

## Shellfish Committee Minutes of the Meeting

**DATE:** January 18, 2012  
**TIME:** 7:30 P.M. to 9:30 P.M.  
**LOCATION:** MEAD Building

### Shellfish Committee Members present:

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

### General Public present:

Norman White

### Town Staff present:

Doug Kalweit, Tom Marcotti

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### Chairman's Report:

Stuart Rapp chaired the January 18, 2012 meeting of the Shellfish Committee.

The Shellfish Committee adopted the minutes of the December 21, 2011 meeting of the Shellfish Committee.

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### Natural Resources Report

Tom Marcotti reviewed the NR shellfish propagation plans for 2012 with the committee. The plans include in-town and out-of-town contaminated quahog relays and quahog and oyster seed propagation.

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### Piers, Dredging and Shellfish Habitat Issues:

The Shellfish Committee reviewed the following proposed pier and/or dredging applications (N.O.I.):

Applicant: **Antoinette H. Thibeault**

Application: The proposed project includes the repair of 200 linear foot section of an existing timber bulkhead, timber deck, dune restoration and restoration of construction access route for #377 Sea View Avenue in Osterville.

Location: 377 Sea View Avenue, Osterville, MA 02655, Map 138, Parcel 032

Applicant: **Richard McCourt**

Application: Project consists of repair to an existing licensed stone seawall. Repair consists of replacing dislodged stone and chink stone and regrouting with concrete by hand. Environmental matting or staging will be placed from above the wall on to land under the ocean to access the seawall for repairs and removed during high tides

Location: 206 Long Beach Road, Centerville, MA 02632, Map 206, Parcel 001

Applicant: **235 & 237 Seapuit Road Realty Trust**

Application: Amendment request to allow for an expanded maintenance dredge footprint area of +/- 1,754 square feet within the turning basin and for dredging an additional +/- 300 feet of the 40 foot wide channel resulting in the removal of an additional +/- 1,300 cubic yards of sediment.

Location: 235 & 237 Seapuit Road, Osterville, MA 02655, Map 095, Parcel 014/014001

The Town of Barnstable Natural Resources Office and the Town of Barnstable Shellfish Committee sought to address mitigation measures for impacts to the shellfish resources / habitat due to the maintenance dredging project (SE3-4375) located at 235 - 237 Seapuit Road, Osterville, MA as proposed by Seapuit Road Realty Trust (applicant / proponent). During December 2011, John Palmer, of Palmer Federal Constructors, contacted the Marine and Environmental Affairs Division by phone and informed Thomas Marcotti, Shellfish Biologist, that the applicant / proponent is offering mitigation costs to compensate for any deleterious impacts to the Town's shellfish resources / habitat as a result of the project. Based on field assessments, the Natural Resources Office determined in 2005 and 2011 that a shellfish removal and relay of any standing shellfish stock in the proposed project footprint (in compliance with Barnstable Conservation Commission General Order of Condition II;5) was not necessary.

At the December 21, 2011 meeting of the Shellfish Committee the Natural Resources Office introduced Mr. Palmer's offer of mitigation to the committee for review and recommendation. At the January 18, 2012 meeting of the Shellfish Committee, the committee determined that the shellfish resources / habitat in the project footprint has been and will be compromised, and the shellfish habitat in the surrounding vicinity may potentially be compromised by the dredging project. The Shellfish Committee approved a motion recommending that the project applicant / proponents supply \$15,000 in mitigation costs to support the Town contaminated quahog relay program that occurs at the Bay Street Relay Area (DMF/SC23.20), immediately adjacent to the dredging project, and \$5,000 for the cost of shellfish and water quality pollution analysis / studies to determine any environmental effects of the dredging project. The Natural Resources Office would oversee the implementation of the recommended mitigation measures. Based upon this recommendation the Natural Resources Office submits the Shellfish Committees' determination of monetary costs for mitigation.

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**Town Apprentice Commercial Shellfishing Permits**

The Shellfish Committee reviewed a proposed amendment to regulation (407-12C) (from August 2009) as formulated by MEAD / Natural Resources Office as requested by the Shellfish Committee (July 2009).

At the January 18, 2012 meeting of the Shellfish Committee the committee approved a motion that would approve a "new" apprentice permit regulation that would allow the apprentice to apply for a "commercial shellfish permit" once he/she attains his/her 16<sup>th</sup> birthday, has held the apprentice commercial shellfishing permit for two years, can demonstrate having worked in the shellfish industry for at least 400 hours and has successfully completed a Coast Guard boaters safety course.

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**Other Business**

The Shellfish Committee passed a motion to send a letter of appreciation to the Conservation Commission. The shellfish committee's letter would thank the commission for their diligence on running the workshops that reviewed the 2011 significant shellfish habitat maps as produced by the Natural Resources Sub-Committee to the year 2000 Pier Committee. The letter would also thank the commission for approving the maps for use by the commission in evaluating coastal development projects.