

# Shellfish Advisory Panel

May 27, 2020; 4:00PM

Virtual public meeting

Zoom webinar

## MEETING SUMMARY

RIMFC members: K. Eagan (Chair)

DEM: A. Gerber-Williams, C. McManus, D. Erkan, J. McNamee, P. Duhamel, K. Rodrigue, N. Lengyel-Costa, S. Olszewski, J. Livermore, E. Schneider, J. Lake, D. Borkman;

CRMC: D. Beutel, B. Goetsch;

Scientific Advisor: D Leavitt;

SAP members: J. Gardner, D. Ghigliotty, G. Schey, R. Tellier, R. Pastore, K. Murgo, J. McDonald, B. Rheault;

Public: J. Opton-Himmel, N. Papa;

### 1. Aquaculture application 2019-12-055 (Walrus and Carpenter Oysters LLC):

2019-12-055, Walrus & Carpenter Oysters LLC (Opton-Himmel), West Passage: *D. Beutel* provided a brief overview of the proposal, which consists of a 7.8-acre lease for cultivating oysters using floating racks and sugar kelp on submerged long lines located in Dutch Harbor. CRMC performed a site assessment in May 2020 and determined densities of quahogs at 0.4/m<sup>2</sup>. Opton-Himmel will relinquish their current 2 – acre lease in Dutch harbor if this application is approved. *G. Schey* asked whether any fisherman have submitted objections to the application and *D. Beutel* noted that there has been no objections from the fishing community. *R. Tellier* asked for clarification on what happens to the other 2 – acre site and *D. Beutel* said that it will be relinquished to the public domain.

- **Motion made by *J. Gardner* to recommend to CRMC that the aquaculture activities proposed in the application is consistent with competing uses engaged in the exploitation of marine fisheries; 2<sup>nd</sup> by *D. Ghigliotty*. The motion passed with a unanimous vote of 6-0.**

### 2. Aquaculture application 2019-12-079 (Seakist Aquaculture):

2019-12-079, Seakist Aquaculture LLC (Papa), West Passage – Dutch Harbor: *D. Beutel* provided a brief overview of the proposal, which consists of a 4.8 - acre lease expansion in Dutch Harbor. The site expansion would be for oysters kept in floating baskets. CRMC performed a site assessment in May 2020, which found 0.42 quahogs/m<sup>2</sup>. *D. Beutel* noted that CRMC received 11 letters of objection from property owners in Jamestown stating that the cages would ruin their view and further hinder navigation.

- **Motion made by *J. Gardner* to recommend to CRMC that the aquaculture activities proposed in the application is consistent with competing uses engaged in the exploitation of marine fisheries; 2<sup>nd</sup> by *D. Ghigliotty*. The motion passed with a unanimous vote of 6-0.**

3. **Division proposal to re-establish areas closed to shellfish harvest in Ninigret Pond Shellfish Management Area (Foster Cove):**

*E. Schneider* presented an update on the Foster Cove oyster reserves, which expired on December 2019. Data from restoration efforts between 2015 and 2020 showed that mean densities of oysters have reduced throughout Foster Cove. However, the DMF 2020 survey showed that the proportion of legal sized oysters is more than 2 times higher in oyster reserves compared to areas open to harvest. The DMF recommended that they reestablish the closure, with no sunset date and that they further assess wild population status and continue research and restoration practices in Oyster Reserves. *J. Gardner* questioned whether there has been any disease testing of the oysters and that possibly allowing harvest in the area would help with disease control. *E. Schneider* stated that there has not been any funding for disease testing in Foster Cove so that do not know if this is an influencing factor on the low densities. *J. Gardner* noted that DEM funds for the restoration work would be better spent on disease testing since the restoration work is not showing an increase in density with time. *D. Ghigliotty* did not agree with removing the sunset clause because of a concern that the area will be completely shut down to harvest, thus recommended that an extension be made to the sunset clause. *G. Schey* stated that he is against the indefinite time closure of the area and thus does not want the sunset clause to be removed.

