

Harbor and Shellfish Advisory Board

Tuesday, Dec. 21, 2021 at 5:00 p.m.

***HSAB meeting are video-recorded and
available at Nantucket Government TV on YouTube**

Members present: Andy Lowell, Tom Szydlowski, Dave Bossi,
Ginger Andrews (late), Dave Fronzuto

Members Absent: Dan Pronk, Peter Brace

Marine Dept:

Natural Resources Dept:

Others: Kona Hosier, Mary Longacre, Hillary Rayport

CALL TO ORDER

5:01 p.m.

APPROVAL OF AGENDA

Unanimously approved, 4-0.

APPROVAL OF MINUTES

Unanimously approved, 4-0.

Draft minutes of December 7, 2021

CHAIRMAN'S REPORT: No Report

MARINE DEPARTMENT REPORT:

General Marine Department report – Sheila Lucey

No report.

NATURAL RESOURCES REPORT

General Natural Resources Department report – NRD staff

No Report

PUBLIC COMMENT ON MARINE DEPARTMENT / NATURAL RESOURCES REPORT

OLD BUSINESS

Ted Lambrecht's Oyster Lease Revocation - Discussion

Mr. Lowell mentioned that the Select Board requested HSAB attendance at a 1/5/22 meeting. Mr. Bossi commented that the lease was absolutely revoked at the last SB meeting. Some gear was left in the water and there were some violations that required some oysters be destroyed. Mr. Lowell mentioned that he was informed that Mr. Lambrecht, who was not at the SB meeting initially, came into the meeting and the issue was considered anew. Mr. Fronzuto stated that he believes the lease should be revoked. He also questioned whether the public hearing could be re-opened later in the SB meeting once it was closed earlier. Mr. Szydlowski speculated that they couldn't re-open the public meeting that night leading to the request that a HSAB representative attend the 1/5 SB meeting. Mr. Lowell expects that he can make the 1/5 meeting.

Banning Fertilizer Use on Nantucket - Discussion

Mr. Lowell mentioned Mr. Minella's report last meeting as well as an email circulated among the members regarding this issue. It may be possible for Nantucket to ban fertilizer or at least restrict it much more than we do at present. Mr. Szydlowski mentioned that he requested the matter stay on the agenda after last meeting to see if the board wanted to take a position. At that time we were under the impression that not much could really be done, but subsequently we learned that the island has some avenues to pursue.

Mr. Lowell asked when the discussion process begins for proposed articles. He doesn't believe that the board needs to take action on this. He prefers a full board to vote on this.

Mary Longacre watched the Finance Committee's meeting where they discussed the article. She is speaking as a new member of NP&EDC as of this summer. Town council mentioned that there are two avenues, one with the town and one with the NP&EDC. She is still looking at the issue but wanted our input on the regulations.

Mr. Lowell mentioned that this has been on our radar for a long time and that we have long been concerned with excessive lawn fertilizer use. Mr. Lowell also discussed the purpose of NP&EDC, a board he previously sat on. He would encourage them to do what they can to support the article. He recognized that landscapers would probably not support the article.

Mr. Bossi added that the result of this article is to get the discussion started.

Ms. Longacre also mentioned that enforcement of existing regulations could do a lot to get things done. Mr. Fronzuto asked if we know what the fertilizer regulations say. Mr. Szydlowski read from the council's email to say that most of the onus is on the NP&EDC. He resent the email to the board.

Excessive sand in scallops/Dredging plan – Discussion

Mr. Fronzuto mentioned that the NRD was still working on a comprehensive dredging plan. Mr. Lowell would still like to see a pilot project to remove sand from eelgrass beds.

Ms. Longacre encouraged the board to include Vince Murphy in discussions about a dredge plan or moving sand to other locations.

Mr. Lowell reviewed the changes in the harbor floor due to the increase in granular sand which does not allow for eelgrass growth. He further discussed a method of dredging to help address this issue.

HEALTH OF THE HARBORS

Excessive lawn fertilizer use: Update – Discussion – New information

This issue was discussed in depth earlier in the meeting.

FDA shellfish taking prohibition in mooring fields

No discussion.

NEW BUSINESS

Coastal Resilience Advisory Board – Update

Ms. Longacre mentioned that Arcadis presented the plan to the SB at their 12/1 meeting. SB did not agree to adopt the plan but scheduled 1/12/22 to adopt the plan. Next steps. Part of the money allocated was to allow Arcadis to develop grant applications. Sediment transport study and sediment budget are among the first plan items to address. The dredge plan feeds into this plan. Other high priority areas include downtown. The Coastal Resilience Advisory Board is also charged with helping implement the plan, so it will not be dispanded. She feels that many of the proposed projects will have additional positive affects on life on Nantucket, such as access to the waterfront, etc.

Mr. Lowell asked for some important dates to remember. SB meeting on 1/12 is important as the plan is scheduled for adoption. The next CRAB meeting is 1/11 - the agenda is not yet set.

Ginger Andrews joined the meeting at 5:38 having had issues joining the Zoom meeting. Hillary Rayport also joined the meeting.

PUBLIC QUESTIONS AND COMMENT

NP&EDC - Discussion

Mr. Lowell had previously sent an email to members about Ms. Rayport's proposed article about how the NP&EDC is composed. There may be an avenue through the NP&EDC to work in our favor.

Ms. Rayport was invited to comment. Her article reforms NP&EDC. The decline in water quality led her to think about fertilizer and other impacts on the harbor. She researched other areas on the Cape to find towns with fertilizer bans. She discovered that it was a special power given to regional planning commissions. Considering long range planning she sees advantages to having the three at-large members of the commission be elected by the public.

She also wants to engage with HSAB on the fertilizer issue. Maybe more enforcement of existing regulations is the answer.

She wonders whether we need more than the existing regulations. Mr. Fronzuto again asked about the regulations. Mr. Szydlowski sent the board a link to Nantucket's fertilizer regulations.

Mr. Lowell said that he heard that enforcement is very difficult. Can enforcement keep up with all the lawns. There have not been

a lot of fines administered. He feels a more drastic measure is needed. He supports banning fertilizer.

Ms. Andrews feels we would be better off if we could effectively enforce the regulations we have, but additional measures are needed. Further, she feels we should ban fertilizer but the landscaping industry violates the rules. She feels we need more than a fertilizer ban like some kind of stronger oversight.

RECAP and ITEMS FOR NEXT MEETING

ADJOURN

Unanimously approved, 5-0, at 5:56 p.m.

YOUTUBE MEETING LINK

<https://www.youtube.com/watch?v=BnT4JUx4-i4&list=PL49sKqpy7VAj6nJnAlrlKlxWm6VQTfuXg&index=1>

Future Meetings:

Jan. 4 and Jan. 18

Respectfully Submitted,
Tom Szydlowski, Acting Secretary