

Harbor and Shellfish Advisory Board
Tuesday, May 21, 2024 at 5:00 p.m.
Via Zoom

***HSAB meeting are video-recorded**

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

Members Absent:

Marine Dept:

Natural Resources Dept: Tara Riley

Others: Dan Pronk, Kona Hosier, Matt Herr

CALL TO ORDER

Mr. Lowell called the meeting to order at 5:02 p.m.

APPROVAL OF AGENDA

Mr. Lowell called for a motion to approve the agenda. Mr. Anderson made a motion to approve the agenda. Mr. Bossi seconded that motion. The HSAB voted 7-0 to approve the agenda.

APPROVAL OF MINUTES

Draft minutes of April 2 and April 16

Mr. Lowell called for a motion to approve both sets of minutes. Mr. Bossi made a motion to approve both sets of minutes. Mr. Anderson seconded that motion. The HSAB voted 7-0 to approve both sets of minutes.

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 shellfish hatchery is operating at full capacity with quahog and scallop spawns happening.

Ms. Riley reported that she and her staff are doing spring harbor survey dives to assess to winter bay scallop mortality at 20 dive sites to see how they're growing and checking on the immense amount of seed in the harbor. Ms. Riley reported a lot of scallops with three rings from the previous season and a lot of classic adults. But, she added, because they've never really dove these sites in the spring before, it's hard to know whether these are new factors or annual occurrences.

Ms. Riley reported public hatchery tours will begin in June for one or two days a week. Ms. Riley reported the entire fourth grade of Nantucket Public Schools at the hatchery as part of their STEM (Science, Technology, Engineering and Math education) project and a high school student used the hatchery as her lab for a school project she's been working on. Ms. Riley said her interns start on June 1. Ms. Riley reported that she'll be retrieving early spat bags soon to

gauge scallop spawning. Ms. Riley reported that eelgrass is starting to show flowers.

Mr. Lowell asked about the status of eelgrass in the harbors. Ms. Riley said it's hard to tell at this time of year.

PUBLIC COMMENT ON MARINE DEPARTMENT / NATURAL RESOURCES REPORT

No public comments.

OLD BUSINESS

Continued review and update of shellfish regulations – Tara Riley

Ms. Riley said the HSAB needed to determine if the current fines are appropriate. Ms. Riley said she wants the regulations revised by Aug. 31 so there's time for public comment and to get the changes approved by the Select Board for the upcoming bay scallop seasons. She added that she'd like to have the HSAB done reviewing and commenting on the regulation by the end of June.

Ms. Riley began by reading a series of proposed changes from Mr. Sjolund. (Proposed changes are. In red and supplemental information is in blue).

260-4.29 (C)

No transfer or refunds for Town of Nantucket commercial shellfish permits **with the exception of serious health issue or death.**

No discussion.

260-4.29 (D)

The **Natural Resource Department** may grant permission for the collection of scallop seed outside the commercial season for purpose of moving seed
No discussion.

260-4.29 (F)

Returning to shore to pick up culler. A license holder may return to shore to pick up a culler, but no more than **(5)** bushels of bay scallops may be on board when the culler boards the vessel.

**fishermen should be able to possess their own limit*

Mr. Fronzuto said this was an effort to allow husbands to pick up their wives on shore. He didn't have a problem with this one as long as it's no more than 10 bushels for two license holders.

260-4.29 (E)

Should we consider removing 6:30 a.m. start time and use state regulation of ½ hour before sunrise

Mr. Sjolund said this proposed change is for Town's regulation to work with the state's. Mr. Bossi said the HSAB should speak with the shellfish warden. Mr. Fronzuto said it should stay at 6:30 p.m. because. It's worked for a long time. Mr. Sjolund said there needed to be more discussion on this. Mr. Pronk said there would be a lot of opposition from commercial scallopers on this one.

