

Orleans Shellfish and Waterways Improvement Advisory Committee

Minutes of the December 11, 2012 Meeting

Attendance: Richard Tyldesley (chair), Mark Matheson (vice chair), Paul Kelleher, Jack Moran, Judy Scanlon, Howard Steillen, Suzanne Phillips (clerk), Dawson Farber (harbormaster) and David Dunford (selectman).

1. Call to Order. The meeting was called to order at 7:02 p.m.

2. Minutes. The minutes were reviewed. A motion was made by Richard Tyldesley to accept the minutes; it was seconded by Judy Scanlon, and voted by all.

3. Introduction of New Member. Paul Kelleher, recently appointed to the committee, was introduced. He stated he grew up in Worcester, and has been coming to Orleans since the 1950's, both for summer vacations, and for fishing at Nauset Beach. He reported that his family bought a house in town about 15 years ago, and he moved here full-time 3 years ago. He's an enthusiastic fisherman and boat owner, and especially enjoys Pleasant Bay, and is very interested in preserving and protecting the waterways in town.

In answer to some questions he reported that his career was in education: he started out as a high school teacher, served as a middle school principal, and was superintendent of 3 different schools in New York City, and for the past 10 years he has been a teacher at Trinity University in San Antonio.

4. Harbormaster's Report.

Sharks. Dawson reported on the follow-up to the meeting with public safety officials from numerous Cape towns a few weeks ago (which he chaired), that they decided to take a regional approach and all lower Cape towns (except Eastham) got together to form a working group. They are in the process of responding to an RFP (request for proposals) which would provide money for public educational materials, improved communication, and continuing research which is spear-headed by the Division of Marine Fisheries (DMF). The grant is limited to towns. They have worked out a proposed budget of \$262,500 which would include signs and other educational materials, and the purchase and placement of additional receiver buoys (that can record the "pings" when a tagged shark passes nearby). Greg Skomal, the DMF shark expert and the person in charge of the tagging program, has stated that there aren't enough buoys along the backside, and also in Cape Cod Bay. The request also includes money for more tags and mechanical hardware needed to retrieve the information.

Shellfish Advisory Committee-12-11-12
Minutes, Page 2

The goals are to obtain and disseminate consistent and timely information to the member towns. For that reason, they intend to design materials that can be used in all the towns, and to closely cooperate and communicate with each other when there are shark sightings.

Several committee members asked questions about the distribution of the educational materials, how the research information will get to town public safety officials, plans for emergency responses, and whether the Coast Guard will be involved. Dawson reported that some of these details are still being worked out, as the immediate focus is on trying to secure the grant funds. He said he would take our suggestions into account; that all the public safety officials, including our fire department, beach patrol, etc. as well as the Mass. Environmental Police and rangers at the National Seashore are all working on the emergency response, and he will report back when plans are finalized.

The emergency response would be in the event of an attack; other protocols are being developed for shark sightings. He reported the National Seashore has already developed protocols, and it makes sense for the towns to use the same procedures.

Dawson was asked whether Orleans plans to have boat patrols on the backside. Dawson responded this is a difficult question, in that people can actually see sharks better from a higher vantage point than the deck of a boat, but using a plane could leave major gaps in time as it goes up and down the coast. Officials also want to be able to make sure the sighting is confirmed as a great white shark, as opposed to a basking shark, sunfish, etc. that would not harm anyone.

The discussion ended with possible litigation issues, and questions about what other communities, e.g. in South Africa and Australia, have done. Dawson reported that people have been in communication with other communities, and (of course!) there are lawyers looking at the liability issues. It was noted that the more the town does, it tends to promote the idea that the town is providing security, which it can't do. He also noted that the protocols developed by the Seashore involved extensive involvement of government attorneys.

After a lengthy discussion, it appears that the group is aware of all the issues and is preparing for all contingencies.

Other Business. Dawson reported that the routine business of the department continues as usual. The office continues to review dock permits, and mooring and shellfish permits renewals will be sent out shortly.

There was some discussion about moorings, and using conservation moorings. Dave Dunford reported on a study done by the Harbormaster's Association, which indicated that, because they are raised off the bottom and chains aren't scraping the bottom, they are better for the growth of eelgrass and benthic animals. The Board of Selectmen (BOS) has asked the harbormaster to come back with a proposal for using these moorings on a trial basis (without increasing the total number of moorings). He has started to review possible areas where their use could be advantageous. He has also been in touch with people at DMF who are researching eel grass.

Stripers. Mr. Farber also reported on the recommendations made to the BOS by members of the police, fire, and harbormaster's departments to mitigate the parking problems that were prevalent in town last year during the commercial striped bass season, especially in the vicinity of the River Road landing.

The are: 1) temporary parking prohibitions for public safety reasons, 2) increased fines for violations, and 3) towing of illegally parked vehicles as necessary. They also recommended the BOS consider off-site parking. The DMF has been consulted. It was noted that there would have to be public hearings in order to make any by-law changes. In the meantime, the town is seeking flexibility to deal with any issues in a timely fashion.

County Hatchery Proposal Update. David Dunford reported the BOS received a memo, and the majority of shellfish/waterways committees supported the concept. Barnstable and Bourne did not. He stated the key concern was the financial, and stated that the county has retained the services of a CPA to do a thorough financial analysis of the records of the past 5 years of ARC, and the report when it is completed will be made available to the towns.

5. Other Items/Adjournment. Due to the lateness of the hour, it was agreed to postpone the agenda item "brainstorming about projects". However, Dawson was asked if committee members could help with any projects. He was open to participation; details to be discussed at a later time. Judy Scanlon made the motion to adjourn; Paul Kelleher seconded; it was voted by all and the meeting concluded at 8:29 p.m.

Respectfully Submitted, Suzanne Phillips, Clerk

A handwritten signature in cursive script, reading "Suzanne Phillips". The signature is written in dark ink and is positioned below the typed name and title.