

## **SHELLFISH ADVISORY PANEL**

**April 27, 2023**

**Via Zoom**

### **In attendance:**

*Shellfish Advisory Panel:* Daniel McKiernan, Chair (DMF); Lisa Rhodes (DEP); Sean Bowen (DAR-Proxy); Josh Reitsma, Allen Rencurrel, Dale Leavitt, Mike Moore, Mike DeVasto, and Amy Anne Croteau

*Absent:* Jim Abbot; Ron Bergstrom; Bob Colby; Mike Trupiano; Rebecca Rausch; William Doyle; Renee Gagne; Seth Garfield; Alex Hay ; Stephen Kirk; *Lisa Engler; John Peters; and Mindy Domb.*

*Division of Marine Fisheries:* Bob Glenn, Jeff Kennedy, Thomas Shields, Chrissy Petitpas, Jared Silva, Julia Kaplan, Matt Camisa, Gabe Lundgren, Ryan Joyce, and Scott Schaffer

*Department of Public Health:* Michael Moore, Eric Hickey

*Members of the Public:* Massachusetts Representative Paul Schmid, Mark Begley, Beth Gibbons, Suzanne 'Phil' Phillips, Greg Morris and Chloe Starr (Aquacultural Research Corporation).

## **INTRODUCTIONS AND ANNOUNCEMENTS**

DMF Director Daniel McKiernan chairs the Shellfish Advisory Panel (SAP) and called the meeting to order. He welcomed everyone to the meeting and thanked attendees for making the commute.

## **REVIEW OF APRIL 27, 2023 BUSINESS MEETING AGENDA**

No changes to the agenda were requested.

## **REVIEW AND APPROVAL OF MARCH 2, 2023 DRAFT BUSINESS MEETING MINUTES**

Lisa Rhodes stated she emailed a change regarding the comment she made about a more accurate map depicting wetland resource areas to Julia Kaplan. Julia stated she would make the change.

**Chairman McKiernan requested a motion to approve the amended March 2, 2023 business meeting minutes. Dale Leavitt made a motion to approve the amended meeting minutes. Josh Reitsma seconded the motion. A roll call vote was taken and the motion passed unanimously.**

## **CONTINUING BUSINESS FROM MARCH 2023 BUSINESS MEETING**

### *Primary Purchase Variance for Barnstable*

Chrissy Petitpas discussed crowding at Blish state boat ramps which have been causing public safety concerns when harvesters land oysters. Eric Hickey and Mike Moore were asked to speak to the subject. Mike Moore stated DPH is looking into the issue, but stated that he believes this issue is essentially outside of DPH's regulatory purview because DPH doesn't issue permits to municipalities. There was further discussion among Amy Croteau, Mike Moore, Eric Hickey, Mike DeVasto and DMF staff regarding logistics issues and regulations that prove limiting regarding shellfish harvesters landing at the Blish Ramp and making the dealer transaction at the town-owned and managed "grassy knoll".

### *Seed Supply, Mitigation, and Support*

Dan McKiernan asked Josh Reitsma to speak to the issue of seed supply. Increased demand for seed without increase in supply, hatchery crashes, and poor performance and mortality in the field nurseries were three major topics that were covered as possible circumstances for the insufficient seed supply. Josh stated that a post-doc at WHOI is trying to collect some data and investigate poor growth and mortality of seed in nursery areas and determine possible solutions. Funding opportunities for the post-doc were discussed amongst Josh and Dan McKiernan, and Josh stated the post-doc is currently funded for 18 months. Dan inquired about whether the state should assist in hatchery products. Dale Leavitt stated more hatcheries would help alleviate the shortages. A representative from Aquaculture Research Corp. was present at the meeting and stated they are maxed out in regard to space for production. She noted that two spawns were lost in a row which contributed to a shortage.

There was overall concern about the instability of seed supply each year, and whether the lack of supply limits production was discussed. There was consensus that the lack of seed supply has been limiting production for a few years now. The effects carry over to wholesale dealers as well since there are no oysters to meet the demand.

Different options for hatcheries were discussed, some of these options included the Hughes Hatchery on the Vineyard, but it was determined that it is primarily used for local municipal seed supply on the Vineyard. Additional options included potential partnerships with universities (UMass, Mass Maritime Academy), and federal funding to mitigate the seed shortage was also discussed.

