



Mass Shellfish <massshellfishinitiative@gmail.com>

Public Comment on MSI Strategic Plan

2 messages

Kristin Uiterwyk <Kristin.Uiterwyk@umb.edu>

Thu, Feb 18, 2021 at 11:29 PM

To: "MassShellfishInitiative@gmail.com" <MassShellfishInitiative@gmail.com>

Hi, Dan – I gave the MSI strategic plan a quick look to see what types of action items were included. It's really well done and ambitious, with several great action items that will benefit the industry.

Here are some really quick additional thoughts to consider:

- Goal 1.1. – we've heard in some communities a need to have shellfish information translated into other languages – especially related to safety concerns. I'm sure this is on your radar, but perhaps it's worth mentioning somewhere specifically?
- Goal 1.2 – perhaps the state could conduct an analysis of the direct and indirect economic value of shellfish. This would dovetail nicely with the Port Profiles project in terms of providing data to back decisions. If this wasn't done state-wide, perhaps the state could fund a program for municipalities to do the work themselves. NOAA's ENOW program has some great tools that could help.
- Goal 2.3 – UMass Boston is working on further developing its aquaculture courses and those might be able to help fill some of the training/educational gaps you've identified. Let me know if you'd like me to connect you with Jen Bender or Bob Chen who are leading the development of this program.
- I'm not sure if you considered adding anything about climate change – which will impact access points, habitat, and shellfish biology, among other things? I got the sense it was implied in some of the recommendations but only saw it specifically mentioned once.
- Similar to climate change, I know microplastics are implied in some of the elements of the plan, but it isn't specifically mentioned. Given that increasing attention is being paid to the potential impacts microplastics have on shellfish, perhaps it's worth mentioning in some of the water quality language?

Again, great job on this!

Please let me know if you have any questions about any of my comments.

Take care,

Kristin

Kristin E. Uiterwyk

Director | Urban Harbors Institute

University of Massachusetts Boston | 100 Morrissey Blvd. | Boston, MA 02125

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URBAN HARBORS INSTITUTE
UNIVERSITY OF MASSACHUSETTS BOSTON

Mass Shellfish <massshellfishinitiative@gmail.com>
To: Kristin Uiterwyk <Kristin.Uiterwyk@umb.edu>

Mon, Feb 22, 2021 at 1:45 PM

Hi Kristen,
Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group

[Quoted text hidden]



Mass Shellfish <massshellfishinitiative@gmail.com>

The indiscriminate way you dredge for quahog in the Taunton river.

3 messages

Steven Desrosiers <steven.desrosiers1@gmail.com>
To: MassShellfishInitiative@gmail.com

Sun, Feb 14, 2021 at 7:37 AM

Dear sirs; I would like to know how many rivers in ma. You allow this practice to take place. Between April to Oct. Very loud boats spewing diesel exhaust dredge the Taunton River for quahogs . They start at 630 am making a racket . But the environmental damage is what worries me. It must be devastating to everything else that lives on or in the bottom. I don't see how destroying a river bottom is good shellfish policy. Please reply. Thank you Steve Desrosiers

Mass Shellfish <massshellfishinitiative@gmail.com>
To: Steven Desrosiers <steven.desrosiers1@gmail.com>
Cc: jared.silva@state.ma.us

Mon, Feb 15, 2021 at 11:37 AM

Hi Steve,
Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.
I am including Jared Silva from Mass Division of Marine Fisheries on this reply, as they can answer your questions as to how many rivers have quahog dredging and the research on environmental impacts.

Thanks,
MSI Strategic Plan Work Group
[Quoted text hidden]

Steven Desrosiers <steven.desrosiers1@gmail.com>
To: Mass Shellfish <MassShellfishInitiative@gmail.com>

Tue, Feb 16, 2021 at 9:21 AM

Thank you for your response I look forward to learning more about this.
[Quoted text hidden]

To Director Dan McKiernan

As a fisherman for the past 40 years I see a couple of missed opportunities in the Buzzards Bay, Rhode Island Sound area in the shellfish fisheries. First would be the area from Penikese Island to Weepecket Island on the south side of Buzzards Bay. A large amount of quahogs is underutilized or not fished at all that could be opened to dredge boats by special permit. Also the surf clam population off Horseneck Beach in Westport, which I believe to be a different clam from the rest of the state waters as it grows at a very slow rate and has a much smaller yield per bushel, could be harvested at 4 inches instead of 5 inches, if the limit were set to 200 to 400 bushel per week per boat.

Thank You for your time
Kevin Mello
F/V Ocean Hunter
Oceanhunter@charter.net
508-496-5626



Public Comment on MSI Strategic Plan

2 messages

David Duncan Dow <ddow420@comcast.net>
To: MassShellfishInitiative@gmail.com
Cc: David Duncan Dow <ddow420@comcast.net>

Fri, Feb 12, 2021 at 9:03 PM

I am a retired marine scientist from the Fisheries Lab in Woods Hole, Ma. and a grassroots environmental activist living on Cape Cod. I served on the Habitat Plan Development Team for the New England Fishery Management Council and served as Recreational Fisheries Coordinator in the Northeast for a number of years. In 2018 NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO) released Omnibus Habitat Amendment 2 which identified Essential Fish Habitat for 27 managed finfish and shellfish species in state (0-3 miles) and Federal jurisdictional (3-200 miles) jurisdictional waters. Inshore EFH included seagrass beds; oyster reefs; salt marshes etc.

I participated in the EPA-lead Waquoit Bay Watershed Ecological Risk Assessment project which found that nutrients ("Nitrogen" in Waquoit Bay and "Phosphorus" in Ashumet Pond were the major human stressors in this watershed). This study linked excess "N" loading from human activities in the watershed with the loss of eelgrass beds and collapse of bay scallop harvests. UMASS-Dartmouth developed models of "N" loading from septic systems to establish "N" loading reduction targets for Town or Water/Wastewater District Targeted and Comprehensive Wastewater Management Plans. Falmouth has 14 "N" sensitive watersheds with the sewerage of the Little Pond Watershed funded by a \$ 50 million grant and costs to the homeowners for closing their septic systems and re-routing their black/grey water pipelines to the streets in front of their homes. There were also betterment fees associated with installing the sewer lines which were shared by the other town homeowners. This expensive wastewater reduction challenge will cost billions of dollars over the next 20-30 years for the 15 Towns on Cape Cod.

The inshore shellfish populations are threatened by Summer hypoxia from excess "N" loading; increased ocean acidity and warming waters as a result of climate disruption; bioaccumulation of toxic contaminants of emerging concern (check out Pat Elder's PFAS monitoring in Chesapeake Bay); salt marsh erosion from Relative Sea Level Rise; migration of fish species and their prey in space and time (Summer flounder; Black Sea bass; Mid-Atlantic forage fish moving into Nantucket Sound & lobsters and Winter flounder migrating into the Gulf of Maine or further offshore into the deeper ocean).

The NOAA Fisheries 2020 Status of the Ecosystems reports for the Mid-Atlantic and New England regions describes these changes in more detail and analyzes the consequences for managed finfish & shellfish species. As the microbial loop become more important component at the base of the marine food chain, it will diminish the yield of shellfish species and lead to more toxic algal blooms which pose health threats to sensitive populations (kids; women of child bearing age; oldsters and folks with pre-existing health conditions).

Shellfish aquaculture might be negatively impacted by an increase in fouling organisms that accumulate on offshore wind farm structures in Nantucket Sound. I conducted my Ph.D. research at the University of Georgia's Marine Institute at Sapelo Island on the fouling organisms associated with oyster raft aquaculture. Oyster aquaculture is being considered in Mashpee as a component of their town's TWMP/CWMP for the Waquoit Bay watershed. These oyster aquaculture fouling communities often include invasive species which can move into natural benthic and epibenthic communities. This can effect the EFH of the inshore shellfish species for which the MSI Strategic Plan is designed.

In browsing through the Scoping and Assessment reports, it is not obvious to me that these habitat change and environmental stressor effects have been given enough consideration. The Northeast Continental Shelf Ecosystem conceptual model which underlies Federal efforts to manage Living Marine/Protected/Natural Trust Resources assumes that the ocean ecosystem has linear interactions which can be easily modeled and the system is at equilibrium/will return to a steady state after being stressed. As Michael Asaro (Ecological Economist at NOAA Fisheries) points out, we face a

non-linear complex system which is not at equilibrium which will effect how Marine Policy is developed. One proposed solution is adaptive, ecosystem based management (A, EbM) which is in the strategic plans for the Mid-Atlantic and New England Fishery Management Councils. Drs. Jason Link and Michael Fogarty can provide more information on A,EbM management options if such expertise doesn't exist within the Massa. Division of Marine Fisheries. I have been retired since 2009, so that I am behind on what types of expertise exists with the FTE/contractor workforce.

The Sierra Club has a Sustainable Fisheries Policy and numerous articles have appeared in the scientific literature on how to combine natural; socioeconomic, and political sciences with constituent outreach to move towards sustainable fishing in the Post-COVID-19 Pandemic world. It appears that the MSI process may have already done part of this educational and constituent outreach work. The Northeast Fisheries Science Center had an Ecosystem Status Working Group which converted science and monitoring data into information products accessible to diverse users (politicians; regulators and policy makers; fishermen/women; ENGOs; scientists and the concerned public like myself). In my experience as the former Recreational Fisheries Coordinator in the Northeast listening to constituents stories is more effective than public hearings with 3 minutes to give verbal testimony or submission of written comments from experts or policy wonks like myself. Also considering shifts in natural history of shellfish species can augment sophisticated models in developing the MSI Strategic Plan. The natural history shifts from climate change have been profound in Cape Cod Bay and the wider Gulf of Maine.

I wish you good luck in this endeavor and hope that some of my comments might be useful in developing the MSI Strategic Plan.

Dr. David Dow
East Falmouth, Ma.

Mass Shellfish <massshellfishinitiative@gmail.com>
To: David Duncan Dow <ddow420@comcast.net>

Mon, Feb 15, 2021 at 11:46 AM

Dear Dr. Dow,
Thank you for your input and comprehensive recommendations. It will be shared with the MSI Task Force and will absolutely be taken into consideration as we finalize the strategic plan. We may be in touch with follow up questions in the coming weeks.

Thanks,
MSI Strategic Plan Work Group

[Quoted text hidden]



Mass Shellfish <massshellfishinitiative@gmail.com>

clam digging for bait.

2 messages

BARRY DREW <barrydrew@comcast.net>

Sat, Feb 13, 2021 at 8:01 AM

To: "MassShellfishInitiative@gmail.com" <MassShellfishInitiative@gmail.com>

free bait licenses to any senior citizen who wants one, in any town.

Mass Shellfish <massshellfishinitiative@gmail.com>

Mon, Feb 15, 2021 at 11:46 AM

To: BARRY DREW <barrydrew@comcast.net>

Hi Barry,

Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group

[Quoted text hidden]



Mass Shellfish <massshellfishinitiative@gmail.com>

mass shellfish initiative comments

2 messages

Mark Mattson <mark.d.mattson@gmail.com>
To: MassShellfishInitiative@gmail.com

Fri, Feb 12, 2021 at 7:45 PM

Lots of verbiage and gobbledegook in there. The only thing I can say is we need more resources to manage shellfish. I think I have been harvesting for 10 years and I have only seen an enforcement officer once in my life. It's the wild west out there in the remote areas of Martha's Vineyard.

Mass Shellfish <massshellfishinitiative@gmail.com>
To: Mark Mattson <mark.d.mattson@gmail.com>

Mon, Feb 15, 2021 at 11:48 AM

Hi Mark,

Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group
[Quoted text hidden]



Mass Shellfish <massshellfishinitiative@gmail.com>

Seals

2 messages

David Terrill <zam057@yahoo.com>
To: MassShellfishInitiative@gmail.com

Fri, Feb 12, 2021 at 7:33 PM

The Seal over population problem has decimated fish populations to the point where ocean birds are now seeking freshwater ponds for food.

Sent from my iPhone

Mass Shellfish <massshellfishinitiative@gmail.com>
To: David Terrill <zam057@yahoo.com>

Mon, Feb 15, 2021 at 11:49 AM

Hi David,
Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group
[Quoted text hidden]



Public Comment on MSI Strategic Plan

2 messages

Dave Baker <DBaker@rkcenters.com>

Mon, Feb 15, 2021 at 2:23 PM

To: "MassShellfishInitiative@gmail.com" <MassShellfishInitiative@gmail.com>

Please include my comments in the public record:

As a Massachusetts resident, I offer the following comments in an effort to:

1. Build public support for shellfish fisheries in our near shore shellfish resources.
2. Better manage industry resources.
3. Support and promote balanced, sustainable economic opportunity for shellfish.
4. Ensure ecologically sound management and enhancement of shellfish resources in coastal ecosystems.
5. Foster communication among many stakeholders of near shore shellfish resources.

Goal 1.2: Increase Public Support and awareness around the economic and ecological value of shellfish resources and shellfisheries:

Goal 3.2: Improve and refine existing state management strategies that increase sustainable economic opportunities around shellfish resources and shellfisheries, while balancing shellfish sanitation concerns:

Goal 4.1: Supporting and promoting cultural and historical uses of shellfish.

Goal 5.2: Greater support for shellfish and coastal restoration efforts by developing minimum standards and further best practice guidance, revising restrictions on restoration activities in contaminated waters, and a requirement that restoration efforts demonstrate balance between shellfish fisheries interests and public health.

Goal 6.1: Foster communication and coordination between community groups, local, state and federal managers and developing improved guidance.

