Chairman's Report:

Stuart Rapp chaired the February 16th, 2011 meeting of the Shellfish Committee.

The Shellfish Committee adopted the minutes of the December 15th, 2010 meeting of the Shellfish Committee.

Natural Resources Report

- **Marstons Mill River and Prince Cove Shellfish Area Opening:**

The Marstons Mills River and Prince Cove are open to shellfishing as of February 15, 2011 per order of DMF.

The Marstons Mills River is defined as: The waters and flats and all tributaries thereto of Marstons Mills River in the Town of Barnstable, south of a line drawn across the mouth of Prince Cove, north of a line drawn across the mouth of the river and westerly of a line drawn northerly from the two "No Shellfishing" signs located at the mouth of Warren's Cove (DMF/SC:23.1; classified as conditionally approved).

Prince Cove is defined as: The waters and flats and all tributaries thereto of Prince Cove in the Town of Barnstable, north of a line drawn across the mouth of Prince Cove (DMF/SC:23.1; classified as conditionally approved).

The status of the above conditionally approved areas shall automatically revert to "Closed to Shellfishing" on May 1, 2009 unless DMF changes the areas status prior to said date.

Warrens Cove (DMF/SC:23.3; classified as prohibited) remains closed.

- Natural Resources and the Shellfish Committee discussed oyster propagation and enhancement projects and suitable habitat for seeding oysters.

- **Shellfish Management Notices**

NORTHSIDE OYSTERS: Effective Saturday, February 5, 2011 the recreational harvest of oysters is allowed in all the Northside waters of the Town of Barnstable, except as other rules and regulations apply.

The Calves Pasture Point oyster seed protection area in Barnstable Harbor (as defined and closed to all shellfishing since July 28, 2010) is open to all shellfishing.

- **Southside Oyster Season Closure**

Effective Sunday, February 13, 2011 the harvest of oysters from the Southside waters of the Town of Barnstable is prohibited.

The Natural Resources Program, Aquacultural Research Corporation of Dennis, Ma. And Three Bays Preservation, Inc. in a cooperative effort are implementing an experimental shellfish propagation project in Southside waters of the Town of Barnstable. The project entails the remote setting of oysters, the nursery culture of juvenile oysters and the seeding of potential oyster habitat. It is the hope of all those involved in

this project that any inconvenience to anyone's use of the public lands and resources is compensated by the successful enhancement of the natural resources of the Town's waters for the benefit of all. Thank you for your cooperation. For more information please contact the Natural Resources Office.

- Doug Kalweit informed the committee of the Shellfish Propagation Revolving Fund budget status.
Expenditures since July 1, 2010: \$44,192 Balance: \$71,287

Piers, Dredging and Shellfish Habitat Issues:

The Shellfish Committee approved a new committee policy requesting that the Natural Resources Shellfish Biologist notify the Shellfish Committee of coastal development project applications (NOI's and RDA's) to include the applicant's name, project location / address and project narrative as well as Natural Resources' review of the project.

The Shellfish Committee reviewed the following proposed dredging applications:

Applicant: Richard P. Callahan, Tr.
Application: (N.O.I.) Maintenance dredging in North Bay
Location: 138 Bridge Street, Osterville, MA 02655
 (as shown on Assessors Map 093, parcel 030)

Applicant: Richard P. Callahan, Tr.
Application: (N.O.I.) Maintenance dredging in the Seapuit River
Location: 177 Seapuit River Road, Osterville, MA 02655
 (as shown on Assessors Map 070, parcel 014)

Open Meeting Law Informational Meeting

Stuart Rapp announced to the committee that Attorney General Martha Coakley invites you to attend one of seven regional meetings on the Open Meeting Law. These meetings will provide an update on and guidance about compliance with the recently revised [Open Meeting Law](#). The educational forums will be conducted by attorneys and staff from the Division of Open Government and will be a terrific opportunity for municipal officials, members of local public bodies, and members of the public to understand this important law. The forums are open to the public and offered free of charge. Stuart informed the committee that an Open Meeting Law information session will be held in Barnstable.

