



**Waterford-East Lyme Shellfish Commission
Special Meeting Minutes**



WELSCO-WHMC Joint Meeting
Thursday July 26, 2018, 7:30 pm
East Lyme Town Hall, Meeting Room

Present: Chair Peter Harris, Pat Kelly, Larry Tytla, Tom Bowlen, Rick Kanter
Elizabeth Gelinas, Paul Spakowski and Fred Grimsey

Guests: WHMC- Chair Jane Adams, Robert DeRosa, Robert Dutton, Philip Fine, James
Hamsher, Eva Bunnell, Brian Lynch, Greg Crocker, and Fred Wise

- 1) The joint meeting with was called to order at 7:30 p.m. and a quorum established.

Chair Harris welcomed the Waterford Harbor Management Commission. Ms. Adams, Chair (WHMC) thanked WELSCO for the meeting and summarized the letter from the WHMC addressing the consistency of the Draft revised WELSCO Policy Statement with the Waterford Harbor Management Plan (WHMP) as well as a recent addendum and noting the points of concern with commercial aquaculture structures and gear being problematic, presenting safety hazards and limiting public access. The WHMC is not opposed to aquaculture but cannot overlook the issues that can accompany structures and gear. The Revised WELSCO Policy Statement contains few qualifying criteria, and the WHMC has provided to WELSCO a draft of factors for consideration for commercial aquaculture in the Waterford harbor.

- 2) Discussion of proposed amendments to the WELSCO 2002 Aquaculture Policy Statement, Waterford Harbor Management Plan and WHMC document- Factors for consideration of Commercial Aquaculture Applications.

Mr. Tytla stated Commercial shellfish leases are part of the State Statute and are included as important factors of the WHMP.

Chair Adams stated commercial shellfish leases are not in the Waterford area of the Niantic River but in Waterford Waters; the WHMP was not deemed inadequate by the State.

Mr. Kelly discussed NOAA benefits of aquaculture; the activity of a commercial operation would not be degrading and shared handouts covering an overview of the NOAA program. He reviewed benefits of commercial aquaculture and to the ecosystem. In a second handout the DA/BA noted there are improvements to the river.

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July 31 2018 AT 8:30 AM PM

EAST LYME TOWN CLERK

Mr. Tytla shared observations of viewing aquaculture projects in other states or regions with regard to water quality and benefits of lessening nitrogen levels. He noted concern with many docks and pilings in the river.

Mr. Kanter reviewed differences between fin fish aquaculture and shellfishing aquaculture; shellfishing promotes cleaner waters.

Mr. Wise inquired about Oyster aquaculture projects without gear and discussed the driveway runoff into waterways.

Mr. Kanter reviewed the runoff issues noting many of it comes from lawns as well.

Mr. Kelly noted the high cost of Town's to filter runoff. He stated nutrient loading is highest after heavy rains.

Mr. Wise suggested considering locating oyster projects near drains to disperse the effects of runoff.

Chair Harris reviewed WELSCO protocol for commercial leases noting some of the criteria in the draft factors for commercial aquaculture submitted by the WHMC are under other agency's jurisdiction, e.g., DEEP, DA/BA or the Army Corps. There can be detrimental effect on aquatic vegetation or shellfish beds from moorings and barges. He discussed Type I and Type II aquaculture projects approved by WELSCO in prior years.

Mr. Kanter discussed competing uses in the river and a past scallop project's benefits.

Ms. Bunnell has researched on behalf of the WHMC into the standards to evaluate and measure an aquaculture project. She stated that in her research studies indicated that when a commercial aquaculture project goes bad, it goes bad quickly. She also noted that while other state and federal agencies have their standards, a local lens is important.

Mr. Kanter stated gear is removable in the instance where a project fails and DEEP requires any commercial aquaculture project be marked with red/white Buoys.

Chair Harris stated the DA/BA and DEEP review all commercial aquaculture projects.

Mr. Tytla noted some requirements on commercial aquaculture are not in the WELSCO Policy Statement but are handled by other agencies with the expertise - DEEP and ACOE.

Mr. Kelly stated DA/BA and FDA involvement and requirements of meat and water sample compliance.

Mr. Hamsher inquired on authority for renewal of a project after 2 year experimental lease expires and who would be responsible to remove gear if something goes wrong. He noted safety issues and the importance of how the area is clearly marked out.

Chair Harris stated WELSCO has authority to renew. The removal would be outlined in a contract and the responsibility of lessee.

Mr. DeRosa reviewed a conversation he had with a manufacturer of the Seapa bags used by oyster farms and identified the seriousness of the hazards with cables and cages also noting the types of materials used in their construction. He expressed safety concerns posed by these structures to the intense recreational usage of that part of the river, particularly by water skiers and tubers.

Mr. Tytla stated that moorings in the river presented similar concerns.

Mr. Dutton stated that he had requested previously that WELSCO provide the latest eel grass study-which he has not received. He is concerned with the amount of acreage in the river that would be used for a commercial aquaculture project-noting a lease could have a project in both Waterford and EL Waters. He observed that referring to the filtration capabilities of mature oysters was misleading in that immature oysters can filter less than 5% of that. He commented that Area 5 would close off a recreational shellfishing area to the public and reiterated that cages/gear present a safety issue.

Chair Harris noted DEEP has jurisdiction on eel grass studies.

Mr. Kanter stated studies on eel grass and maps are available on the DA/BA website.

Mr. Grimsey noted his involvement in Save the River, Save the Hills project which is working with the CT Fund for the Environment on the Unified Water study whose goal is to improve the Niantic River water quality; information can be found on the internet under CT Fund for the Environment.

Mr. Wise is concerned Niantic River is not the place for commercial aquaculture but for recreational aquaculture as clams clean the river. He stated the damaging effects of the gear and cages and that a project would benefit one person. He suggested focusing on the Golden Spur area of the Niantic River but without cages.

Ms. Bunnell inquired on the reasoning of WELSCO area 7 creation and for rejecting the other 6 WELSCO areas in the river.

Mr. Kelly explained WELSCO found Area 7 would be better for commercial projects as the area was the least used for recreational activity.

Chair Adams stated that without evidence to ensure no detrimental environmental effects from commercial aquaculture, the WHMC would not be able to find the Revised WELSCO Policy Statement consistent with the mandates of the WHMP.

Mr. Wise inquired on the experimental expectation and the intent of WELSCO.

Chair Harris explained the language and that “experimental” could be changed. He noted the specific agencies (i.e. DA/BA) are required to perform studies; WELSCO would not spend money for the same studies to be duplicated.

Mr. Kelly noted public access is by boat only in Area 5; Attorney Avena would be responsible for reviewing contracts and potentially WHMC could also review those contracts.

Chair Adams stated that Area 5 is in an “open water” area of WHMP’s Water Use Plan and the WHMP states that the area should be preserved for navigation, natural resources, and public recreational purposes.

Mr. Kanter stated moorings in shellfish areas are discussed in the WHMP and new moorings require WELSCO approval; Helix anchors are secure and not detrimental vs mushroom anchors.

Chair Harris noted a draft would be compiled based on the joint meeting comments and forwarded to the WHMC.

3) The meeting adjourned at 9:00 pm on a motion by Mr. Spakowski, seconded by Mr. Tytla.

Respectfully submitted,

Amy Tinker
Secretary