260-4.29 (H)

Transfer of scallops. No transferring of catch from one boat to another, **with the exception of emergency.** *(discuss)*

The board discussed the various emergencies to be included in this change such as fishermen health emergencies and disabled boats. Mr. Brace said the HSAB should define “Emergency”. Ms. Andrews asked if this included transfer of scallop boxes from scallop boat to dinghy would be covered by this change.

260-4.29(I)

Change “town approved boxes” to “**town approved containers**” for possibly changing to bushel baskets or a smaller container for older fisherman example: allowing the use of a milk crate

(this would change 260-4.29(L) also.)

Mr. Sjolund explained this is for older scallopers who can’t lift their bushel boxes. Mr. Pronk said he culls onboard into milk crates before dumping them into his bushel boxes. Mr. Fronzuto said scallopers should land their scallops in Town-approved bushel boxes and not allow landing in milk crates. Mr. Brace suggested more bushel boxes not filled all the way up. Ms. Andrews agreed with Mr. Fronzuto, commenting that wire baskets are better for rinsing scallops right after being caught than using milk crates. Mr. Lowell said that rinsing scallops right after being caught is key to removing sand from them and to improve the final product. Mr. Sjolund added that shucked scallops in salt water does the trick. Mr. Pronk said “it’s a far superior product” when the scallops are washed despite the loss of the liquor and a bit of weight. Mr. Lowell said the Nantucket Shellfish Association (NSA) has also been discussing this issue lately. Ms. Andrews said a lot of the scallop flavor is in the liquor. Ms. Riley this change would work well in the best

management practices. Mr. Sjolund suggested that there needed to be more discussion on this proposed changer than this meeting allows. Mr. Brace asked how best practices would be distributed since it isn't in the regulations. Mr. Fronzuto said this is a good job for the NSA.

260-4.34.

Town of Nantucket commercial permit fees.

Discuss a town commercial shellfish permit example \$350 to cover all the shellfish so that fisherman could sell their 5% bycatch during scallop season and use this license other times during the year if desired probably get more revenue for the town with this???

Mr. Sjolund explained this would cover three shellfish species. Mr. Brace asked how many multi-species fishermen there are on Nantucket. Mr. Pronk indicated very few. Mr. Pronk suggested not including conch in this permit because it's a state permit fishing for conch. He added this multi-species license could at least cover bay scallops, quahogs and blue mussels, and allow scallopers to sell quahogs they get in their dredges and or hand-raked for. Mr. Brace asked if blue crabs could be included. Mr. Herr said the HSAB just had to decide which species to include in this proposed permit.

Mr. Sjolund clarified that this idea was just to allow commercial bay scallopers to be able to sell their bycatch during the season and dig quahogs in the summer to sell and catch mussels. Ms. Riley said this needed for discussion. Mr. Brace asked if softshell clams would be included in this permit. Mr. Sjolund said there aren't

enough on Nantucket to have a commercial fishery for softshell clams.

260-4.9. Closures and red flag

Add: **If a closure due to an emergency seed move occurs the following Saturday will be open for fishing.**

The HSAB acknowledged that this might not happen every year. Mr. Lowell said moving seed on a fishing day is a big sacrifice, so the fishermen should be compensated.

No further discussion happened on this item.

Under recreational shell fishing

Discuss the possibility of a mobile based permit that could be on your phone or you could print out....it is 2024.

**People wouldn't have to go to the marine department/
police department**

Mr. Sjolund said item is more of a summertime convenience for recreational shellfish diggers. Mr.

Fronzuto agreed with this idea with the caveat that there needs to be more education and outreach to recreational shellfishers. Mr. Lowell said having a copy of your recreational permit on your smart phone is a good idea.

Ms. Riley said she is sending the violations section of the regulations to the HSAB for its review prior to the June 4 meeting and that she is meeting with the shellfish warden, JC Johnson soon, to discuss this section, and is encouraging him to attend that meeting. Mr. Fronzuto said this warrants more discussion.