The Legislative and Executive Branch agencies should develop new funding by the Commonwealth aimed at supporting and prioritizing projects focused on: Educating the public on how coastal pollutions, or other activities that adversely impact shellfish resources:

Comments: The Commonwealth's agencies should strive to limit all "Point and Non-Point" sources of pollution impacting coastal ecosystems and shellfish resources. One very manageable existing source of pollution in the coastal ecosystem is the use of four wheel drive vehicles and other motorized equipment

used to traverse the inter-tidal area, to service shellfish resource areas by multiple license holders. The other is the increasing use of floating aquaculture gear (barges), left anchored in one position for long periods of time.

Multiple trucks entering from a concentrated point of public access (driving thru an opening in the upland barrier dune); then traversing across the intertidal zone, to reach individual grant areas (sometimes twice a day due to tide cycles); brings an identified pollution source (motorized vehicles), directly onto the shellfish resource area(s). The Commonwealth's agencies should work with the shellfish industry to explore ways to restrict and ultimately eliminate this known source of pollution. Efforts to identify other means and methods to service shellfish areas, while seeking to reduce the introduction of pollutants onto these sensitive resource area, should be explored as a priority. Reducing the "parking lot" of trucks on the tidal flats at low tide, would increase public support among those who generally supportive of the shellfish industry, but who are very concerned about the ecological impacts of farming operations and its related equipment, operating daily in the coastal ecosystem.

The same pollution concern and user conflict can be said about floating aquaculture gear that is left anchored in position for extended periods of time, or for the entire season. These structures attract and concentrate bird droppings and create a floating, "parking lot" effect. The same coastal ecosystem that is critical for a healthy shellfish industry is a draw for Tourism and Recreation, which brings in substantial revenues to local communities and the Commonwealth. Just as the shellfish industry has concerns that large areas of ground could be lost to pollution (water quality issues); traditional Tourism and Recreational uses are being displaced by these floating aquaculture structures, moored along multiple grant areas.

The agencies of the Commonwealth should explore rules and regulations for surface gear so that it is not contributing to pollution of the water quality, and it does not impair freedom of navigation. Sensible rules and balance among the various users of the coastal ecosystem (at both high and low tide) will increase the public's support of the benefit of a healthy and dynamic shellfish industry.

Thank you.

Mass Shellfish <massshellfishinitiative@gmail.com>
To: Dave Baker <DBaker@rkcenters.com>

Tue, Feb 16, 2021 at 10:00 AM

Hi Dave,
Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group

[Quoted text hidden]



Mass Shellfish <massshellfishinitiative@gmail.com>

MSI input

2 messages

G BESSE <mbesse2@verizon.net>
To: massshellfishinitiative@gmail.com

Mon, Feb 15, 2021 at 2:28 PM

Good afternoon Dan:

just got done reading the WSI report, not sure I digested all of it. Wanted to let you know that I still believe that it would be a big help to the small growers to be able to sell direct to customers.

In this economy it is important to sell all that you can at the best price that you can without being held back by you buyers ability to sell in a weak market.

Good luck with this

G. Michael Besse

Mass Shellfish <massshellfishinitiative@gmail.com>
To: G BESSE <mbesse2@verizon.net>

Tue, Feb 16, 2021 at 10:09 AM

Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group

[Quoted text hidden]

Public Comment on the MSI Strategic Plan

From: Roxanna Smolowitz, DVM, Associate Professor and Director, Aquatic Diagnostic Laboratory at Roger Williams University, Bristol, RI; Director, Coonamessett Farm Foundation, East Falmouth, MA and resident of MA.

I am a veterinarian trained in pathology with over 36 years of aquatic disease specialization. Most of that time has been oriented towards the diagnosis and research of bivalve diseases. I have worked in and/or directed three different diagnostic laboratories over these 30 + years.

Over all this document reflects considerable thought and planning and I applaud its development. I do however have comments to make concerning Objective Category 2: Management, research, and industry development.

Specifically, my concerns center around the goal 2.1 strategy which states: "Increase the capacity of in-state laboratories for classification, biotoxin, pathogen testing and shellfish disease monitoring to meet increased mandates, address emerging pathogens and track shellfish disease levels and occurrence" and the proposed actions to fulfill this strategy.

The goals in this plan should recognize that diagnostic laboratories are not limited by state borders. In fact, most veterinary diagnostic laboratories service farms and institutions in multiple states. This is less prevalent but still commonly occurs in human medicine. There are many reasons for this.

A. Establishing a diagnostic lab is expensive. Centrally located laboratories offering services to people in multiple states is economical! Having established such laboratories, and because I am currently running such a laboratory, I would suggest you need approximately \$500,000 for the lab instruments and one year of supplies, a dedicated sanitary building with at least 3 large, clean laboratory rooms with hoods, offices, computers, a trained experienced aquatic veterinary pathologist (>\$100,000/year) as well as at least 2 full-time molecular staff positions (>\$55,000/year each). That does not include the costs of processing animal's tissues to be examined histologically (right now the cheapest price is about \$13/slide). There are currently 4 bivalve diagnostic laboratories on the east coast (Maine, RI, Maryland, Virginia). Increasing the case load at these is more effective and economically efficient than starting a new lab.

B. Staffing with aquatic veterinarians and technicians with experience and training is needed. While people can learn over time, the best scenario is to have people with experience that can offer the diagnostic services. As with most medical positions, the long-term experience makes for better diagnosticians and doctors who understand diseases thoroughly. Thus, the more experience the diagnosticians have (i.e. the increased familiarity with various diseases through experience as well as learning), the better they are. Additionally these people become a resource to for others. Personally, I have spent several hours on phone calls explaining diseases of bivalves to state marine fisheries representatives, culturists and extension agents; which is appropriate to do. Importantly, just identifying that a current laboratory, university or other has the ability to do some, or all, of the work does not result in providing good data, interpretation of results or information to culturists, regulators and extension.

C. Maybe you are looking for someone who can work with the diagnostic laboratories and the stakeholders to help interpret findings, as well as be the first person the culturist contacts for help when

needed. I have worked closely with Cape Cod Cooperative Extension over a couple of decades now. They know the culturists and can visit the farms to help determine what is happening in the farm/bay that might be a problem that results in morbidity or mortality. They work with the laboratory to identify samples that need a diagnostic work up as well as provide that information back to the farms and to others in the state. That model works wonderfully and could be expanded into other areas of MA -- I have advocated that as a model in other states! So maybe you need to expand communication (one of your other goals) and provide more money to allow for increased interaction between your extension agents and culturists and laboratories, and for funds for extension agents to pay for more water monitoring equipment and to be able to submit samples to diagnostic laboratories, rather than building a new laboratory?

D. Research often does develop from finding problems uncovered during diagnostic monitoring (not so different from human medicine). Funding research at different institutions to study problems is good but should not be confused with conducting good diagnostic work. They are two different goals! The document does confuse these two goals by loosely equating one with the other.

E. Finally, separating the diagnostic lab, and results identified, from political oversight is important. Diagnostic laboratories need to be independent of politics. Data provided by diagnostic labs are often not what others want to hear. Thus, a state funded laboratory can easily become a political arm.



Mass Shellfish <massshellfishinitiative@gmail.com>

(no subject)

2 messages

A B <vicfishab@hotmail.com>

Fri, Feb 26, 2021 at 3:06 PM

To: "MassShellfishInitiative@gmail.com" <MassShellfishInitiative@gmail.com>

As a shellfish grower for 31+ yrs here in Provincetown I am very confused on the purpose of the MSI program/intititative or what ever you call it. It seems to me that this is making it more complicated than it has to be. I can not believe that I am the only one that feels this way. I follow the rules set for to me by DMF and follow them to the best of my ability. During this COVID 19 time I/we do not need another layer piled on top of us at this time. Very bad timing. Again this is my opinion.

Thank You

Alex Brown

Victory Fisheries

Mass Shellfish <massshellfishinitiative@gmail.com>

Thu, Mar 4, 2021 at 10:58 AM

To: A B <vicfishab@hotmail.com>

Hi Alex,

Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,

MSI Strategic Plan Work Group

[Quoted text hidden]



Public Comment Submission

2 messages

Scott Schaffer <scottaschafferii@gmail.com>
To: MassShellfishInitiative@gmail.com

Sat, Feb 27, 2021 at 11:56 AM

Attn: MSI Chairman Daniel McKiernan

Re: MSI Strategic Plan 2021-2025 Public Comments

Overall, the framework provided is extremely comprehensive. I am pleased to see that the MSI task force is allowing for public input on the management of Massachusetts shellfish stock, as the current policies are quite opaque to the public eye. I have lived in Falmouth and now in Wareham and do not see consistency between the two towns as far as management strategies go. I would like to see a greater shift of power from the State to the Town for the management of shellfish stock to address this issue.

The town of Wareham has over 50 miles of Buzzards Bay coastline, most of which is ideal habitat for shellfish. The town released a map in January 2021 that displays the different management areas, closures and open access areas. At first glance, you would think that this map is based off of the town's current knowledge of its shellfish stock, backed by stock assessments and science. But in a response to an inquiry about science and assessments about shellfish, Wareham composedly replied that there were no surveys to support shellfish stock assessment. They did however disclose that rainfall management areas are determined by the Division of Marine Fisheries, and that the only data related to the town's shellfish is the landing reports from commercial harvesters in Wareham to the Division of Marine Fisheries. The remaining management areas were said to be determined by historical use of an area. In the case of Long Beach management area, the three-day open four-day closure policy in place to simply curb the rate in which shellfish are harvested because this area isn't seeded. There are at least three areas that do receive seed in Wareham, and in all three cases this is also approved by DMF. The town of Wareham claims proprietorship of its shellfish stock yet is feckless in regards to management of its resources.

Objective three in the MSI plan states that there will be an emphasis to "[P]rioritize data collection for insufficient datasets, including: recreational harvest number and shellfish population/stock assessments." I strongly support this initiative because there are very apparent data gaps in Wareham's non-existent stock assessment. For recreational harvesters, the primary resource to find a spot to shellfish is via the town map. The description of Wareham's town map states that 'grey areas are open to shellfishing' and if you look at the map you will notice that 90% of the map is grey. The grey areas provide no context for what shellfish may occur in these areas, or if shellfish exist in these areas whatsoever.

I can tell you from personal experience that shellfishing in Wareham is quite dismal from a recreational standpoint. I have spent dozens of hours raking for quahogs and have yet to find a healthy bed anywhere. The map provided by the town of Wareham shows the status of locations where shellfishing is open or not. But if you spend two hours raking in any of the management areas, you're lucky to walk away with a dozen legal-size quahogs. The same applies for grey areas: devoid of quahogs and eelgrass beds that support Bay Scallops. From my experience, the only

shellfish that can be consistently found in the context of a healthy stock is American Oyster and Steamer Clams. An occasional razor clam or cockel may be obtained, but not in abundance.

I would like to see the MSI focus on empowering local municipalities to be able to conduct their own shellfish stock assessments. My area of concern in the case of Wareham is Quahogs. Quahogs are a year round recreational fishery which makes them ideal for anyone seeking to harvest shellfish. Currently, the general public is viewing the maps provided by the town and going to the management areas, only to leave empty handed. This is no doubt a major deterrent for anyone who is interested in shellfishing in Wareham. If the MSI wants to see the public have an interest in our natural shellfish resources, science needs to be produced to support the maps that the town puts out to the public.

Sincerely,

Scott A. Schaffer II

Mass Shellfish <massshellfishinitiative@gmail.com>
To: Scott Schaffer <scottaschafferii@gmail.com>

Thu, Mar 4, 2021 at 10:59 AM

Hi Scott,
Thank you for your input and ideas. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group
[Quoted text hidden]

Comment on MSI draft Strategic Plan

3 messages

Ryan Curley <ryan.d.curley@gmail.com>

Sun, Feb 28, 2021 at 1:40 PM

To: MassShellfishInitiative@gmail.com, dan.mckiernan@mass.gov

Massachusetts Shellfish Initiative
2021-2025 STRATEGIC PLAN
CONSENSUS DRAFT FOR PUBLIC COMMENT

“1.1

Relevant executive branch agencies should provide written reports evaluating opportunities to increase stakeholder engagement and the reach of agency correspondence where appropriate.

- Reports should include consideration of the increased use of methods such as social media, listservs, text, email, and phone notifications, and dedicated communications staff. Agencies should outline any challenges, and additional resources needed, to achieve identified strategies.”

1.1 Comment: It would be best practice to physically mail such reports and notices to stakeholders. Some shellfishers do not use electronic forms of communication.

“1.2

The legislature and executive branch agencies should consider developing new and bolstering existing competitive funding administered by the Commonwealth aimed at supporting and prioritizing projects focused on:

- Increasing public awareness of the benefits of healthy shellfish populations.
- Increasing public awareness of the nutritional benefits of shellfish as a high-quality protein source.
- Educating the public on how coastal pollution or other activities can adversely impact shellfish resources.”

Landward nutrient inflows should be the priority rather than relying on shellfish to mitigate the nutrient inflows. Shellfish are not a durable nutrient mitigation solution. They are subject to mass mortality events, weather disruption, and coastal pollution events and are seasonal. Placing an overreliance on shellfish to mitigate the landward nutrient loading can lead to a negative feedback cycle in the case of a mortality event. A mass mortality event would release a pulse of nutrients into a water body making a harmful bloom more likely. This bloom would deplete dissolved oxygen concentrations leading to additional mortality of shellfish and other marine organisms leading to more nutrients. Additionally, the scale required to meet nutrient reduction goals is massive and will lead to a massive oversupply making the sector uneconomical. We have also seen that shellfish production is also highly subject to economic disturbances this year if a town was relying on the harvest of shellfish to remove nitrogen from their coastal waters where could they have sold their product and if they sold their product are they displacing a commercial operator which in turn had to leave a corresponding amount in the water? Commercial operators are already removing nitrogen in the shellfish they are harvesting with the collapse of the shellfish market this year that means since the first Covid closures and the massive impact on restaurants shellfisheries have removed only 50% of the nitrogen they ordinarily would have removed. Shellfish are valuable to ocean acidification. In Maine Hatcheries already need to buffer their water to compensate.