- **Motion made by *J. Gardner* for Foster Cove Northern Oyster Reserve to recommend to the Council to reestablish the closure and a five year sunset clause. In addition that the SAP request ongoing oyster disease testing; 2<sup>nd</sup> by *K. Murgo*. The motion passed with a unanimous vote of 6-0.**
- **Motion made by *J. Gardner* for Foster Cove Eastern Oyster Reserve to recommend to the Council to reestablish the closure and a five year sunset clause. In addition that the SAP request ongoing oyster disease testing; 2<sup>nd</sup> by *D. Ghigliotty*. The motion passed with a unanimous vote of 6-0.**

4. **Division proposal to extend oyster harvest moratorium in Bissel Cove/Fox Island Shellfish Management Area:**

*E. Schneider* presented an update on the Bissel Cove and Fox Island Shellfish Management Areas, of which the oyster closures expire on November 15<sup>th</sup> 2020. Data from restoration monitoring efforts between 2015 and 2020 showed that mean densities of oysters have increased to greater than 250 m<sup>2</sup> and performing well compared to other shellfish management areas. Restoration reefs may be providing brood stock and contributing to recruitment with recruitment on restoration reefs greater than most other areas. The DMF recommended that they reestablish the closure, with no sunset date and that they continue and expand restoration practices. *J. Gardner* stated that disease needs to be tested and does not agree with removing the sunset clause. *E. Schneider* noted that pathology testing has been performed at this location. *D. Ghigliotty* does not want to remove the sunset clause and would like to revisit potential opening in 5-years.

- **Motion made by *D. Ghigliotty* for Bissel Cove and Fox Island Shellfish Management Areas to recommend to the council to reestablish the closure and a five year sunset clause. In addition that the SAP request ongoing oyster disease testing; 2<sup>nd</sup> by *G. Schey*. The motion passed with a unanimous vote of 7-0.**

5. **Proposed change to whelk minimum size currently out to public notice:**

*J. Lake* presented the DMF proposed change to whelk minimum size, which has two options. Option 1 is to remove length as a minimum size measurement metric and add language and diagram to clarify how to measure width. Option 2 is to remove both length and width as minimum size measurement metrics and replace with shell height; add language and diagram to clarify how to measure height. *J. McDonald* recommended keeping it at 3” width until more data is collected. *K. Murgo* agreed that more data should be collected and that the industry and DMF keep working together on improving the measurement. *J. McDonald* stated that the knobbed whelk measurement is not comparable to the channeled whelk measurement and thus should not be used to determine gauge.

- **Motion made by *K. Murgo* to recommend to the Council to keep the same minimum size for whelk width and length; 2<sup>nd</sup> by *G. Schey*. The motion passed with a unanimous vote of 6-0**

6. **Proposed changes to area descriptions of Shellfish Management Areas currently out to public notice:**

*J. Lake* presented the DMF proposed changes to area descriptions of shellfish management areas, which proposes the addition of coordinates (latitude and longitude decimal degrees) to area boundary descriptions. There are no changes to the boundaries proposed, minor changes in instances when landmarks used in the descriptions have changes (e.g., landmark is no longer present). *D. Ghigliotty* stated that the addition of coordinates would be helpful.

- **Motion made by *G. Schey* to recommend to the Council to accept the proposed changes to area descriptions of the shellfish management areas; 2<sup>nd</sup> by *J. McDonald*. The motion passed with a unanimous vote of 6-0.**

7. **Proposed change of word “bycatch” to “incidental catch” for Sakonnet River bay quahaug possession limit currently out to public notice:**

*J. Lake* presented the DMF proposed change of the word “bycatch” to “incidental catch” for Sakonnet River bay quahaug possession limit.

- **Motion made by *J. McDonald* to recommend to the Council to accept the proposed change of word “bycatch” to “incidental catch” for Sakonnet River bay quahaug to possession limit; 2<sup>nd</sup> by *G. Schey*. The motion passed with a unanimous vote of 6-0.**

*Prepared by: A. Gerber-Williams*