

Harbor and Shellfish Advisory Board

Tuesday, Dec. 5, 2023 at 5:00 p.m.

Via Zoom

***HSAB meeting are video-recorded**

Members present: Andy, Lowell, Dave Fronzuto, Peter Brace, Jim Sjolund, Ginger Andrews, Dave Bossi, Scott Anderson

Members Absent:

Marine Dept:

Natural Resources Dept: Tara Riley

Others: Mark Anderwald, Adam Rickleff, Bobby DeCosta, Penal Ames, Sharon Ames, Chris Bell, Samantha Denette, Dylan Wallace, Kona Hosier, John Logan, Tammy King

CALL TO ORDER

5:03 p.m.

APPROVAL OF AGENDA

Approved, 7-0.

APPROVAL OF MINUTES

Draft minutes of Nov. 21, 2023

Continued to the meeting of Dec. 19, 2023

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

Ms. Riley reported that the bushel count is around 1,100 for November and that there were around 15 boats going in both harbors. Ms. Riley reported a seed stranding up in Wauwinet on Nov. 29 from which she and her staff collected 108 fish totes of seed that they returned to the harbor. Ms. Riley added that this unusually active seed moving season has given her a greater sense of where all of the seed is in the harbor and which areas need its moved when. She said she is planning to move some of the seed from Bass Shoal off of Fifth Point in Nantucket Harbor to Madaket Harbor.

Ms. Riley said for the hatchery work, she and her staff are focusing on seed moving and production.

Mr. Brace that since the hatchery was getting a second algae bioreactor, what becomes of their analog algae production system. Ms. Riley said that it would be used to produce algae for shellfish brood stock for spawning.

Ms. Andrews asked if there is a free-swimming life stage for scallops and when that is, and how much they are able to move themselves. Ms. Riley explained that scallops as larvae move around in the water column for their first 14 days of life and then as adults, are able to move by shooting jets of water from their shells. She added that currents and wind-driven waves move them around. Mr. Lowell asked how Ms. Riley tracks the movement of scallops around the harbors.

Mr. Lowell acknowledged the members of the public in attendance presumably to comment on the current bay scallop bushel count, telling them that this discussion could happen near the end of the meeting and that no vote could be taken since this issue was not listed on the agenda.

Mr. DeCosta asked how many seed scallops Ms. Riley hopes to move from Bass Shoal to Madaket and Ms. Riley replied around 1.1 million.

Mr. Logan asked what happened to the seed moved from the large cache of seed in Madaket Harbor to other locations including Hussey Shoal in Nantucket Harbor in the spring of 2022. Ms. Denette reported that this seed was doing really well. Mr. Logan asked what's different about seed monitoring currently. Ms. Riley said that she has 40 long term monitoring locations in the harbors that provide data during harbor bottom surveys.

PUBLIC COMMENT ON MARINE DEPARTMENT / NATURAL RESOURCES REPORT

OLD BUSINESS

Seed management and red-flag days – discussion

Mr. Lowell acknowledged that some fishermen believe seed moving should be strictly volunteers. He added that he wanted to get an article on the 2024 Annual Town Meeting warrant requesting \$100,000 from the Town to be used to pay fishermen for help with seed management. Mr. Lowell suggested that the revenue from the ferry embarkation fee could also be used for this purpose. Mr. Fronzuto said it would be a long shot to make this option work. Mr. Fronzuto added that without compensation for the fishermen, Ms. Riley, the HSAB and the Natural Resources Department have done a great job getting fishermen and the general public to move seed.

Mr. DeCosta said that when he was on the HSAB, 75 percent of the shellfish license permits went to running the hatchery, but when there was a stranding, it died on the beach. He added that considering the millions of dollars the Town gives to the running of the hatchery, he has no problem volunteering a day to help move seed after a stranding.

Mr. Lowell said that multiple seed-moving days could become the norm. Mr. DeCosta said he'd amenable to some sort of compensation for seed moving beyond one day.

Mr. Fronzuto said that Friday seed moving works best considering how the market for scallops works. Mr. Lowell said that as the seed moving days multiply, interest by fishermen in taking days off could dwindle.

Ms. Riley acknowledged that 2023 is an extreme seed stranding year, that she was very grateful for the help of public during the major stranding events, but she didn't think multiple red flag seed moving days are necessary. Mr. Brace agreed with Mr. DeCosta, Mr. Lowell and Mr. Fronzuto, and said that article is needed so the NRD can compensate scallopers when there are multiple seed moving days.

Mr. Anderson advocated for volunteer seed moving. Mr. Brace said we don't know how many red flag days there will be in a given season and that while Carl Sjolund's adamant belief that 100 percent of the fleet must volunteer on seed-moving days is ideal, it probably won't ever become reality, so compensation in some form should be available to the fishermen. Ms. Denette noted that more than 30 fishermen showed up for the last moving day and that there are a lot members of the public who helped out with strandings. She added that the group needs to differentiate between seed moving and seed management. She added that compensation is needed. Mr. DeCosta said that \$100,000 is too much to ask for, that \$50,000 is more reasonable and that it should come from the General Fund and that the amount not used goes back to the Town, and then is re-issued each year.

Mr. Sjolund recalled a stranding in 2003 for which scallopers were compensated. He said he didn't know where the money came from. Mr. Fronzuto said the money came from the propagation fund, but qualified this statement by saying that there were 140 boats fishing that season, so there was a lot more money in the fund.

Ms. King suggested moving seed in the mornings till noon and then allow fishing after noon. Mr. Fronzuto agreed. Mr. Logan suggested that if scallopers didn't move seed in the morning then they couldn't go fishing in the afternoon.