“2.1 2.1 Strengthening state and local capacity to effectively manage shellfish resources and shellfish fisheries in the face of increasing management challenges.”

I think everyone in the fishing industry, in general, knows that the DMF is chronically underfunded. Every shellfisherman is interested in better and more frequent testing for disease.

The state should look at tightening regulations on pesticide usage.

“2.3 Support for resources that promote industry development, communication, market opportunities, and resiliency.

- Work with stakeholders, regulatory agencies and organizations to develop clear guidance and consistency on aquaculture licensing and permitting requirements.”

I strongly discourage any weakening of home rule. The communities know what is the most appropriate approach in the waters under their jurisdiction. Every water body is different and management at the local level ensures that regulations are tailored to water bodies.

“SAP evaluate and recommend potential changes to regulations/guidelines for direct-to-consumer sales consistent with NSSP and state regulations, explore other opportunities for harvesters with expanded training and permitting.”

Massachusetts needs to bring direct-to-consumer sales to the market and can look at the neighboring states all of which allow some form of direct-to-consumer sales consistent with the NSSP.

- Strengthen regulation and/or enforcement in labeling shellfish sales that may include using emerging technology at point of retail to improve traceability.”

There are certain wholesalers who are misrepresenting their product to retail sellers claiming that something came from one water body that is more desirable.

2.3

The summary should include direct-to-consumer sales.

Resources and/or Actions Recommended-

- *Revise regulations to bring MA's into line with surrounding states allowing direct to consumer sales in a manner that complies with NSSP

- *Ensure the proper labeling of shellfish products by inspecting retail markets with disciplinary actions for bad actors.

“3.1 SAP shall convene a working group to address outstanding and unresolved issues such as those associated with consistency in licensing and permitting including 14 but not limited to aquaculture license transferability.”

There should not be any state program on license transferability. The majority of aquaculturists are smallholders allowing license transferability will allow for well-financed private parties to assume an outsized role in the sector at the expense of the smallholders. Consolidation is not beneficial to the employment capabilities of the sector and will limit the amount of money that is retained in the economics of Massachusetts's coastal towns.

“Future proposed changes that impact municipal control shall first be vetted through a stakeholder working group convened by SAP, prior to initiating the legislative or regulatory process.”

I strongly oppose any weakening of home rule. Shellfish is not a one size fits all industry. While it is beneficial to have any proposals go before a group like the SAP its actions and recommendations will be defined by the makeup of the SAP. The SAP is an improvement over current practice but there are grave concerns about the makeup of the body.

“3.2 Improve and refine existing state management strategies that increase sustainable economic opportunities around shellfish resources and shellfisheries while balancing shellfish sanitation concerns.”

Add bullet point: *Establish best practices in allowing direct sales to consumers in a manner consistent with NSSP.

“4.1 Protect public access to coastal waters and habitat quality in support of cultural uses of shellfish resources.”

- “Incentivize nature-based solutions to address stormwater and wastewater management that limits negative impacts to shellfish resources from coastal development and shoreline management”

The scale required to have measurable impacts on large water bodies is immense and the production could dwarf the existing commercial production. Where does this product go, will it depress prices and make commercial aquaculture uneconomical? The removal of 100 kg of N though harvest of oysters requires millions of oysters and many embayments require the removal of thousands or tens of thousands of kgs of N. That is the scale problem and then what happens with the oysters? If they displace current commercial production the water bodies in which that production is happening will lose the remediation provided by that harvest.

“5.1 Ensuring shellfish and coastal restoration efforts are designed to consider animal health and management implications, and do not result in adverse economic impacts to existing industry.”

It is absolutely critical to minimize the impact on the current industry. I do not see a path where significant amounts of shellfish can be grown and harvested for nutrient remediation in a way that does not negatively impact pre-existing production. The production and harvest for nutrient remediation represent a subsidized product that is being dumped on the market. How can any current producer or harvester compete with products being subsidized by municipalities? This is a classic economic case of dumping. The introduction of harvest on this scale commoditizes the product and will destroy the pre-existing value. There is no possibility of creating new market segments at the scale required to absorb this product that does not negatively impact the pre-existing market. Additionally, the use of shellfish in the water does not improve the water quality on the land. We need to focus on reducing our landward contributions exerting maximal effort and only then utilize shellfish or other nature-based solutions

“5.2 Greater support for shellfish and coastal restoration efforts by developing minimum standards and further best practice guidance, examine and revise as needed restrictions on restoration activities in contaminated waters, and a requirement that restoration efforts demonstrate balance between shellfish fisheries interests and public health.”

There needs to be great care in claims to historical populations of shellfish. I have seen freighted cargos of oysters being shipped in coastal schooners be claimed as historical examples of abundance within certain MA water bodies. In one case it was claimed that the entire cargo was caught in one day in MA waters this became apparent on reviewing the historical sources cited. These sources have been provided to papers such as the NY times and they have issued corrections to the stories citing it but the report remains with this glaring misrepresentation of the historical record. The frequency that these numbers are cited as a fact is alarming.

“6.1 Developing and strengthening means of communication between managers, regulators and community groups both within and across all levels of government.

- Formally constitute a MA Shellfish Advisory Panel that shall be inclusive of shellfish stakeholders so that it may provide a forum for all regulatory, economic and social aspects of MA nearshore shellfish resources”

The number of NGOs, wholesalers, dealers or retailers represented on the SAP needs to be limited. SAP should have a focus on including a wide variety of producers and wild harvesters.

“● Constitute and support workgroups related to unresolved and/or ongoing issues affecting the shellfish industry.”

Again any such working groups need to limit the participation of NGOs, wholesalers, dealers, or retailers.

“● Develop, promote and recommend common templates, programs and standard practices relative to the management of MA shellfish resources.”

“Resources and/or Actions Recommended

- SAP should include representation from the breadth of MA near shore shellfish stakeholders. Similar to the composition of the MSI Task Force, the SAP should include representatives from the suite of executive branch agencies, legislators, municipal interests, commercial (aquaculture and wild) and recreation harvesters”

MSI does not include a diverse selection of Shellfishers and is more reflective of governmental and non-governmental organizations. It should not be used as a model.

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Sincerely,
Ryan Curley
Wellfleet Selectman
(508)-246-4718
Ryan.D.Curley@gmail.com



Massachusetts Shellfish Initiative Comments.docx
12K

Mass Shellfish <massshellfishinitiative@gmail.com>
To: Ryan Curley <ryan.d.curley@gmail.com>

Thu, Mar 4, 2021 at 11:00 AM

Hi Ryan,
Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group
[Quoted text hidden]

Ryan Curley <ryan.d.curley@gmail.com>
To: Mass Shellfish <massshellfishinitiative@gmail.com>

Thu, Mar 4, 2021 at 1:12 PM

Thank you.
[Quoted text hidden]

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Sincerely,
Ryan Curley
(508)-246-4718
Ryan.D.Curley@gmail.com



Mass Shellfish <massshellfishinitiative@gmail.com>

Public Comment on MSI Strategic Plan; Section 3.1

2 messages

David Slack <daslack1@gmail.com>
To: MassShellfishInitiative@gmail.com

Mon, Mar 1, 2021 at 10:54 AM

Dear Dan:

I was a grant holder for 25 years on Pleasant Bay, Orleans.

The Plan pays homage to local municipal control but then walks that back with the recommended actions.

Home rule and self determination are vital to shellfishing communities in Massachusetts. Towns have different goals and objectives regarding their shellfish industries. Take Chatham for instance!

Towns have varying degrees of accessibility and infrastructure issues as well. And competing uses for available bottom and facilities.

The SAP sounds like a mighty entity. What will you do to ensure its transparency and that it has full representation by town interests?

Sincerely,

Daviv Slack

Mass Shellfish <massshellfishinitiative@gmail.com>
To: David Slack <daslack1@gmail.com>

Thu, Mar 4, 2021 at 11:01 AM

Hi David,

Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,

MSI Strategic Plan Work Group

[Quoted text hidden]



Mass Shellfish <massshellfishinitiative@gmail.com>

Public Comment on MSI Strategic Plan

2 messages

Westgates <vickgate@aol.com>

Tue, Mar 2, 2021 at 12:48 PM

Reply-To: Westgates <vickgate@aol.com>

To: "MassShellfishInitiative@gmail.com" <MassShellfishInitiative@gmail.com>

Cc: "rgagne@chatham-ma.gov" <rgagne@chatham-ma.gov>, "jamiebassett@gmail.com" <jamiebassett@gmail.com>

First, I would like to endorse the thoughtful comments made by Renee Gagne, Shellfish Constable for the Town of Chatham.

There is one additional issue I would like to address that I cannot find in the MSI Strategic Plan.

There is an aging problem, particularly among shellfishermen harvesting shellfish in the wild. There needs to be a robust outreach to teachers and students at high schools, particularly technical schools such as Cape Cod Tech. Also to community colleges such as Cape Cod Community College. It needs to be demonstrated to young people that there is a living to be made from shellfishing and how to do so professionally.

The financial barrier to entry to shellfishing is minimal. This stands in stark contrast with the hundreds of thousands of dollars required for vessels and permits required for the fishing industry.

The local geographic incentive is high, given the requirement of being a resident of the town where a commercial license is issued.

There is a corollary problem in that the cost of housing in coastal towns is extraordinarily high. Shellfishermen should participate in political efforts to increase the amount of affordable and attainable housing, from which some of them might benefit.

It is commendable that the Plan does address the issues of propagation. Town meetings sometimes have questions as to the amount of effort (funds and staffing) that the Town should put into propagation. It needs to be demonstrated, even more clearly, that it is an excellent investment. This will help address the issue of recruiting more young men and women into the industry, as well as increasing the viability of those already involved.

Recreational shellfishing, very popular in this town also benefits obviously from increased propagation.

There are opportunities, such as the Blue Economy Trail, sponsored by the Cape Cod Chamber of Commerce, for educating the public.

For identification purposes only, I am chair of Chatham's South Coastal Harbor Plan Committee. These views are my own personal ones, the committee not having voted on them.

Sincerely,

Michael Westgate
Chatham

Mass Shellfish <massshellfishinitiative@gmail.com>

Thu, Mar 4, 2021 at 11:02 AM

To: Westgates <vickgate@aol.com>

Hi Michael,
Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,

MSI Strategic Plan Work Group

[Quoted text hidden]



Mass Shellfish <massshellfishinitiative@gmail.com>

Public Comment on MSI Strategic Plan

2 messages

Thomas Siggia <tjsiggia@gmail.com>
To: MassShellfishInitiative@gmail.com

Thu, Mar 4, 2021 at 9:33 AM

Dan and team,

Section 2.3 on the recommended action to strengthen regulations and/or enforcement in labeling shellfish to improve traceability.

There is a technology called Block Chain. Tracks farm product to consumer using a secure system. Companies like Walmart and IBM are combining their knowledge to produce a secure, food safety and distribution technology . The lobster industry in parts of the world are using this new product. A secure solution to ensure there is no fraud in the supply chain and a consumer will feel comfortable knowing where their product originated from.

Thanks for allowing comments from the community.

Sent from my iPad

Mass Shellfish <massshellfishinitiative@gmail.com>
To: Thomas Siggia <tjsiggia@gmail.com>

Thu, Mar 4, 2021 at 11:03 AM

Hi Tomas,
Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group
[Quoted text hidden]

MA Shellfish Initiative

March 1, 2021

Comments on MSI Strategic Plan

As a recreational shell-fisher and a member of the Shellfish Advisory Committee in town, I commend your hard work and transparency in developing the Strategic Plan. I am happy to see thorough attention pointed at this valuable fishery. It seems a monumental task with great reliance on a variety of funding sources, which hopefully will be available and accessible. It also relies on strong interagency and legislative collaboration. There is much work ahead. I don't presume to have knowledge enough to critically comment on your selected strategies. I do hope, however, that as priorities are determined and modifications are made, the voices of local Constables and those working in the industry will be heard loud and clear.

Thank you for the opportunity to comment.

Pat Vreeland

Chatham Shellfish Advisory Committee

To: Massachusetts Shellfish Initiative Chairman Daniel McKiernan, Director of DMF

From: Mark Begley, Barnstable Harbor Shellfish Farmer

Subject: Comments on the Massachusetts Shellfish Initiative (MSI) Draft Strategic Plan

Date: March 4, 2021

First, I would like to again thank you, the Steering Committee, your staff, and the other members of the groups and committees that have put so much valuable time and effort into the MSI and its documents. With the MSI's important goal of improving the economic, environmental, and social benefits of Massachusetts' shellfish resources, the MSI has made significant progress in gathering and organizing crucial information. This information has helped identify where there are opportunities to better understand and resolve various shellfish related issues going forward and ultimately improve communication among diverse stakeholders. Critical infrastructure and resource needs are clearly and appropriately noted in the Draft Strategic Plan.

The transparency in which you have led the MSI Task Force has fittingly been applauded in comments to you including during the recent MSI virtual public meeting. I ask that you continue that openness in many of the future meetings that will come out of recommendations from the MSI process.

As a general comment, I encourage you to capture in the final Strategic Plan the concept of streamlining regulations, where possible, as you mentioned in the MSI Taskforce virtual meeting on December 4, 2020. Streamlining shellfish regulations was also mentioned by the public in earlier MSI comments. Streamlining shellfish policies and processes such as the aquaculture annual reporting/renewal process should be a part of the improvement process.

