



**Waterford-East Lyme Shellfish Commission**

Meeting Minutes

Thursday, August 17, 2017

East Lyme Town Hall, 7:35 pm



Members present: Peter Harris, Larry Tytla, Paul Spakowski, J. Patrick Kelly, Tom Bowlen, Rich Miller and Fred Grimsey

Absent: Eric Kanter

Guests: Lou Bull, Tim Londregan, Robin Lineberger, Robert Dutton, Peter Green, Fran Violante, Gary Smith, Doug Steers, Alan Jakes and Mike O'Connor

- 1) The meeting was called to order at 7:35 pm after a quorum established.
- 2) The minutes of the July meeting were reviewed. The minutes were accepted on a motion by L. Tytla, seconded by P. Kelly; all in favor, motion passed.
- 3) The Treasurer's report for July was presented including the financials and bank reconciliation. The Treasurer's report was accepted on a motion by R. Miller, seconded by L. Tytla; all in favor; motion passed. P. Kelly received the engagement letter from James Baude CPA to perform the annual audit; the fee increased to \$2400.00 this year.
- 4) Chief Warden's Report- In the absence of Chief Chmiel he emailed his report to P. Harris-
  - The clamming is holding up well except Sandy Point which has been over harvested.
  - Jordan Cove is poor with very little product.
  - Chief is working with Alissa from DA/BA to open Area C-which encompasses the flats east and north of Waterford Island. D. Lawson has concerns as the area would only be accessible by boat.
  - J. Markow has been unable to supply stock for Area B; this lack of product has caused the problems for Waterford.
  - All required sampling is up to date.
  - The boat is due for an oil change in the near future.
  - Clammers are not finding many scallops; but a lot of very small clams are being reported.
- 5) Old Business-
  - a) The Town of East Lyme's website has been updated with WELSCO pertinent information.
- 6) New Business- None
- 7) Correspondence-

P. Harris received an email from the DA/BA stating the lab staffing shortages continue and statewide shellfish area water sampling processes will be affected; perhaps causing delays in opening of clamming areas.
- 8) Ex Officio Comments- None
- 9) Public Input -

**FILED**

*Aug 21 2017 AT 10:40 AM PM*  
*Karen Hulko, ATC*  
**EAST LYME TOWN CLERK**

Robin Lineberger, 20 Niantic River Road, Waterford voiced concerns regarding the Army Corp. of Engineers public notice received for the Niantic Bay Shellfish Farm project. He is very supportive of

recreational and commercial shellfishing but has concerns regarding the structure of the fishery. He stated he was also speaking on behalf many other residents and business owners;

- Public health and safety issue with small crafts
- Lack of a Disaster Recovery Plan
- Loss of public use of the area
- Construction of structure –zoning requirements
- Obstruction of public accessibility
- Liability issues and impact on Town's and taxpayers
- Inclement weather effects on structure
- Experimental plans feasibility-who determines; deconstruction plan
- Economic impact with regard to local businesses
- Aesthetics of structure (racks visibility) and any unsightly odors from exposure
- Possibility of drawing undesirable wildlife
- A disconnect with the plan's mechanics
- Effect on the public image

Robert Dutton, 64 Niantic River Road, Waterford; concerns regarding the Public Notice;

- Structure of cages- safely secured
- Cages float-being kept 18' off bottom of river
- Original plan for cultivating oysters; now includes clams; will this change in the future
- Large acreage would be used; shortness of already short clamming season
- The detrimental effect this project would have on fish
- Public was never notified about Niantic Bay Shellfish Farm (NBSF) experimental plan

Peter Green, 28 Niantic River Road, Waterford; concerns regarding the Public Notice;

- Exhaustive study done as stated in the public notice-there is no documentation
- Use of such a large acreage taking away public's accessibility is inappropriate

Fran Violante, 22 Niantic River Road, Waterford; concerns regarding the Public Notice;

- Ecosystem concerns-fewer waterfowl and shellfish
- Water quality affected- waste and residue- swimming concerns
- Closures due to public safety affecting the commercial project
- Quality of life on the river