April 28, 2011 - 6PM-8:30PM
Place: [Barnstable Town Hall](#)
Address: 367 Main Street Hyannis, MA

Shellfish Resource and Habitat Value Map

The Shellfish Committee reviewed their request that the Town formally undertake the review and update of the Significant Resource and Habitat Maps of the Three Bays (and other Southside embayments) as generated by the year 2000 Natural Resources Sub-Committee to the Town Council appointed Pier Committee. This action was recommended by the Coastal Resources Management Committee. The Shellfish Committee requested that habitat in the Three Bays and the mainland shoreline of Barnstable Harbor be rated.

Recreational Shellfish Licenses

The Shellfish Committee discussed various ways to improve the recreational shellfish license document (card) issued by the Town of Barnstable in order to verify accuracy. The committee also discussed various aspects and levels of enforcement of the shellfish regulations. Doug informed the committee that height and weight have been added to the recreational shellfishing permits.

The Shellfish Committee reviewed a letter submitted to the committee that implies that any more information on the recreational shellfishing permit than is currently used is an invasion of privacy. Stuart requested that the letter be included in the Shellfish Committee minutes at the end.

To: The Barnstable Shellfish Committee
 Re: Shellfish Committee Meeting February 16, 2011 7:30 PM to 9:30 PM

Concern: From the Agenda for this meeting posted on the Town's Website 2/16/2011:
 "6. New Business Discussion –



"Revise license appearance to include height, weight, eye color, possibly a picture." "

Dear Shellfish Committee and those concerned,

February 16, 2011

I find this a waste of money and resources, and an invasion of my privacy.
 I realize the freshwater fishing tags already ask these basic stats, but **you aren't mandated to wear your tag in open public** like you are expected to with your shellfish tag.
 BIG DIFFERENCE.

If there is a legitimate concern of false identity, then the person with the concern will have to ask for the other person's driver's license/state I.D. to confirm. All that info is there already. Other than that, you really have no need to further invade people's privacy.

The shellfish license is expected to be worn out in the open. Anyone can see my name, address, and birthdate. The little plastic red carriers fall apart. The clips fall apart. I've had to recover my tag more than once from it escaping it's post. To have a photo I.D. lost on the shore, or in the parking lot, is just begging to have my identity easily stolen. It has all a novice hacker needs, to start invading my life. With that picture, it can get used for illegal things like giving false citizenship, or buying alcohol and cigarettes.

Just leave well enough alone! Stop making more work and problems!

Once you start to try and make an ID like a state I.D.... you have to be willing to take on the burden. All of IT. Including the anti-counterfeiting options.... it could open the door to a lot of potential crime that has nothing to do with shellfish.

The current simple plain tag you have been using; do people really want to counterfeit it? Keep jacking up the fee 50%* and that may become more of a problem!

Is it not available anymore from your supplier? Is there some salesman pushing some fancy fangled new version? Are the officers not comfortable enough confronting suspects?

Please take the time to actually identify the REAL problem before you go throwing quick short sighted solutions at it.

* (I am very disturbed by the 50% increase in fee for this year's shellfish tag! For freshwater, saltwater and shellfish, I'm looking at \$70 to play in my neighborhood and harvest food for my family.)

You think it's \$10. I know it's **50% inflation!**

Improvements I'd like to see:

- If you want something to fix, for that 50% increase in fee, try finding a really sound and secure carrier for the shellfish tag. (Instead of the red one that doesn't last the year in the elements). That would help.
- Also, provide a **Large Print version of the shellfish regulations**. Just take the master copy and convert it from *Letter sized* paper and zoom/convert to *Tabloid paper*. Couple of buttons and load a tray of that paper in the xerox machine, done. BIG help, big difference.
- Also, have the Town's shellfish **web page current!** There was an agenda for tonight's meeting, but the last AGENDA posted was in OCTOBER of 2010!!!! This request would extend to the MINUTES postings as well, since there's not much to "glean off" of an agenda.

Thank you for your time and consideration.
 I really am itching under the neoprene with this latest development!

Sincerely,

Tag #57