An additional general comment is that the use of incentives is mentioned in the draft Strategic Plan. The use of incentives and their reference in the Strategic Plan should be expanded to additional locations where feasible in the document wherever new or expanded requirements are mentioned.

I offer the following specific suggestions for consideration on the draft Strategic Plan and I look forward to seeing the final plan incorporating many of these and other comments submitted by the various stakeholders.

1. The six objective categories listed in the Executive Summary are presented with different wording and numbering than in the draft Plan itself. For example in the Executive Summary the fourth objective category is "(4) supporting and promoting balanced and sustainable economic opportunities around shellfish;" vs. on page 16, the fourth objective category is "Objective Category 4: Supporting and promoting cultural and historical uses of shellfish."
2. In the executive summary, objective category 2 is listed as "(2) development of management, research, and industry resources" while on page 8 it is worded as "Objective Category 2:

Management, research, and industry development”. The development of “industry resources” can be different than “industry development”; the latter can be read as expansion while the former reads more like tools for improvement. Slides presented to the Task Force had “Management, research, and industry resource development” closer in meaning to the Executive Summary. Please make the document clearer where the intent to help the industry by developing resources for/with them to help them improve, harvest safely/sustainably versus where development means, and perhaps should be changed to, “expansion.” For example a slide presented at the December 4, 2020, Task Force meeting “...Of those communities:... 73% want to see private shellfish aquaculture opportunities expanded”

3. In Table 2, page 10, Goal 2.3 is the sentence “Support for resources that promote industry development, communication, market opportunities, and resiliency” and under the “Strategies” column is the sentence “Ensure cooperation between state agencies (including DMF, DPH, DAR and others deemed necessary) Extension staff, Aquaculture Centers and local Boards of Health on issues like tagging, harvest and handling, direct sales and promote and host training opportunities for industry.” Similarly on page 13 is the sentence, “The MSI Task Force encourages efforts that ensure cooperation between state agencies (e.g. DMF, DPH, MDAR and other relevant state agencies), Extension staff, Aquaculture Centers, research institutions, and local entities on issues like tagging, harvest and handling, and the development of training opportunities for industry.” These are topics that should have others, including industry representatives, be part of the discussion. The “Participating Offices” section of 2.3 on page 13 should at least be expanded to “participating offices and organizations”.
4. In Table 2, page 10, Goal 2.3 and on page 13, as noted above, is a sentence with an issue list, tagging is an example in the list. The list is of issues in need of ensured cooperation. While the list was not specific as to which tagging issue was being noted, the issue of piloting or expanding bulk tagging to harvesters and dealers was discussed at the May 2019 Shellfish Advisory Panel meeting as well as at the last public hearing on aquaculture regulations, and numerous other times. There are dealers working with growers who are both interested in participating in a limited pilot to further explore/test the bulk tagging concept. The pilot program would be similar to the successful grower-dealer bulk tagging pilot which was later incorporated into regulations.

The pandemic has increased the need for flexibility. Some dealers, including those expressing interest in a pilot, have pivoted to greatly increased internet sales as restaurants were shuttered. The dealers have in turn asked growers to bag much smaller numbers of shellfish per bag for the smaller internet orders. A shellfish order that would have for example been for 40 one hundred count bags, each with a tag, has often changed to lesser count bags (50 or 25 count shellfish/bags) each requiring individual tags resulting in 80 or 160 tags respectively. Please consider some sort of preliminary pilot discussions as soon as feasible.

5. Page 10, under recommended actions for 2.3 are the words “SAP evaluate and recommend potential changes to regulations/guidelines for direct-to-consumer sales consistent with NSSP and state regulations, explore other opportunities for harvesters with expanded training and permitting.” Dropping the words “and state regulations” after NSSP would make the first part of the sentence that appears to suggest “potential changes to regulations” are and should be on the table for discussion.
6. Page 10, the Recommended Actions column includes “Strengthen regulation and/or enforcement in labeling shellfish sales that may include using emerging technology at point of retail to improve traceability.” Emerging tagging technology at point of harvest may help improve traceability and incentives to evaluate and use these or other applicable emerging technologies should also be considered to help the labeling and traceability issue.
7. Page 14, 3.1 Recommended Actions column, includes “Future proposed changes that impact municipal control shall first be vetted through a stakeholder working group convened by SAP, prior to initiating the legislative or regulatory process.” Your statements in an MSI Zoom meeting where this topic came up, you were clear you were not in any way proposing to cut off a citizen’s right to talk to their elected officials about any issue. “Shall first be vetted” should be replaced by something that is closer to “encouraged” or “strongly encouraged”.
8. You have mentioned potentially using objective white papers as a tool to better help understand some of the more challenging issues. That is a good idea that should be captured in the Plan. It would be a good way to help identify, research and layout the issue for Legislators and many other stakeholders.
9. The Governor’s Office and/or the Legislature should direct applicable state agencies with key shellfish responsibilities to fully participate on the SAP to avoid last minute vetoes causing frustrations and inefficiencies in work by other agency’s staff and stakeholders.
10. On page 15 “Goal 3.1: Encourage economic opportunities around shellfish...” the concept of “innovative management strategies” is mentioned in the first paragraph. Innovation should be considered for mention/use throughout the document wherever permitting or regulations are mentioned.
11. Page 22, “SAP should meet no less than twice annually through in person or electronic platforms...” The SAP is mentioned 27 times in the draft Strategic Plan, many of those times mentioning something they will be asked to do. Quarterly SAP meetings should be recommended from the start. Meeting twice annually would likely not be sufficient.

Thank you again and thank you to all that have contributed to the MSI Strategic Plan and all the MSI work that provided the foundation of information that lead to the Plan.



MSI Strategic Plan Public Comment

3 messages

Bethany Gibbons <billybobcohen@msn.com>

Fri, Mar 5, 2021 at 10:22 AM

To: "massshellfishinitiative@gmail.com" <massshellfishinitiative@gmail.com>

Cc: "bgibbons02653@gmail.com" <bgibbons02653@gmail.com>

Massachusetts Shellfish Initiative Strategic Plan Public Comment

March 5, 2021

Dear Mr. McKiernan,

I am a born and raised Cape Codder and grew up in a commercial fishing family. I work in wild harvest shellfishing and operate an oyster farm on Cape Cod Bay in Eastham. I began closely following the development of the MSI in December 2018 and have attended or watched recordings of every available meeting, as well as reading all related documents since that time. I want to thank everyone who committed countless hours to this process. From the first public meetings, those responsible for bringing this Initiative to fruition have listened to the concerns of stakeholders, which came in at times like a roaring swell, and those concerns are well represented in this Strategic Plan document.

Looking back over the last two years, the defining characteristics of the MSI process, in my view, have been responsiveness, transparency, and inclusion. All the issues raised in written and public Scoping comments are addressed in the Strategic Plan. Meetings have been made public and announced in a timely fashion so those interested could attend, and comment has been allowed throughout all the meetings, even when Covid required a pivot to virtual attendance. Stakeholders asking for a seat at the table have been offered one at every stage of the process, allowing voices to be heard from disparate groups within the shellfish industry in the Commonwealth.

One interesting outcome from the timing of this Initiative is that it provided a platform for hearty, at times impassioned expression of opposition to the "Cutler Bill," which wild harvest shellfishermen, shellfish farmers, constables and other community members feared would see oyster farms on public intertidal land being sold to the highest bidder on the open market. While those trying to introduce MSI to the public may have been frustrated feeling the entire Initiative was being thrown out with the H746 bathwater, the proximity of these endeavors brought many voices to the floor that may have otherwise remained silent. And they will remain engaged and informed going forward, following these issues from near and far, as time and tide allow, knowing there will always be someone on watch.

Our estuaries have been negatively impacted by nutrient loading from septic nitrogen, lawn fertilizer and freshwater inputs from increasingly common heavy rainfall events, leading to algae blooms and increasing the effects of ocean acidification. The health of our inshore marine ecosystem is paramount to all who work within it. We need to design solutions intelligently, taking care to examine unintended consequences. Working to prevent negative market impacts from municipal nitrogen mitigation projects using marketable shellfish is well enshrined in the Strategic Plan. I'm unable to think of analogous precedent for using an existing agricultural product and commercial fishery for solving a municipal infrastructure shortcoming resulting in environmental degradation. I am hopeful the soon-to-be-formalized Shellfish Advisory Panel will work in an expedient manner to develop guidance to help towns shoulder the responsibility of avoiding market injury. Evaluating the potential for negative market impacts on what is arguably a market sensitive to saturation requires looking at the total impact of all projects in the immediate region as well as throughout the State, a very tall order for municipal shellfish advisory boards and Selectboards. After following our pilot in Orleans for five years, I've yet to discover why avoiding negative market impact is not a variable necessary to consider in project design. The scale to which these projects are slated to be taken require millions of oysters. I recommend the SAP work group conduct analysis of regional hatchery oyster seed production and determine the risk to seed availability and cost in considering the impact of these projects

and potential guidance to the towns. I also recommend DEP be listed as an important contributor to that working group. Finally, consultation with the Tribes should be imperative in this process, as the Sovereign Nations among us retain unceded Tribal Harvest Rights in the inshore estuaries where projects are proposed, but unlike wild harvest shellfishermen permitted in the towns in which 208 oyster projects are proposed, they may not be notified of or engaged in public comment.

There are a couple of issues in the Strategic Plan document related to language. Specifically, in Table 3, a recommended action reads, "Future proposed changes that impact municipal control shall first be vetted through a stakeholder working group convened by SAP, prior to initiating the legislative or regulatory process." I'm neither legislator nor lawyer, but use of the word "shall" seems to equate to a requirement, and I'm not sure it's legal to require any conditions be met before proposing legislation. Bringing a legislative proposal to the SAP work group before formal submission to the House should be a recommendation, not a requirement.

More broadly, the language used in the Strategic Plan is relatively dense and not fully accessible to many people in the industry and community. Having had the opportunity to follow the process, I was able to listen to all the discussion about the language in the Strategic Plan Work Group, as well as watching the edits as they occurred. I was dismayed to hear interested shellfishermen, shellfish farmers and others struggle to decipher the meaning of goals and recommendations and generally find the document difficult to read. This is exemplified in the summary of Goal 3.1, where "The MSI Task Force recommends SAP and MSOA convene to determine the efficacy of reinstituting, possibly through Chapter 130, Section 20, an incentive program to provide financial reimbursement to municipalities with outcome-driven management plans that meet pre-identified metrics." Without explaining the program this refers to, the summary is confusing.

Thank you for bringing people together to talk about the Massachusetts shellfish industry and for welcoming our comments.

Sincerely,

Bethany Gibbons

Get [Outlook for Android](#)

Bethany Gibbons <bgibbons02653@gmail.com>
To: MassShellfishInitiative@gmail.com

Fri, Mar 5, 2021 at 10:24 AM

[Quoted text hidden]

Mass Shellfish <massshellfishinitiative@gmail.com>
To: Bethany Gibbons <billybobcohen@msn.com>

Fri, Mar 5, 2021 at 3:54 PM

Hi Bethany,
Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,
MSI Strategic Plan Work Group

[Quoted text hidden]



Public Comment on MSI Strategic Plan

2 messages

Nantucket Sound Shellfish Co. <nantucket.sound.shellfish@gmail.com>
To: MassShellfishInitiative@gmail.com

Fri, Mar 5, 2021 at 1:20 PM

Hi, I submitted these same comments below via the Google form link last night but am not sure if it went through or not. Just in case it didn't, the same comments are pasted below. Sorry for any duplicates. Thank you for all the good work putting this plan together.

Matt

Objective 1: Building Public and Stakeholder Capacity to Support Shellfish Resources and Shellfish Fisheries

- Please consider developing an annual report from the state detailing shellfish landings for each town and/or growing area using reported harvest data. Having easy access to up-to-date, accurate, and detailed data could have a wide variety of applications for shellfish management and stakeholder awareness. I understand the privacy limitations of the 'rule of 3' but there should be ways to mask this information or somehow make it public since it is a public resource.

This annual report on the 'state of the shellfisheries' could also include funds expended in each town towards shellfish management to help stakeholders understand the costs/benefits of programs. Perhaps requiring Towns to report this information to the state could be mandatory in order to receive state funds in the future.

Goal 1.1: Improving how local and state managers communicate and engage with stakeholders.

- Improving communications with stakeholders could be done by directly engaging state officials with local shellfish committees. Our local shellfish advisory committee seems to know very little about important current issues affecting the industry and is largely in the dark regarding the MSI. Some of the landings data in Falmouth presented in a previous document seemed to have errors or missing data. The local shellfish committee might have been able to catch those errors before they were published if they had been aware of it beforehand. Perhaps having a representative from DMF attend one meeting a year to brief the group on what is happening at the state level.

Goal 3.2: Improve and refine existing state management strategies that increase sustainable economic opportunities around shellfish resources and shellfisheries while balancing shellfish sanitation concerns.

Objective Category 2:

Please find a way to allow the opening of appropriate waterbodies to harvest a priority. The local commercial wild harvesters and the Town of Falmouth have been asking DMF for many years to allow Falmouth Harbor to be upgraded to a conditional area to allow harvesting during the winter months. This highly productive area had been conditional and harvested about 15 years ago. Many expensive water quality improvement projects have been completed by the Town since. Water quality analysis has been conducted by DMF for the past several years that consistently shows that it can be reclassified as a conditional area. However nothing has gone forward to reclassify the area. We are told every year that it is going to open but it never does. Making situations like this a

priority would increase access to a valuable winter harvest and take fishing pressure off the few less productive areas that are open.