Gary Smith, 1 First Street, Mago Point; concerns regarding the Public Notice;

- DEEP signed attachment D - WELSCO has already approved
- Polluted areas in North river –are they cleaned up
- 2014 report on bacteria in estuaries –what has been done to improve water quality
- Acidification concerns

P. Harris responded that WELSCO approved the project but no lease has been signed no money has been exchanged. P. Kelly responded and explained WELSCO is state chartered and the historical facts as WELSCO is not a Town agency; WELSCO Aquaculture Shellfish Plan in 2002 as required by Department of Agriculture/Bureau of Aquaculture (DA/BA) for all shellfish commissions- WELSCO revised the plan in 2016; J. Markow currently has an oyster project in the River along the sandbar and Capt. John Wadsworth's prior clam projects. This project with NBSF falls under new guidelines and processes. He explained both Town's have committees for water quality; WELSCO is required to secure water and meat samples per the DA/BA guidelines. Noank Shellfish Co-op sample delivery to DA/BA lab; spawning of the Oysters is beneficial to the River. R. Miller spoke of his involvement with projects in prior years with Captain John Wadsworth. He also explained that NBSF is only using acreage portions as they are approved by WELSCO-not the entire area at this time. Areas that were polluted in North river in 2014 were cleaned up but the process is ongoing. P. Harris stated there is no shellfishing when

bacteria levels and sample are bad. The NBSF must adhere to the same process. F. Grimsey reviewed his water quality concerns and his involvement in Save the River, Save the Hill. He is on new committee called the Unified Water Study and will provide results within next few weeks. Most of pollution in the river in the watershed is from runoff. The Federal EPA has a new law in affect with regard to leaching fields and wells –considered pollution-must be regulated and within 2 to 3 years septic tanks must be pumped out periodically. NBSF will have to report with DA/BA, Army Corp of Engineers, DEEP and WELSCO as required. L. Tytla explained all issues mentioned have been part of ongoing discussions for almost two years and WELSCO has assessed and determined he is competent. T. Londregan of NBSF explained his qualifications and running or working at hatcheries. He does not have a marine biologist degree. He further explained how the process works and addressed the acidity concern.

Doug Steers, 6 Bayside Ave, Waterford; concerns regarding the Public Notice;

- Feasibility study
- Logical area for scallop growth
- Length of lease/time frame
- Approval from Town Zoning Commission
- Evaluations and environmental study
- Eel grass effects on scallop larvae
- Design method of structure and stability

P. Harris explained WELSCO did complete a review of NBSF plan and agreed to a one year experimental project. No lease has been signed. WELSCO has the control to cancel. T. Londregan addressed the scallop growth and zoning question.

Alan Jakes of Mago Point, Waterford noted many years ago he had a hatchery in the river that produced well and he believes the NBSF project is very beneficial. He is not concerned with it being disastrous.

Robin Lineberger requested copy of the plan. P. Harris commented on the plan with NBSF. P. Kelly noted T. Londregan will provide copies to interested parties.

Mike O'Connor, 8 Sandpiper Lane, East Lyme. He has a marine biology degree and is a teacher in Waterford; he believes the NBSF project will be beneficial. He inquired about any projects WELSCO may have in the future to consider contacting him for student involvement.

P. Harris reviewed the NBSF plans and the improvement and benefits to the River. R. Miller suggested anyone with concerns about the public notice should contact DEEP. He further comments on the exhaustive process regarding the NBSF proposal and concerns he had before he voted to approve.

T. Londregan explained the public notices were posted in the newspaper twice, he has spoken with First Selectman Dan Steward of Waterford earlier this year and had attended a Waterford Harbor Management meeting. He detailed the hatchery process and requirements leading to the motor on the barge in the river and the application process he has followed to include, Town's, DEEP, DA/BA, Army Corp of Engineers and local shellfish commissions.

10) The meeting was adjourned at 9:35 pm on a motion by P. Spakowski.

Respectfully submitted,

Amy Tinker  
Secretary