The Panel came to the conclusion that a sub-committee would be a sufficient starting point. Dale Leavitt, Sean Bowen, and Josh Reitsma volunteered to be a part of the subcommittee. Josh also asked for ARC to sit in on the meeting as they play an integral role in seed supply in Massachusetts.

### *Update on Sub-Committees*

Tom Shields explained a recently distributed survey regarding aquaculture license site transfers. He explained that it was distributed to 34 municipalities and DMF has received ten responses thus far. He stated he plans to call the remaining municipalities

in hopes of increasing the response rate with the ultimate goal of producing a white paper that compares what each town does regarding aquaculture license site transfers.

Dan McKiernan stated that DMF is planning to bring an update regarding the bulk tagging sub-committee at the fall meeting. He stated the extension will allow for DMF to look into the issue further and work more closely with dealers on the issue.

## **DMF SHELLFISH PROGRAM UPDATES**

### *Review of March 2023 ISSC Meeting*

Jeff Kennedy provided the Panel with an overview of the ISSC Meeting which included proposals that stemmed from each task force. Chrissy Petitpas spoke to selected individual proposals from Task Force I and described which proposals were adopted, sent to the committee, and which proposals had no action taken. Chrissy explained that mooring area designation and reclassification proved to be hot topics at the meeting. and further explained implications that came from adopted proposals. Eric Hickey then discussed the proposals from Task Force II that were adopted, sent to committee, and proposals where no action was taken. Jeff Kennedy then spoke to Task Force III proposals that were adopted at the ISSC meeting.

Dan thanked Jeff, Chrissy, and Mike for their presentation and noted that the SAP likely will not hear a similar presentation for about a year and a half as this was the first ISSC meeting since 2019.

### *Vp. Control Plan Update*

Chrissy provided the SAP with a Vp. Control Plan Update. She gave a background of Vibrio bacteria as well as the history of vibrio illnesses in Massachusetts. Chrissy highlighted the primary change in the control plan this year which is in regard to icing. It was a change in the language from inches of ice around product to a 'continuous layer' around the product leaving the discretion to the enforcement officer. Chrissy then provided the SAP with an overview of the 2022 vibrio season summary and discussed reported illnesses. Chrissy welcomed questions from the Panel.

Mike DeVasto stated that due to the low number of illnesses compared to the nearly 55 million oysters landed, the management plan is working.

### *DMF Shellfish Regulations Update*

Jared Silva provided the SAP with updates regarding shellfishing regulations. He described some housekeeping items and stated that there will likely be a public hearing within the next six months and stated the changes to any regulations could be classified as non-substantive.

## **PRESENTATION ON COMMERCIAL SHELLFISH LANDINGS**

Scott Schaffer provided the SAP with a presentation on shellfish landings. He discussed state waters landings and values for all shellfish. Scott then described the trends for the

shellfish species and explained how Covid impacted the landings for each species. He welcomed questions from the Panel.

Mike DeVasto inquired about the value of the oysters. Scott stated he could follow-up with tables via email after the meeting.

## **OTHER BUSINESS**

### *Meeting Schedule*

Dan McKiernan stated there will likely be a meeting of the aquaculture license site subcommittee meeting at the end of the summer. He also stated he will be in touch with the members of the bulk tagging sub-committee at the end of the summer. Dan concluded his comments by stating the next full SAP meeting will likely be in October.

### *Panel Member Comments*

Mike DeVasto discussed personal liability regarding aquaculture license site operations and pointed out the legal issues that come with the liability. He noted that if the name the business or corporation could be placed on a site license that liability would fall on the business and personal liability would be limited.

### *Public Comments*

Suzanne Phillips thanked DMF and advocated for a virtual option for meetings going forward.

## **ADJOURN**

Chairman McKiernan requested a motion to adjourn the March SAP meeting. **Josh Reitsma made a motion to adjourn the April SAP meeting. The motion was seconded by Mike DeVasto. The motion was approved by unanimous consent.**

## **MEETING DOCUMENTS**

- April 27, 2023 SAP Business Meeting Agenda
- March 2, 2023 SAP Draft Business Meeting Minutes

## **UPCOMING MEETINGS**

DRAFT