Ms. Riley said she would send out an email with reminding the HSAB of everything it needs to review in the shellfish regulations for the next meeting.

Harbor watershed public information outreach ideas – Report by Scott Anderson

Mr. Anderson reported on his and Mr. Lowell's recent presentation to the eight graders at the Nantucket New School. Mr. Anderson reported that he needed to further refine the presentation further with more slides illustrating how pollutants get into the harbors from properties within the harbor watershed protection district. Mr. Lowell said the presentation was really well received and he and Mr. Anderson indicated that this would be an annual presentation at the New School.

Proposed dinghy regulations at Town Pier – Sheila Lucey – Discussion

Mr. Fronzuto said he met with Ms. Lucey to revise and flesh out her proposed dinghy regulation changes. No further discussion because Ms. Lucey wasn't present.

Conch harvesting - discussion

Mr. Pronk explained the agreement he and Mr. Herr arrived at. This included opening conch fishing in Nantucket Harbor in the even years and closing Madaket Harbor, and opening Madaket Harbor and closing Nantucket Harbor on the odd numbered years. Additionally, they agreed to increase the trap limit to 120 from 90. Mr. Pronk said he and Mr. Herr didn't discuss how to handle other conch permit holders joining them. Mr. Fronzuto asked what the

Town boundaries are for these 120 traps. Mr. Pronk said everything inside Nantucket Harbor from the north ends of the jetties inward and in Madaket Harbor everything east of a line between tips of Smith's Eel Points. Mr. Pronk said splitting Madaket Harbor off from fishing Nantucket Harbor is because it's only practical for smaller boats to work traps in this harbor. Mr. Herr and Mr. Pronk agreed that taking turns fishing the harbors works for them, but they want the ability both fish the harbors if one of their fisheries isn't paying off well during the year. This means if either fisherman is going to buy a conch permit as backup, they'll have to commit to it whether or not they're going to fish for conch during the season of April 15-Dec. 15. Mr. Fronzuto said a date by which the permits must be purchased prior to the start of the season needs to be chosen. The HSAB, Mr. Pronk and Mr. Herr discussed several possible dates. Mr. Herr explained the economics of conch fishing the harbor stressing that Nantucket conch fishing has always been economically based, not supply based because the harbors can easily be fished out by one fisherman and then take several years to rebound.

HEALTH OF THE HARBORS

Pollutants and microplastics – Scott Anderson

Mr. Anderson explained why he brought up this issue and he'd concerned about the amount of plastics he's been seeing along the shores all around Nantucket and around the interior of the island He said the HSAB needs to explore this topic further. Mr. Lowell agreed. Ms. Riley

said she would be sending an article on this subject to Mr. Anderson.

NEW BUSINESS

Letter to Land Bank regarding commercial uses at Petrel Landing – Dave Bossi

Mr. Lowell said the HSAB would discuss this letter at the next meeting, as Mr. Bossi had to leave the meeting before this item came up on the agenda.

Coastal Resilience Advisory Committee (CRAC) – Update

Mr. Brace reported that the CRAC, over the last two meetings, has been meeting with chairs and other members of the Town's regulatory boards, commissions and committees to gauge their level of interaction with applicants regarding sea level rise and coastal resilience. He added that this is an effort to help the Town eventually change policies and regulations governing land development and construction in island areas vulnerable to sea level rise.

Mr. Brace reported that the CRAC's main mission currently is public outreach to inform Nantucketers about the Coastal Resilience Plan.

PUBLIC QUESTIONS AND COMMENT

RECAP and ITEMS FOR NEXT MEETING

ADJOURN

Mr. Lowell called for a motion to adjourn the meeting. Mr. Anderson made a motion to adjourn the meeting. Mr. Fronzuto seconded that motion. The HSAB voted 4-0 to adjourn the meeting at 6:59 p.m.

YOUTUBE LINK

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

Future Meetings:

June 4 and June 18

Respectfully Submitted,
Peter B. Brace, Secretary