Goal 2.3: Support for resources that promote industry development, communication, market opportunities, and resiliency

- Explore the possibility of developing a guidance document and/or workshop to help small shellfish businesses establish a licensed shellfish dealer facility.
- Streamline data reporting, improve data quality, and tracing by allowing real time reporting from an app or possibly integrated a tagging app like OysterTracker.

Goal 3.2: Improve and refine existing state management strategies that increase sustainable economic opportunities around shellfish resources and shellfisheries while balancing shellfish sanitation concerns.

- Please make exploring how to allow for direct sales of shellfish from farms or harvesters possible in MA a priority. If it is possible in other states it should be possible somehow in MA as well. I understand that many of the 'mover and shakers' in the industry that have the most pull are not interested in seeing this happen since they probably already have a dealer license. Small scale direct sales from the farm could be feasible using new technologies developed specifically for tracking, tagging, and reporting realtime from a remote location. We have many supportive abutters and recreational users around our farms. It is a shame we are not able to supply them with fresh products right off the, instead it has to be handled and moved many times (more risk) before they can have access to the product that is right in front of their house. Allowing for some direct sales would improve the price paid to harvesters, diversify markets, increase local awareness/support, and foster relationships with the general public as well as providing a safer/fresher product.

In many locations around MA, unabashed price fixing among local seafood dealers is common practice. In these localities, the price paid to the wild harvesters is consistently 10 - 20% less than the going market rate elsewhere in MA and New England. Harvesters are sometimes strong armed into having to sell to a local dealer for less because it is all your product all year long or nothing type of relationship. Allowing for some direct sales by wild harvesters would take some of this leverage away from the seafood dealers and improve the price paid to harvesters.

Objective Category 4: Supporting and promoting cultural and historical uses of shellfish.

A few years ago Rhode Island developed a nice book called 'Rhode Island's Shellfish Heritage'. Perhaps we could do something similar to that publication here in MA.

Mass Shellfish <massshellfishinitiative@gmail.com>

Fri, Mar 5, 2021 at 3:55 PM

To: "Nantucket Sound Shellfish Co." <nantucket.sound.shellfish@gmail.com>

Hi Matt,

Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

We'll double check for the google link version.

Thanks,

MSI Strategic Plan Work Group

[Quoted text hidden]

Massachusetts Shellfish Initiative Strategic Plan

To: MSI Chairman Daniel McKiernan
From: Suzanne Phillips
Re: Public Comment on MSI Strategic Plan
Date: March 5, 2021

My name is Suzanne Phillips and I'm from Orleans, Massachusetts. I have been Involved in the MSI since the beginning of the process, and I served on the MSI Assessment Committee.

As I stated in my oral testimony on February 22, 2021, I was one of those who raised concerns about the process, especially the perceived lack of transparency, and I voiced those concerns at public hearings and during meetings.

I also stated that we finally felt "heard", and I was pleased to see that a number of those concerns were addressed in the draft MSI Strategic Plan.

The overall plan is a good one, and addresses many of the questions and issues that were raised. I will not comment on all the positive recommendations and actions, except, on occasion, to add a suggested clarification or suggestion.

I will comment more extensively on the two issues I mentioned at the hearing:

- 1) the standardization of aquaculture grant regulations and transfers, and
- 2) issues involving shellfish aquaculture for nitrogen mitigation purposes under the Clean Water Act (s. 208) wastewater plans.

Objective 1: Building Public and Stakeholder Capacity to Support Shellfish Resources and Shellfish Fisheries

Goal 1.1: Improve how local and state managers communicate and engage with stakeholders

All the recommendations are good ones.

Agencies should recognize that not all stakeholders have computers or "smart phones", and some who do are not particularly "tech-savvy". Traditional methods of communication, including radio, community television, newspapers, and newsletters should also be utilized. And, it is important to remember to use "plain" language, rather than "bureaucratese". In this way, there should be less confusion among members of the public when important information is released.

MSI Strategic Plan-Comments

Phillips, page 2

Goal 1.2: Increase public support and awareness around the economic and ecological value of shellfish resources and shellfisheries

Education of the public on issues relating to coastal pollution and how it adversely affects shellfish beds should include effects of nitrogen-loading and possible sources, including fertilizers. There should also be education about coastal acidification and ocean warming, and the possible cumulative negative affects of these processes on shellfish.

Objective 2: Management, research, and industry development

Goal 2.1: Strengthening state and local capacity to effectively manage shellfish resources and shellfish fisheries in the face of increasing management challenges

There are a number of very good recommendations in this section. I would add, under resources for DMF, funding to allow staff to attend the Northeast Aquaculture Conference and Expo and the Milford Aquaculture Conference each year.

Also, under prioritizing funding for in-state testing of shellfish human health hazards, I recommend the lease or purchase of sonds with sensors to monitor HABs (harmful algal blooms) in various places in the coastal waters. At the last NESSA (New England Shellfish Sanitation Association) conference, there were at least two companies from Falmouth/Woods Hole which manufacture such devices. Perhaps a public/private partnership could be worked out. The information would be invaluable to better manage a widespread closure, such as the one cause by pseudo-nitzschia a few years ago.

Goal 2.2: Support for research focused on issues impacting shellfish resource health, public health, and shellfish production at the local, state, and federal level

Research on pollutants should include "contaminants of emerging concern"; disease research should include research on intermediaries, such as the role of tunicates in spreading quahog disease.

Additional research should focus on coastal acidification and ocean warming, and how they may impact shellfish seed supply and resources, as well as an economic analysis of the impacts on the shellfish industry.

MSI Strategic Plan-Comments

Phillips, page 3

The list of research priorities should include projects extending longer than one academic year to incorporate cumulative effects. And some research should be focused on the ecosystem (as opposed to in the lab) to help gauge the synergistic effects of different stressors on the shellfish resource.

Goal 2.3: Support for resources that promote industry development, communication, market opportunities, and resiliency

Consider making some of the training programs for commercial harvesters and aquaculturists mandatory. I am amazed sometimes when I discuss these issues with commercial harvesters, and learn they never heard of *Vibrio*, for example, or don't understand why it's not a good idea to move shellfish from one water body to another (possible disease transmission).

Objective 3: Supporting and promoting balanced and sustainable economic opportunities around shellfish

Goal 3.1: Encourage economic opportunities around shellfish, but ensure they are managed in a way that is consistent with the character and interests of individual communities

Re: The Shellfish Advisory Panel (SAP) "shall convene a working group to address outstanding and unresolved issues such as those associated with consistency in license and permitting including but not limited to aquaculture license transferability".

Please see comments (later in this document) about the composition of the SAP. I have similar concerns in regards to the establishment and composition of the SAP working group.

The recommendation that "future proposed changes that impact municipal control shall first be vetted through a stakeholder working group convened by SAP, prior to initiating the legislative or regulatory process" is not clear and needs to be more thoroughly explained.

I'm concerned that this provision, if implemented, may be contrary to the law which allows citizens to submit petitions to the legislature. Our representatives routinely file said bills as a courtesy to their constituents. In fact, it is my understanding that Representative Cutler filed HB 746 in this manner.

MSI Strategic Plan-Comments

Phillips, page 4

After the “firestorm” of opposition that resulted from the filing of HB 746, it is understandable that the department would propose a procedure to review said bills in advance. However, a better way to address the issue would be to refer said bills to the SAP after they have been filed, and thus keep the bill and any subsequent reviews fully in public view.

I’m also very concerned that the discussion about “home rule” and municipal management misses the point of its significance.

Under MGL c.130 the responsibility for managing shellfish resources is shared by the commonwealth (Division of Marine Fisheries and Massachusetts Environmental Police) and the local municipalities. Pursuant to MGL c.130, s.98, a coastal community must appoint a shellfish constable, and forward the name and other appointment information to the relevant state agencies.

The foundation of this management structure is the Public Trust Doctrine. The doctrine provides that the public has unfettered access to the intertidal zone for the purposes of “fishing, fowling, and navigation”.

The doctrine originated thousands of years ago, and appeared in one form or another in the laws of several ancient civilizations. Under Roman law (Justinian Code, 530 AD), it was described thus:

By the law of nature these things are common to all mankind—the air, running water, the sea, and consequently the shore of the sea. No one, therefore, is forbidden to approach the seashore . . .

Under English common law, this concept was adopted and clarified by defining “navigable waters” as within the intertidal zone. In 1641 the Massachusetts Bay Colony passed an ordinance which re-affirmed that the colony owned the navigable waters for the benefit of the public. In 1647, in an effort to encourage the building of docks and wharves (to facilitate commerce), the ordinance was revised to specify that the public land extended seaward from the low water mark. But the ordinance continued the rights of the public to fishing and fowling in the intertidal zone.

In 1814 the laws of the colony were transferred to the Commonwealth of Massachusetts and have remained in effect to the present.

MSI Strategic Plan-Comments

Phillips, page 5

It is important to understand that, under this framework, municipalities exercise “home rule” because they are viewed as having the best knowledge and experience to properly manage the shellfish resources in their areas.

There will invariably be conflicts among users of the shoreline (harvesters/growers, shellfishermen/fin fishermen, boaters/upland landowners, etc.). It is the responsibility of the state and municipalities—exercising their joint management authority—to protect and preserve the shellfish resources for the benefit of all members of the public—in the present and in the future.

Together, the state and the municipalities serve as stewards of the (intertidal) lands.

The public trust doctrine should be the guiding principle for the consideration of any and all proposed regulatory or statutory changes to the statute covering the transfer of aquaculture licenses.

I assume the list of “participating offices and organizations (p.15) is a suggested list, and not limited to those entities specified.

Goal 3.2: Improve and refine existing state management strategies that increase sustainable economic opportunities around shellfish resources and shellfisheries, while balancing shellfish sanitation concerns

Excellent discussion and recommendations. Financial resources may be needed so that more DMF staff can participate in NESSA and ISSC meetings.

Objective 4: Supporting and promoting cultural and historical uses of shellfish

The recommendations are sound. The SAP should also be tasked with considering the affect of nitrogen-based fertilizers leaching into the ground water, or running off into embayments, and then consider drafting a model fertilizer control ordinance for homeowners and landscapers.

As the expansion of aquaculture may encroach on traditional wild harvest areas, it is imperative that there be indigenous representative on the SAP.

MSI Strategic Plan-Comments

Phillips, page 6

DMF should work with the Department of Environmental Protection (DEP) to “formalize aquaculture inspection/application requirements’ for 208 projects, as well as private and municipal propagation projects.

Goal 5.1: Ensuring shellfish and coastal restoration efforts are designed to consider animal health and management implications, and do not result in adverse economic impacts to existing industry

This goal should be expanded to include potential adverse ecological impacts (as well as economic impacts) and impacts not just to existing industry, but to all stakeholders, including future generations.

Specifically, the recommendation to establish “requirements and/or regulations” also consider impacts on seed supply and seed quality deriving from municipal nitrogen mitigation projects.

As an active observer/participant in the Orleans Water Quality Advisory Panel and the related shellfish working group advising the project in Lonnie’s Pond, I heartily support any and all reviews, regulations, and requirements for these projects!

I don’t understand the recommendation to establish requirements about the sale of shellfish from municipal nutrient mitigation projects, as it is my understanding that municipalities cannot sell shellfish. For any other entities, for example, private contractors, requirements should include any method for the disposition of the shellfish used, including donation, disposal, use in habitat restoration projects, and any other potential uses.

And if the legality of any of these methods is explored (as described in the discussion on p.20), and the method is deemed to be legal, then there should be further analysis of potential negative impacts on industry, wild harvesters, the public, and the ecosystem.

The development of “metrics to account for nutrient remediation provided by private shellfish aquaculture” (p.19) should be done with the DEP, the agency which has oversight authority for these projects.

Again, the recommendation to study the impacts of nitrogen mitigation projects on industry is not sufficient. A market analysis only addresses one aspect of the problem.

MSI Strategic Plan-Comments

Phillips, page 7

Goal 5.2: Greater support for shellfish and coastal restoration efforts by developing minimum standards and further best practice guidance, examine and revise as needed restrictions on restoration activities in contaminated waters, and a requirement that restoration efforts demonstrate balance between shellfish fisheries interests and public health

It is critically important—and too often over-looked or disregarded—that water quality restoration projects need to address pollutants before they get into our waters. Otherwise, to use an everyday analogy, using shellfish to remove nitrogen is like running the bathtub tap “full blast” with the drain open. Such actions do little to remediate the problem!

It is also noted that any efforts to loosen restrictions on shellfish restoration activities in contaminated waters, or to create shellfish “sanctuaries” would give rise to a concomitant increase in the need for enforcement activities, by both the state and municipal authorities.

Objective 6: Foster communication and coordination between community groups, local, state and federal managers and developing improved guidance

Goal 6.1: Developing and strengthening means of communication between managers, regulators, and community groups both within and across all levels of government

I applaud the formation of a more formal Shellfish Advisory Panel (SAP), and look forward to specific details about its composition and duties.

While lacking specific details, I offer the following comments for your consideration.

The SAP should meet quarterly, not “no less than twice annually”, for at least the first couple of years. The SAP working groups may need to meet more frequently.

Careful consideration should be given to the selection process, and the representatives on the SAP. For example, it is stated that “similar to the composition of the MSI Task Force, the SAP should include representatives from the suite of executive branch agencies, commercial (aquaculture and wild) and recreational harvesters”.

MSI Strategic Plan-Comments
Phillips, page 8

Agreed, but I note that of the 21 members of the Task Force, 15 are members of a state or municipal governmental body, 5 are from NGOc (non-governmental organizations), and only one is identified as a “grower/harvester”, and that individual is the chairperson of the select board in his town.