Mr. Lowell asked for comments from the HSAB on this issue. Mr. Brace agreed that \$50,000 annually would work for a scalloper compensation fund. Mr. Fronzuto did as well, adding that Mr. DeCosta's revolving fund idea should be part of this. Mr. Anderson agreed as did Mr. Sjolund and Mr. Bossi. Ms. Andrews agreed with the rest of the board. Mr. Bossi made a motion that the HSAB request that the Select Board put an article on the Town Meeting 2024 warrant creating a revolving fund of \$50,000 for seed-moving compensation after the Select Board has accepted this article and Town Counsel has approved its language. Mr. Anderson seconded this motion. Approved 7-0.

Harbor watershed public information outreach ideas – Discussion

No discussion.

Green crabs – Discussion

No discussion.

Harbors Action Plan Committee HSAB recommendations – Discussion

Mr. Fronzuto reported that he's been able to make his recommendations to the Nantucket and Madaket Harbors Action Plan Update Committee (NMHAPUC) on his issues including the three topics below.

Ferry embarkation fee – Discussion

Mr. Fronzuto said his proposal is to raise the fee from 50¢ to \$1.

Alternate ferry pier – Discussion

Mr. Fronzuto said this would be an alternate ferry pier and secondary boat access. Mr. Anderson asked how long this process would be. Mr. Fronzuto said he's recommended this item to the NMHAPUC for inclusion in the updated harbors action plan, but he didn't have a definitive answer for Mr. Anderson.

Petrel Landing - Discussion

Mr. Fronzuto said the Land Bank should be able to do something with adding dinghy docks while the litigation is going on. Mr. Brace reiterated that although the Land Bank is ready to go with its plans for Petrel Landing, no work would happen there until the current litigation is settled in the Land Bank's favor. Mr. Brace added that the HSAB shouldn't waste time discussion what it would like to see happen at Petrel Landing until the location is available for development.

Mr. DeCosta there should a commercial vessel component to this plan. Mr. Sjolund agreed.

HEALTH OF THE HARBORS

NEW BUSINESS

Dump scallop shell pile – Discussion

Ms. Andrews said that the Department of Public Works (DPW) should be notified to move the pile so that it's runoff. Mr. Anderson said the pile has created a liability for the Town and that the HSAB should make a recommendation to the Select Board on this matter. Mr. Brace suggested that the pile be moved further away from the road. Mr. Fronzuto suggested NRD director Jeff Carlson be asked to call the DPW to deal with this issue. Ms. Andrews suggested that the HSAB should write a letter to the DPW and the Select Board to deal with this issue. Ms. Riley said she would call Mr. Carlson on the matter.

Removing Marine Department from Police Department administrative jurisdiction – Discussion

Mr. Fronzuto said he needed to speak with the harbormaster, Sheila Lucey, about this idea before he pursues it further.

PUBLIC QUESTIONS AND COMMENT

Ms. Denette reported that a majority of the bay scallop fleet wants to increase the current commercial daily bushel limit from five to six bushels because the pounds per bushel amount are significantly lower this season with the demand remaining high heading into the holiday season. She added that she's reached out to 62 scallopers and personally spoken with 34 of them.

Mr. Brace asked Ms. Denette what's the feeling of these 34 people. For Ms. Riley, he asked if the supply, given six bushels per license holder, is strong enough and for Mr. Fronzuto, he asked if the state's Division of Marine Fisheries (DMF) had sign off on this. Mr. Fronzuto said there is no state requirement and that the Select Board would make the

decision. Ms. Riley said the ability to raise or lower the bushel limit given the volatility of the bay scallop fishery right now. She added that having the ability go up or down in limits could help the fishery react as needed. She said she supported the current effort. Mr. Bossi asked if Mr. Brace could ask Town Administration what the procedure is for changing the number daily bushels per license holder. Mr. DeCosta said the quickest this plan could happen through the Town is Dec. 18. Mr. Lowell said it's the health of the scallop that is the heart of this issue. Mr. DeCosta suggested this idea of raising the number of boxes to six could flood the market at a time when the demand might be waning. Mr. Sjolund said he didn't think there is a huge amount of scallops to catch. He said the scallopers he's spoken to are against this idea. Mr. Ames said the strongest part of the season is now through the first of the year. He added that the bay scallop market is highly volatile and changes week to week with the best time to sell being Monday through Wednesday.

Mr. Brace asked Ms. Denette how many of the people she spoke with were for this idea. She said around 50 percent. She added that the exercise of learning how to raise or lower the bushel limits is a great procedure to go through. Ms. Denette said taking the long view on this situation is more beneficial to the fishery than just reacting quickly to low poundage of scallops right now. Ms. Andrews said changing the box limit can be confusing to the scallopers and that the changes in price can't be controlled by the bushel limit. Mr. Logan said he is for increasing the bushel limit to six now because too many scallops on the market from January on is why not to wait.

Mr. Logan added that laws of diminishing returns doesn't apply to this situation.

Mr. Lowell polled the board on how to proceed. Mr. Brace reminded the board that couldn't vote on this issue because it wasn't on the agenda. Mr. Bossi agreed. Ms.

Andrews said she needed more information to make her decision. Mr. Anderson agreed with Ms. Andrews. Mr. Sjolund said it was too early to make this decision. Mr. Fronzuto said he supported this idea as did Mr. Lowell. Ms. Andrews said she needed more information.

Mr. Fronzuto said he deferred to Ms. Riley on this idea.

RECAP and ITEMS FOR NEXT MEETING

ADJOURN

Unanimously approved, 7-0, at 6:57 p.m.

YOUTUBE LINK

https://www.youtube.com/watch?v=RHgmDsu7_Hs&list=PL49sKqpy7VAj6nJnAlrlKlxWm6VQTfuXg&index=2

Future Meetings:

Dec. 19 and Jan. 2

Respectfully Submitted,
Peter B. Brace, Secretary

