



Town of Stonington
Shellfish Commission

152 Elm Street Stonington, CT 06378

REGULAR MEETING

June 6, 2019

6:30 PM

A Regular Meeting of the Stonington Shellfish Commission (SSC) was held on this date at Mystic Middle School, 204 Mistuxet Avenue, Mystic, CT. Members present were Mr. Alan Banister, Mr. Peter Moore, Mr. Dan Barrett (seated as a regular member), and Mr. John Swenarton, Secretary and Acting Chairman. Mr. Donald Murphy was in attendance but is awaiting reappointment from the Board of Selectman so is not a voting member for this meeting.


- 1) **Call to order** – The meeting was called to order by Acting Chairman John Swenarton at 6:30 pm.
- 2) **Comments from the public (Comments on specific applications will not be allowed)** – Garrett Timmons spoke supporting the draft aquaculture license information package based on his professional experience with habitat restoration and invasive species management.
- 3) **Review and approval of the minutes of the special meeting & public hearing on May 9, 2019 - A motion** to approve special meeting and public hearing minutes with a minor typographical correction (Moore/Banister) was approved unanimously.
- 4) **Correspondence**
 - a) An email dated May 10, 2019 to Donald Murphy, SSC, from Garrett Timmons RE: Stonington aquaculture application
 - b) An email dated May 14, 2019 to John Swenarton, SSC, from Dr. James Carlton RE: literature on invasive marine species and aquaculture and on marine aquaculture.
 - c) An email dated May 23, 2019 to Donald Murphy, SSC, from David Carey, Department of Agriculture Bureau of Aquaculture RE: literature on invasive marine species and aquaculture and on marine aquaculture.
 - d) An email dated May 24, 2019 to Donald Murphy, SSC, from David Carey, Department of Agriculture Bureau of Aquaculture RE: Stonington's Commercial Aquaculture License Application and Information Package
 - e) A letter dated May 30, 2019 to Donald Murphy, SSC, from David Carey, Department of Agriculture Bureau of Aquaculture RE: Stonington's Commercial Aquaculture License Application and Information Package
 - f) An email dated May 31, 2019 to Donald Murphy, SSC, from Tessa Getchis, Connecticut Sea Grant RE: Environmental impact assessment.
 - g) An email dated June 1, 2019 to Donald Murphy, SSC, from Steve Plant, CT Cultured Oysters RE: Environmental impact assessment
 - h) An email dated June 3, 2019 to Donald Murphy, SSC, from Kristin DeRosia-Banick, Department of Agriculture Bureau of Aquaculture RE: literature on invasive marine species and aquaculture and on marine aquaculture
 - i) An email dated June 3, 2019 to Donald Murphy, SSC, from Cori Rose, U.S. Army Corps of Engineers RE: Questions from Stonington Shellfish Commission.
 - j) An email with attached letter and scientific literature dated June 5, 2019 to Donald Murphy, SSC, from Will MacKay RE: ecological benefits of bivalve aquaculture.
- 5) **Business**
 - a) Discuss the water quality testing and status of Stonington's conditional recreational shellfishing areas -

Outer Quiamabaug Cove and East Mason's Island (Area A and Area B). – The May monitoring report showed closures on May 1-7 and May 12-14. Water sampling results for samples collected on May 6, 15, and 21 were very good; results from sample collected on May 29 during a rain event had levels exceeding the benchmark. DABA also sampled on May 29 and had good results. Outer Stonington Harbor was also sampled during regular runs.

- b) Discuss the progress toward upgrading the Lower Mystic Harbor shellfish growing waters to Seasonal Conditionally Open. – Classification has been officially changed but WPCA is currently reviewing the MOU prior to sign-off.
- c) Edwin Emery's proposal to harvest clams from Stonington waters. – Mr. Emery spoke about his interest in harvesting clams in Stonington town waters. He is proposing to harvest beds and repay remuneration fees with hard clams for recreational beds. He is interested in being sole harvester, which would require a license agreement, but wants to start with wild harvest permit. Permit will be issued once fee of \$100 is received.
- d) Commercial shellfishing reports. Will MacKay reported good growth and has heard reports of heavy kelp cover on moorings in the Mystic River. Steve Plant has taken delivery of ¾ of the seed needed for the year. Garrett Timmons also report heavy kelp on his overwintering gear. He has started relaying and has not observed much Cladophora so far.
- e) Update on Amtrak's program to spray herbicide on the railroad tracks in Stonington in 2019 – Peter Moore, Steve Plant, and Steve Malinowski attended a meeting/conference call set up by Sen. Heather Somers. Consultants working for Amtrak reported they had already sprayed on May 7-10 during dry weather but promised to provide more details on the methods and materials used.
- f) Discuss the results of the public hearing and the adoption of the Revised Information Package and Application form – SSC members were provided with correspondences related to issues raised at the public hearing (referenced above) and all had reviewed them prior to the meeting. The following issues were discussed:
 - Navigation – SCC agreed this issue was adequately addressed in the draft. In addition, federal (Army Corps of Engineers (ACOE)) and State (Department of Agriculture/Bureau of Aquaculture (DABA) and Department of Energy and Environmental Protection (DEEP)) address potential navigation issues associated with aquaculture projects. SCC will also seek input from Town Harbor Management Commission and Harbor Masters regarding potential navigation issues.
 - Monitoring – SCC feels regular shellfish warden patrols and required reporting by aquaculture licensees will provide adequate monitoring on ongoing projects. In addition, The DEEP's Environmental Conservation (EnCon) Police Officers monitor commercial aquaculture activities.
 - Define shellfish to include scallops – SCC determined this was not necessary as scallops are included in the definition of shellfish.
 - Possible conflicts with waterfowl hunting – No known instances of this type of conflict have occurred. David Carey's letter to SSC stated the draft aquaculture application minimizes the potential for conflicts between various users of coastal waters.
 - Expansion of cultured populations beyond license area – This has not been an issue historically.
 - Bonding – David Carey, DABA Director, stated in his letter that his department and ACOE have evaluated and determined not to require a performance bond for aquaculture activities at this time, however if the situation changes within industry and the need arises the requirement will be put in place. SSC agreed to take the same approach.
 - Environmental impact studies and invasive species – Based on correspondence from DABA and ACOE, a town requirement to conduct an independent EIS would be duplicative with state and federal requirements and would place an unnecessary financial burden on license seekers. David Carey, DABA Director, suggested that SSC allow DABA, DEEP, and ACOE address invasive species concerns as Federal policies and State policies and statutes specifically place these responsibilities on these agencies.
 - No appeals process – The guidance document has an appeal process under Section 4-183 of the Connecticut State Statutes.
- g) Review of finances; collections, bills, and remuneration – A motion to approve expenditure of \$1888.65 for shellfish boat expenses (Banister/Moore) was approved unanimously.

- 6) **New Business** – Mr. Murphy summarized a discussion he had with new SSC member Dan Barrett regarding shellfish area maps. Mr. Barrett provided maps used by the Greenwich CT Shellfish Commission, where he was a member previously.
- 7) **Adjournment** – A **motion** to adjourn (Moore/Banister) was approved unanimously and the meeting was adjourned at 7:50 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John T. Swenarton". The signature is written in a cursive, slightly slanted style.

John Swenarton
Secretary