So, there is no direct representation from wild harvesters (commercial or recreational), small aquaculturists, indigenous people [I am aware this issue will be addressed] or members of the public-at-large.

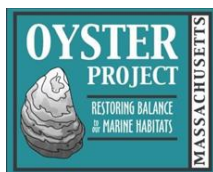
It is critical—as the SAP will be instrumental in initiating, reviewing, and forwarding all kinds of policies relating to shellfish management and stewardship of shellfish resources—that there be wide representation from all stakeholder groups.

Similar considerations should be applied to the organization of the SAP working groups. And, in order to reach out to and include as many representative stakeholder groups as possible, officials must keep in mind the need for concise, clear communication through a variety of mediums, and the critical importance of transparency in all communications and actions.

One last comment—on the list of “Participating MA State Offices” on p.22, note that the Mass Shellfish Officers Association is a non-profit, professional and educational organization, not a state agency.

Thank you very much for consideration of these comments.

Suzanne Phillips



Sarah Valencik

Massachusetts Oyster Project President

March 4, 2021

Chairman Daniel McKiernan

Massachusetts Shellfish Initiative

RE: Draft MSI Strategic Plan Public Comment

Dear Chairman Daniel McKiernan:

On Behalf of the Massachusetts Oyster Project, I would like to offer the following comments on the MSI Draft Strategic Plan. The Massachusetts Oyster Project (MOP) is a state-wide nonprofit whose mission is to work toward the restoration of eastern oysters and other native shellfish to the waters of Massachusetts for their benefits to both coastal ecosystems and coastal communities. MOP would again like to thank the Division of Marine Fisheries (DMF) and other parties involved for all the work thus far in developing this draft plan. We believe that this is an important step in addressing the needs and challenges in managing the state's shellfish resources now and into the future.

This plan identifies and addresses many issues that we believe are important to the management of oyster and other shellfish resources in Massachusetts and growing the environmental and economic benefits they provide. One thing that has become clear from the MSI planning process and our experience is that state and local agencies are lacking the resources needed to effectively manage our shellfish resources. This plan addresses this issue through goals 2.1-2.3 by calling for increased state and local funding, collaboration with other state and federal agencies and increased grant opportunities. As noted in the plan, these additional resources will be necessary to open future waters to shellfishing, creating resiliency in the industry and creating opportunities for restoration. We are ready to assist in any way we can to advocate for these needed resources.

Goal 5.1 of the plan notes the recent interest in including oyster aquaculture and municipal propagation programs in wastewater management plans by Cape Cod communities, and the concerns about the impacts this might have on oyster markets if implemented on a large scale. MOP supports these efforts and believes that oysters can play an important role in meeting wastewater management goals, while also providing other ecosystem benefits. We understand there are concerns that this may have on the oyster market and hope that this would not be a limiting factor moving forward. We encourage DMF

and others to study this issue further as noted in goal 5.1 and seek solutions that would minimize economic impacts to the shellfish industry while also allowing these efforts to move forward. DMF should also study and consider the benefits that a large-scale oyster restoration would have on other cape cod marine resources. States like Maryland and Virginia are considering nutrient trading programs that compensate growers for the environmental benefits provided by oysters, this is some thing DMF could study as well in considering ways to grow the shellfish industry and improving coastal waters.

Goal 5.2 of this plan calls for greater support for restoration efforts and a renewed consideration for restoration in waters currently closed to shellfishing. MOP has long advocated for restoration activities across the state while understanding the public health needs and requirements of the Shellfish Sanitation Program. This is not an issue we take lightly and understand that careful study, planning and pilot programs will be needed to adequately understand the costs and benefits. We also strongly support the consideration of “shellfish Sanctuaries”, which we believe could improve the health of coastal ecosystems and bolster nearby shellfishing opportunities.

In closing, we support this draft strategic plan and appreciate this opportunity to participate in this planning process. We are pleased to see coastal environments are a focus of this plan through increased funding to address coastal pollution, communicating the ecological benefits of shellfish, and greater support for shellfish restoration efforts across the state. We believe this is an important and exciting time for shellfish in Massachusetts and look forward to assisting wherever possible. Please don't hesitate to contact us if you any questions and we look forward to working with the shellfish Advisory Panel on these very important issues.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Valencik', with a stylized, cursive script.

Sarah Valencik

President, Massachusetts Oyster Project

Sarah@massoyster.org

<http://massoyster.org/>



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Department of
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Conservation
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Shellfish
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261 George Ryder Road Chatham, MA 02633

February 24, 2021

To: MSI Strategic Planning Committee
From: Renee Gagne, Chatham Shellfish Constable

Re: Comments on MSI Strategic Plan

Congratulations on a job well done. It's been a long and sometimes contentious process, but the end result will hopefully bring attention to the value of the Commonwealth's shellfish resources economically, ecologically and recreationally. The following are comments on, and/or suggestions to facilitate, the outlined recommendations found in the Strategic Plan.

Objective 1.1 Improve how local and state shellfish managers communicate and engage with stakeholders

1. Local shellfish Constables are the primary interface between managers and harvesters/growers in the field. Any assistance in developing/utilizing mechanisms to share real time information, closures and notices are welcomed. Some municipalities may be hesitant to utilize existing social media platforms, outside their firewalls, to disseminate information, but with encouragement or a recommendation from the SAP, towns may reconsider.
2. In discussions with shell fishermen in Chatham, many have conveyed continued suspicion of the MSI process despite the transparency measures adopted. Much suspicion stems from past experiences dealing with other types of fisheries regulatory processes and their real or perceived exclusion from traditional near shore fishing opportunities. Distrust of those changing a system they do not see as "broke" is an inherent characteristic of many independent shell fishermen. Engaging and including even those hesitant to participate should be essential in developing continued communication opportunities even to a reluctant populace and should be especially considered when appointing SAP members.

Objective 1.2 increase public support and awareness around the economic and ecological value of shellfish resources and shellfisheries

1. Goals to increase public awareness around the economic and ecological value should also include the intrinsic value of recreational fisheries and added value to tourism.
2. Much of the educational materials specified in the Recommended Actions; benefits of healthy shellfish population, nutritional benefits, and adverse impacts of pollution public awareness goals, already exist. For instance, the Cape Cod Cooperative Extension has numerous pamphlets ranging from safe harvesting practices to health benefits of differing shellfish species. Consolidating already published materials should be coordinated ahead of public outreach.

Since municipalities interact most closely with the public, local constables should be considered the first step in public awareness campaigns.

One deficit in 1.2 is the omission of identifying the Commonwealth's shellfish resource as a public resource. The Public Trust Doctrine is the foundational principal, along with the Colonial Ordinance, that identifies shellfish as the *Public's* resource and that the Commonwealth manages and protects those resource in trust on their behalf. Educating legislators that our coastal shellfish resources belong to their constituents in, for example, the Berkshires (never mind Nebraska), may inspire added interest and stewardship over those resources. It is an important concept that transects all regulatory oversight (other than those specific to protecting public health). It is the basis of our recreational and wild harvest fisheries, access to those resource and the basis for only allowing aquaculture in areas deemed "unproductive". The Public Trust Doctrine is also central in (future) discussions concerning "transferability" of aquaculture leases.

Objective 2.1 Strengthening state and local capacity to effectively manage shellfish resources and shellfish fisheries in the face of increasing management challenges.

All excellent Recommended Actions and would argue top priority to move forward. These will equally benefit all stakeholders.

2.2 Support for research focused on issues impacting shellfish resource health, public health, and shellfish production at the local, state and federal level.

Again, all excellent, especially focus on assessing recreational harvest which will benefit local managers in managing propagation efforts.

2.3 Support for resources that promote industry development, communication, market opportunities, and resiliency.

These are heavy on benefits to the aquaculture industry. Some questions concerning Recommended Actions:

- *Work with stakeholders, regulatory agencies and organizations to develop clear guidance and consistency on aquaculture licensing and permitting requirements;* raises questions and potential red flags. Is this recommended action to achieve consistency on a State or across municipalities?
- *Expand educational training requirements for permitting:* For all harvesters? Video modules may be difficult administer with computer-challenged industry members.
- *Requires state agency support on permitting and development of reporting requirements to include recreational harvest data and shellfish resource population and habitat data/mapping:* Very useful for local managers

Modify and expand existing funding and support to promote public access for recreational and wild harvesters should be included.

Objective 3.1 Encourage economic opportunities around shellfish, but ensure they are managed in a way that is consistent with the character and interests of individual communities.

To "Ensure new legislation, regulation, or policy changes do not unilaterally reduce municipal control over shellfisheries or shellfish aquaculture management", membership of the SAP will need to be perceive as fair and balanced.

Objective 3.2 Improve and refine existing state management strategies that increase sustainable economic opportunities around shellfish resources and shellfisheries while balancing shellfish sanitation concerns.

All excellent goals, strategies and recommendations with emphasis and priority on a more unified Massachusetts presence on the ISSC AND timely notifications to the MSOA on new and emerging issues identified at the ISSC. New mandates within the model ordinance have and will continue to extend and exhaust DMF personnel and should again (as in 2.1) be a priority in budgetary requests to fund the increase challenges to meet new NSSP requirements.

Enhancing state agency participation at the ISSC and NSSP will ensure that Massachusetts can adequately address emerging shellfish sanitation concerns, improve harvester access to shellfish resources, and promote sustainable economic opportunities in the state's shellfish industry.
Exclamation point.

Objective 4.1 *Protect public access to coastal waters and habitat quality in support of cultural uses of shellfish resources.*

Public access in relationship to coastal development and land is not the only issues impacting public access. User conflict within the industry itself should be considered and should especially be considered when discussing aquaculture permitting and license transferability.

Objective 5.1 *Ensuring shellfish and coastal restoration efforts are designed to consider animal health and management implications, and do not result in adverse economic impacts to existing industry*
All Good

Objective 5.2 *Greater support for shellfish and coastal restoration efforts by developing minimum standards and further best practice guidance, examine and revise as needed restrictions on restoration activities in contaminated waters, and a requirement that restoration efforts demonstrate balance between shellfish fisheries interests and public health.*

To be conducted in collaboration with municipalities and should not be imposed on communities that do not want to participate.

Objective 6.1 *Developing and strengthening means of communication between managers, regulators and community groups both within and across all levels of government. (formally constitute a SAP)*

Many stakeholder panels are created with good intentions to incorporate all voices, but, government agency representatives, local resource managers, NGOs and Industry Association representatives, are paid to participate in these forums. Actual industry members, small scale aquaculture farms (that may not be member of MAA) and wild harvesters must participate on their own dime and often lose a day's pay while participating. As we are now all versed in some type of remote participation, the new SAP should continue to allow any member to activity participate remotely. Also, additional membership representing the public (big P) whether a recreational harvester and/or person(s) committed to public access/Public Trust Doctrine issues should be considered as a stakeholder.

Also "*Stakeholders or agencies interested in proposing future legislation that would change municipal authority should notify the SAP so that the working group can be reconvened prior to any legislative proposals*" is there any mechanism to mandate?

In closing the Strategic Plan includes a plethora of goals and recommended actions to bolster acknowledgment and better manage of the Commonwealth public resource and industry. It would be prudent that the next step prioritizes the recommended actions to begin actualizing the goals presented. In my humble opinion, the goals found in 2.1, 2.2 and 3.2 are those that benefit all stakeholders across the board.

Thank you for the opportunity to comment, and I look forward to continued participation in the next phase of the MSI.



Wellfleet Shellfish Department



300 Main Street, Wellfleet, Massachusetts 02667

Date: March 5, 2021
To: MSI Chairman, Daniel McKiernan
Re: Public Comment on MSI Strategic Plan

Dear Dan:

Many thanks to you and your team for working hard to better this process and make it more inclusive and transparent. I think you have made great strides in this process.

Wellfleet is a town of 3,100 and 25 percent of its working-aged population is involved in the shellfishing industry. It is the biggest year-round economic driver for our town, bringing in \$7.7M in 2019, making us number one in the state for the value of locally controlled shellfish landings.

To begin, I offer some overarching thoughts.

I would like to make sure that wild shellfish fisheries, both from land and by boat, are always amply included in any discussion about the shellfishing industry. The historical and future contributions of the wild shellfisheries to our food supply need to be prioritized.

The MSI process began with a focus on aquaculture and how it could provide an opportunity for economic development to the state, which of course, I would support. However, it has also become clear that our best laid plans and aspirations are not always in synch with the realities on the ground. While we may want to grow our aquaculture industry, we have learned that the market might not be able to bear much more, especially once summer outdoor dining draws to a close and markets make a steep decline in demand just as oysters are coming into their best, highest quality harvest period. Decreased demand accompanied by an oyster glut causes annual price decreases which hurt both farmers and wild harvesters, not to mention state revenue tracking. And we may be grappling with the fallout from the pandemic caused by COVID-19 for many years as we see just how many restaurants and other tourism-related industries (cruise ships, Las Vegas, etc.) have been compromised around the state and the country. We definitely will not go back to the way it was for a significant portion of the ten-year plan laid out here. We need to bear that in mind as we navigate with this plan.

Massachusetts is remarkable in providing for local control of near-shore shellfish resources. Many shellfishermen in my community asked why the state is undertaking the MSI. They told me time and again, "If it ain't broke, don't fix it." Given the uniqueness of each town's shellfishing resources, its cultural traditions and the economic importance of the industry to its community, the system needs to remain as is - under local control.

wellfleet-ma.gov/shellfish-department

Phone (508) 349-0325



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(1) building public and stakeholder capacity to support shellfish resources and shellfish fisheries;

I believe that training and subsidies to get shellfishermen involved in the ISSC process, perhaps through the regional Aquaculture Centers, would provide important input that is currently missing from this venue.

(2) development of management, research, and industry resources;

(3) supporting and promoting the cultural and historical uses of shellfish;

(4) supporting and promoting balanced and sustainable economic opportunities around shellfish;

(5) ensuring ecologically sound management and enhancement of shellfish resources and coastal ecosystems;

We are intrigued by this goal as we contemplate our town's future propagation program opportunities. We are particularly interested in the possibility of using our prohibited areas to develop spawning sanctuaries and relay programs. We participate in the contaminated relay program and view the mandated administrative spawning season closure as a boon to our wild populations. We see opportunities for discussion of planning and siting quahog spawning areas as well as a venue for guidance on quahog recruitment and settlement for implementing longer closures. The Wellfleet Shellfish Department runs a long-standing cultching effort for oysters and can see our rates of success and failure each fall. However, with quahogs we must simply assume that dedicated broodstock must augment populations. Better information would help us fundraise for quahog spawning areas and to "sell" closures to our shellfishermen.

(6) fostering communication and coordination between local, state, and federal managers and developing improved guidance for such communication

I strongly believe that the Shellfish Advisory Panel should be populated with a diversity of shellfishermen who make their livings in the industry, and that the SAP selection process goes above and beyond to make sure that their voices will be included. That will mean scheduling the meetings when shellfishermen can attend and in ways that they can contribute. It will take more work, but it will be the only way to get industry buy-in and trust. To populate this panel with only government employees and NGO staff would be a disservice to the industry and to the context of the work the panel plans to do. It would be less rich in content, experience and innovation, something we can't afford. All legislative proposals should always go to the SAP for review and a more inclusive and transparent public process.

I will continue to go through the document and provide more specific feedback. Thank you for considering my feedback.

Sincerely,



Nancy Civetta, Shellfish Constable

March 5, 2021

Chairman Daniel McKiernan, Director DMF
Massachusetts Shellfish Initiative

RE: Draft MSI Strategic Plan Public Comment

Dear Dan,

This MSI Public Comment on the MSI Strategic Plan Draft is being submitted on behalf of the Wellfleet Shellfishermen's Association (WSA). The mission of the Wellfleet Shellfishermen's Association is to protect the character and tradition of Wellfleet's Historic Shellfish Industry by supporting the long term viability of our wild harvesters and independent aquaculture farmers. We are committed to keeping the shellfishermen of Wellfleet independent. We appreciate that you have taken our concerns into account throughout the MSI process. We also appreciate that you are continuing to do so in the strategic plan by including us as one of the lead organizations in the future on several key issues. Our comments and suggestions to the MSI Strategic Plan Draft are below:

Goal 1.1: Improving how local and state managers communicate and engage with stakeholders

WSA has been extremely vocal since the inception of the MSI process regarding transparency and communication to the public. We applaud the DMF for responding to our concerns at every juncture. We would like the MSI Task Force to consider the following changes to the Strategic Plan regarding communication:

1. Once out of COVID-19 we request that all meetings be filmed so that the working shellfishermen and all other stakeholders can view them.
2. We also would like to see the practice of forming working groups with fewer than 4-5 members be avoided and if not possible still made to comply with MGL Open Meeting laws and have all meetings filmed so the public can stay informed.

2. Objective Category 2: Management, research, and industry development.

2.3 Goal 2.3 suggests the SAP "evaluate and recommend potential changes to regulations/guidelines for *direct-to-consumer sales* consistent with NSSP and state regulations, explore other opportunities for harvesters with expanded training and permitting."

We take concern with this recommendation in its current form because the existing composition of the SAP is heavily weighted with members who are seafood dealers that are on record

objecting to a consumer direct sales model for shellfish. The current SAP has a limited number of representatives (maybe one) who are solely independent shellfishermen. Therefore we have a grave concern that the current panel composition will not support or endorse a change in regulation that would allow direct to consumer sales, because it will not benefit the majority of SAP members who are shellfish dealers. We request the language of Goal 2.3 and representation of the SAP be changed before embarking on this mission, so that the key decision makers are properly representative of the Massachusetts shellfish community and shellfish farmers when deliberating this topic and this decision.

As an organization representing a majority of the Commonwealth's aquaculture farms, who would directly benefit from a Farm to Table or Consumer Direct sales model, we also request inclusion in this process from the onset. It is our belief this initiative will be best served by an unbiased survey and thorough exploration of the direct sales models for shellfish that currently exist in Maine, New Hampshire, Rhode Island, Connecticut and New York. We need an energetic and supportive panel or committee to be convened so this matter can be pursued heartily by the DMF and our legislators. ***We also request that all measures will be taken by the DMF to ensure that the seafood dealers do not negatively influence the pursuit of a Direct to Consumer sales initiative whether they are on the panel or on the sidelines.***

Goal 3.1: Encourage economic opportunities around shellfish, but ensure they are managed in a way that is consistent with the character and interests of individual communities.

The Wellfleet Shellfishermen's Association is appreciative of the inclusion by the MSI Task Force in this new working group to discuss and resolve issues associated with consistency in licensing and permitting. However, the task to convene a working group that is assigned to the current SAP raises a concern that these critical issues will not be dealt with neutrally and with the best interests of independent shellfishermen in the forefront because of its heavily weighted dealer composition. Also, many of the existing SAP members are on record supporting HB746 and one member claims its authorship. We request the SAP membership be realigned to properly reflect the towns and communities that will be most impacted by changes to licensing and permitting of shellfish in Massachusetts before commencing further with this topic.

Our stated concerns are based on a review of SAP meetings and MFAC meetings since 2014 where existing SAP members suggest the towns have too much control over the shellfish industry (minutes supporting that statement can be supplied by request), plus public statements and letters penned to the press supporting HB746. ***It is because of these past positions and public statements that as composed now, we do not feel the SAP represents the shellfish industry of Massachusetts and that critical actions taken by this panel should only happen after the existing membership is redistributed and it is reconstituted. This includes their act to convene a work group of diverse stakeholders, municipalities, and appropriate agencies to discuss and resolve issues associated with consistency in licensing and permitting.***

Goal 5.1: Ensuring shellfish and coastal restoration efforts are designed to consider animal health and management implications, and do not result in adverse economic impacts to existing industry

The Table 5. Goals, Strategies and Recommended Actions has left out a most critical partner and that is the ***MADEP who has not ruled conclusively on the science and use of shellfish for nitrogen mediation in the current pilot projects on Cape Cod. We request the MADEP be informed and included in all of these discussions and actions. How could they have been left out of such a crucial discussion?***

Objective Category 6: Foster communication and coordination between community groups, local, state and federal managers and developing improved guidance.

We concur with the need for a more formalized Massachusetts Shellfish Advisory Panel to continue post-MSI work and to provide a venue for cooperation and communication to ensure follow through on MSI objectives and to address future challenges that require interagency coordination. We request as stated in two goals above that the existing SAP be dissolved, realigned and reconstituted prior to convening any working groups or taking further action regarding Massachusetts shellfish because the existing SAP does not properly reflect the Massachusetts shellfish community due to its overweight of shellfish dealers. It is important that a portion of SAP members represent and align with the best interests of independent shellfish producers, farmers and wild harvesters, particularly when it comes to aquaculture lease transfers and direct to consumer sales.

In closing, there are many more comments that could be extracted and critiqued from the Strategic Plan Draft, but these are our main concerns. The Wellfleet Shellfishermen's Association appreciates the time you have taken to review these crucial topics and we trust that you will continue to look out for the best interests of all the key stakeholders in the Massachusetts shellfish industry. We look forward to working with you in the future.

Sincerely yours,

Ginny Parker
President
Wellfleet Shellfishermen's Association



Mass Shellfish <massshellfishinitiative@gmail.com>

Public comment on msi strategic plan

2 messages

Damian Parkington <dmob75@yahoo.com>

Fri, Mar 5, 2021 at 4:46 PM

To: MassShellfishInitiative@gmail.com, Dan McKiernan <dan.mckiernan@state.ma.us>, Dan McKiernan <dan.mckiernan@mass.gov>

Dear Committee Members,

Thank you for the opportunity to comment on the MSI strategic plan; a document that has been born through some controversy but I believe to be an important tool towards structuring the future of shellfish management and coastal waters conservation.

I believe Home Rule is critical and support for aquaculture, commercial shellfishing and recreational harvest should be fostered by the appropriate state agencies to educate and financially incentives communities.

I feel that animals harvested under "section 208" or for environmental mitigation should have guidelines for entering commerce so as to minimize economic impact. I also feel that the economic effect of rewarding nitrogen removal should certainly be examined and the public be assured that credits be balanced among stakeholders.

Lastly, I am proud both of the grassroots concern that confronted the MSI and the process that has vetted the current results. I think it is democratic and measured, well intended and sounded.

I'm glad to have participated in the scoping committee.

I hope that future legislators and regulators will seek to work from all sides of some of the more contentious issues like Aquaculture licensure transferability. Their constituents who literally have their boots in the muck have much to share.

Sincerely,

Damian Parkington

Commercial Fisher

Wellfleet

Sent from my iPhone

Mass Shellfish <massshellfishinitiative@gmail.com>

Fri, Mar 5, 2021 at 5:07 PM

To: Damian Parkington <dmob75@yahoo.com>

Hi Damian,

Thank you for your input. It will be shared with the MSI Task Force and taken into consideration as we finalize the strategic plan.

Thanks,

MSI Strategic Plan Work Group

[Quoted text hidden]



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Oyster, Marstons Mills*

March 5, 2021

Daniel McKiernan.
Director MA Division of Marine Fisheries
MSI Chairman

Submitted electronically to MassShellfishInitiative@gmail.com

RE: Public Comment on MSI Strategic Plan

Director McKiernan,

As you are aware the Massachusetts Aquaculture Association (MAA) was among the initiators of the Massachusetts Shellfish Initiative and has remained engaged in the MSI process since its inception in 2017. Despite the range of challenges, concerns, misconceptions, and misunderstandings that have faced the MSI process, we are pleased that the process has led to a draft strategic plan and thoughtful recommendations that respond to the objectives articulated by MAA.

We would also like to take this opportunity to recognize and thank you for your leadership in assuming the role of MSI Chair and helping to bring greater transparency as well as the dedication of your agency's staff and resources to the process. Indeed, your efforts have been, and we expect will continue to be critical to the conclusion of the MSI process and implementation of the plan. To that end, MAA remains committed to working with you and the range of shellfish stakeholders to ensure continued progress toward the articulated intent of the MSI to "maximize the economic, environmental, and social benefits of Massachusetts' shellfish resources".

When considering the intentions and purpose of a Massachusetts Shellfish Initiative, MAA identified several objectives that have been addressed in some way by the MSI Draft Strategic Plan recommendations. We offer the comments below in context of the MAA's objectives and to strengthen recommendations so that they may better serve implementation of the MSI.

1) As a reflection of the economic, social, and environmental benefits to the Commonwealth MAA sought a statement of priority from the Governor and Legislature for commercial aquaculture in Massachusetts to invest in building a stronger foundation to safeguard the growth achieved by shellfish farmers over the last two decades.

Clearly, several recommendations speak to greater recognition and expanded support for shellfish resources that aim to increase investment either directly or indirectly in shellfish aquaculture. However, implementation of any of the recommendations that are associated with greater investments, agency

actions, including modifications to agency authority, personnel or resources, as well as interagency collaboration or resource sharing like that associated with a more formalized Shellfish Advisory Panel will rely upon legislative action that appropriately codifies and empowers an authority with the responsibility to implement the recommendations.

Absent the appropriate level of authorization, there is no certainty that the MSI, its recommendations and the great volume of time and resources that have been put toward the development of the MSI will have any near term or long-lasting impact or benefit.

A clear example of how well intended and significant plans fail to be implemented due to the absence of legislative authority is exemplified by the disposition of the 1994 [Massachusetts Aquaculture White Paper and Strategic Plan](#). This plan offered 68 recommendations, many of which remain applicable to this day but for lack of formal adoption by legislative action, most of those recommendations have not been implemented. Although clearly the current state agency interest and engagement suggests immediate commitment and opportunities to support MSI recommendations, the ever-changing nature of shellfish resources as well as that of the authorities overseeing those resources points to a need for a permanent and formally codified mechanism.

With this in mind, MAA strongly supports the recommended legislative action to formalize a comprehensive Shellfish Advisory Panel that is charged to implement the recommendations provided by the final MSI Strategic Plan.

- 2) Increased agency funding for research and monitoring that included support for work associated with shellfish genetics and breeding, animal health and disease, food safety, and water quality is an MAA objective that is also recognized by several recommendations in the Draft MSI Strategic Plan. Again, although (State) Agencies certainly have some discretionary authority relative to the work they undertake or the activities they support, such an objective and the associated recommendations in the Draft MSI Strategic Plan more often require legislative action that not only provides access to resources but also aligns those resources with the support and delivery of programs and services.

MAA encourages legislative action that strengthens agency capacity, abilities and resources but utilizes an equitable approach toward supporting such increased resources. In the case of shellfish resources, beyond the value of commercial activities associated with shellfish farming and wild resource harvesting, there is also great but in many cases undocumented value to Commonwealth residents and visitors who engage in recreational shellfishing activity. In consideration of the shared value of shellfish resources and the broad benefits a healthy resource provides, costs associated with the support of those resources should likewise also be shared by the breadth of the beneficiaries.

- 3) Enhanced regulatory framework for non-profit and municipal aquaculture projects to prevent siting issues, increased disease pressure associated with increased shellfish propagation activities, and elimination of market impacts that may be associated with public or non-profit shellfish propagation efforts is an MAA objective that is generally addressed by the Draft MSI Strategic Plan. Recommendations associated with examination of regulatory frameworks and the extent to which propagation activities impact shellfish markets, as well as challenging issues of regulatory consistency and license transferability all point toward the need for further discussion and ongoing workgroup activity to find resolution or adequate and equitable approaches toward addressing these matters.

MAA supports ongoing dialogue that includes addressing the range biological and market challenges associated with increased shellfish activity and consideration of offering state support as an incentive toward achieving consistency among shellfish management plans and greater predictability of regulatory procedures associated with shellfish aquaculture businesses.

In consideration of the dynamism of shellfish resources, markets and the environments where shellfish farms and resources exist, a likewise dynamic and comprehensive process for resource oversight and management must be established and, again, should be accomplished through thoughtful and comprehensive legislative, regulatory and policy level actions.

The MSI process has done well to document challenges and to frame recommendations and an implementation processes to address those challenges. Certainly, some of the identified challenges are not new but have been exacerbated by communications shortcomings and the absence of a formal and coordinated processes that not only address the challenges of today but looks toward the future in an effort to provide solutions before challenges emerge. MAA is hopeful for the opportunity of continued dialogue and implementation of the MSI Strategic Plan and stands ready to continue our participation for the betterment of our industry as well as the Commonwealth.

Respectfully,

A handwritten signature in dark ink, appearing to read "Seth Garfield", is written over a light blue horizontal line.

Seth Garfield
President

3/1/2021 8:48:27	Jeffrey Hahner	jeffhahner@comcast.net	Chatham	Recreational Harvester, Member: Shellfish Advisory Committee, Chatham
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Regarding Objective 4.1 Despite the Commonwealth's history of protecting public access to coastal waters and habitat, the reality is that access has become more difficult due to pressure by developers building shorefront Mega Mansions. In addition, many recreational shellfishers do not understand their rights to the habitat, and may be intimidated by aggressive homeowners. Given population growth, it is obvious that Colonial regulations giving property rights to low water mark are archaic and not in the public interest. Efforts should begin to have them revoked.

3/3/2021 9:03:23	Seth Garfield	oceanrancher@yahoo.com	Cuttyhunk Island	Shellfish Farmer, Wholesale Shellfish Dealers, Non-governmental organization
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To: Massachusetts Shellfish Initiative Chairman Daniel McKiernan, Director of DMF

From: Seth Garfield-Owner of Cuttyhunk Shellfish Farms Inc

Good Morning Chairman Dan McKiernan,

Thanks for your leadership on this important committee which will help set a new course for this ever expanding industry in the Commonwealth. We are proud to be part of the economic engine of Massachusetts with this sustainable industry that produces a fine product and helps create jobs and clean the waters of the State.

I totally support the comments made by Mark Begley, a fellow shellfish farmer and I appreciate your making the changes he has suggested. I do want to emphasize the importance of the following and I am aware that these issues will be further addressed with the committees that will be formed in the near future upon the completion of the MSI report. I will be happy to serve as needed on some of these committees.

1. Traceability of shellfish is important and I hope that with technology and common sense that better ideas will be brought forward.
2. Transferability of permits and grants is very important as many of us are looking at exit strategies for our businesses after decades of work. Right now it is very unclear as each Town can kind of make up its own decisions.
3. Issue with the reclassification of water bodies is so unclear as to who has jurisdiction and what parameters dictates the changes and if farmers are impacted, there seems to be no immediate recourse for them.
4. Possibility of more research on the limiting factor of eel grass. As we make great strides in water quality, eel grass is coming back and then reducing the possible areas for current aquaculture as well as future sights. Can studies be done to see what type of gear can be used in harmony with eel grass.
5. In the MSI summary there is a common thread of referring to lack of man power at many levels that then limits data collection which then in conflict with the NSSP documents. This needs to be rapidly addressed as we can not fall out of compliance because of the lack of data which then forces the hands of the regulators.
6. Can the DMF use the MSI recommendations to ask for a 18 month reprieve from the mooring field reclassification issue, since many concerns are in the process of being addressed at a higher level.
7. Explore the idea of Carbon and Nitrogen credits for certain size oyster farms.

Thanks for reading this and adding these comments where appropriate.

Seth Garfield

3/5/2021 9:04:28	Andrew Jay	andrewtjay@outlook.com	Boston	General Public
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The MSI strategic plan has little emphasis on oyster restoration other than examining ways to ease our overly restrictive regulation around it. It is well known that oysters have numerous environmental benefits including supporting the fishing industry as many fish feed off the hundreds of organism who inhabit oyster reefs.

The focus of the plan as proposed is largely in support of industry, which is an admirable goal. However, it leaves out the objective of reef restoration which is pivotal to a successful repair of our coastal environment. More importantly, without that pathway to restoration programs, the MSI as written, will not open the door to significant non-profit funding for these programs. That funding opportunity is huge as evidences by the tremendous economic benefits realized in Maryland through shell recycling and reef restoration. Much of it paid for through the work of non-profits. The sad result will be that Massachusetts will remain a distant laggard on the East Coast when it comes to oyster restoration.

It should be noted that New York City has active restoration programs in the Hudson, off of Long Island and in Raritan Bay. Restrictive rules have prevented oyster restoration programs in Boston Harbor, Chelsea Creek, Fort Point Channel, Quincy Bay, Mystic River, numerous North shore locations, etc, etc. The MSI needs to recognize that the shellfish tracking and monitoring programs work and that these programs can and should be initiated.

Reef restoration should be a goal, not an after thought. The idea of an MSI is valid, but the approach is centric around the industry today. And gives short shift to what our coastal environments could be.

3/5/2021 15:45:30	Kris Clark	kris@meganet.net	Barnstable	Shellfish Farmer, Recreational Harvester, Municipal official
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On a recent meeting with the Cape and Islands Selectmen and Councilors, I was glad to hear Rep. Peake refer to the MSI and that some progress had been made, so I looked it up to catch up with the news. I had participated in some of the early meetings, prior to being elected to the Barnstable Town Council. At that time, I was the shellfish farm manager for the Mashpee Wampanoag Tribe. Prior to that I worked as Shellfish Propagation Technician for the Town of Barnstable for 14 years. Now I work part-time on an oyster farm in Barnstable Harbor. The owner, Mark Begley, served on the Assessment Committee for MSI.

I have been thinking of how the state's Shellfish Industry, which is growing, might learn from the Massachusetts Cranberry Industry, which is in decline. This appears to be supported by this research article.

<https://mail.google.com/mail/u/1/#sent/KtbxLzFrKvJGDFgXGTnwxdvMFVNppwlwgV?projector=1&messagePartId=0.1>

A West Barnstable resident is Director of the UMass Cranberry Station in Wareham. She told me that the Cranberry Station was recently (August 2020) awarded grant money to build another building and bring five more labs in addition to their existing seven. Here is a link to the Governor's announcement of \$7.75 million for their expansion. I counted 14 people serving as staff and/or faculty there.

<https://www.mass.gov/news/baker-polito-administration-announces-775-million-to-support-upgrades-research-at-umass>

From this Press Release from the Baker-Polito administration I read: In 2019, the total value of utilized Massachusetts cranberry production was approximately \$64.8 million.

From the Massachusetts Division of Marine Fisheries 2019 Annual Report, page 47: the total value of aquaculture raised oysters and quahogs was: \$29,858,281

There appears to be a large discrepancy in the state's investment between the Cranberry and Shellfish industries in 2019, unless I am misreading some of the information.

<https://www.mass.gov/doc/2019-dmf-annual-report/download>

The Shellfish Industry could benefit from government funding for its growing industry- research, disease testing, pest control, etc. The Barnstable County's Marine Extension staff of three work out of a 1960-ish home, doing some lab work in their dated kitchen. I know- I did some work for them there.

Perhaps you can utilize the goals and strategies in the MSI Strategic Plan to garner some meaningful state and federal funds to support this expanding green industry that could use a shot in the arm after this crippling year for shellfish sales due to the pandemic. I'm not proposing to "steal" funding from the cranberry industry but to learn how they have been able to grow their human and physical resources so successfully.

I also suggest that any research funding be patterned after the cranberry industry and done so through the our university system, like UMass. It should be a-political and separate from the regulatory arm of our state government. How the proposed Shellfish Advisory Panel gets populated will speak volumes.

This form is very annoying. It keeps jumping off the visible page, perhaps because I have gone on too long. I had more to say but can't see what I'm typing.

Nonetheless, I was heartened when I heard that the movement behind MSI has made progress. I look forward to a better outlook for this vital Massachusetts Industry.

3/5/2021 16:08:49	Dale Leavitt	dale@bluestreamaquaculture.com	EAST FALMOUTH	Shellfish Farmer, Recreational Harvester, Researcher
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To: MSI Task Force

From: Dale Leavitt

(10 Twin Oaks Drive, East Falmouth, MA – dale@bluestreamaquaculture.com)

Date: 5 March 2021

Re: Public comment on MSI Strategic Plan

As a longtime shellfish enthusiast and new shellfish farmer in Massachusetts, I welcome the opportunity to provide comments on the draft Strategic Plan. Having recently participated in a similar exercise in Rhode Island (<https://www.shellfishri.com/the-plan/>), I am well aware of the role that a good plan can have in advancing our knowledge and management of local shellfish resources. Therefore, I applaud the MSI Task Force for their efforts in developing a comprehensive plan to advocate for the shellfish of Massachusetts and for the stakeholders who are invested in the proper management of the resource.

As is true of all efforts that try to take a large-scale issue and reduce it to actionable items, the plan has many good attributes but also a few deficiencies that I would like to discuss. To that end, I will start with the bigger picture comments followed by a focused discussion of some of the specifics to the plan.

I missed the Vision and Mission statements that normally precede a strategic plan. These set the stage for what you are trying to accomplish with the planning process and guide the development of the plan. They also guide the reader in assessing the goals and the means to achieve those goals. I also found the goals of the plan to be somewhat redundant and could have been organized differently. For example, both the first and sixth goals focus on communication in their actions. Therefore, regardless of the audience, they could have been combined to more clearly advocate for this very important aspect of planning.

As I pointed out during the public discussion last week, I was disappointed to see the wild-harvest sector of the shellfish industry pretty much shut out of the plan. I can find very little reference to the wild-harvest folks nor are there any recommendations that are specific to that sector. Granted, many of the recommendations are universally applicable to both wild-harvest and aquaculture; however, none of the rationales provide any details as to how the action may impact the wild-harvest fishery nor is there

any recognition that the fishery may need a place at the table in these discussions. This was immediately clear in viewing the composition of the Task Force. Of the 21 members of the Task Force, only two members are involved in the aquaculture sector and there is no representation at all from the wild-harvest fishery or from the shellfish wholesalers/dealers. In strategic planning, all sectors need to have a seat at the table and need to provide input from their perspective of the industry. While these groups may have been represented on one of the subcommittees, they were excluded from the primary group (the Task Force) generating the plan. In my mind, this is a fatal flaw to the strategic plan in that two very significant components to the shellfish industry have been left out of the process while the vast majority of Task Force members originated from the policy/management sector.

A key component to the implementation of the Strategic Plan and for future planning of shellfish management in the Commonwealth is the proposed state-level Shellfish Advisory Panel. Although the responsibilities of the Panel are referenced throughout the document, the actual formation of the Panel is the last recommendation covered in the Plan and not described in any detail. I would consider this group to be the most important action that the MSI can implement. However, the details of the Panel need to be developed and described in much more detail. If the composition of the Task Force is any indication of the composition of the Advisory Panel (as is suggested on Page 22, Lines 8-10) then the Plan must strive to expand the composition of the Panel beyond the Task Force to include equal representation from all stakeholders and describe it in much greater detail. For example, who will be selecting the members, how will they be appointed, what authority will the Panel have to affect implementation of recommendations and/or suggest new recommendations, how long will someone sit on the panel, should the Panel be meeting more than twice per year, etc.? Furthermore, the identification and description of the Panel should be one of the first issues addressed in the body of the Plan, given the role the Panel will have in future shellfish management actions. The Strategic Plan cannot be finalized until some of these details have been defined.

The 800 lb. gorilla in the room is the delegation of authority between the Commonwealth and the Municipalities. The Task Force pussyfooted around this issue in the Strategic Plan with little clear indication as to how the Plan will reconcile these two authorities. While I am supportive of local control of shellfish resources, for who knows their resource better than the local managers, I believe the Commonwealth needs to provide stronger guidance to the towns. In many instances, the governing body of the town is not particularly well versed in shellfish management issues so when it comes time to establish procedures and protocols, sometimes not the best policy is established. If the state took a more active role in providing guidance documents, training, model regulations, and advice to the towns, there could be more consistency in the local rules. While not being dictatorial, the Commonwealth needs to provide strong incentives for municipalities to align their unique circumstances with a more consistent state-wide policy. Although mentioned across the Strategic Plan, I believe this section needs to be expanded and more clearly developed and articulated.

Throughout the document, there is reference to establishing an expanded laboratory/personnel capacity at DMF to allow for research and monitoring on many different shellfish fronts, including

human health risks, stock assessments, and shellfish diseases. While I am aware that the Commonwealth has certain monitoring responsibilities under the FDA regulations for shellfish area openings and that these responsibilities seem to be expanding yearly, I am concerned with the DMF overextending their personnel, as well as their responsibilities. If one surveys the means by which most state shellfish management agencies in the region accomplish research and, to lesser degree, monitoring, they rely on the academic and commercial sectors for collaborative work. Contracting with the academic and commercial sectors seems to me to be a much more financially responsible means to gain the info needed with many additional benefits, including a wider array of available expertise along with innovative protocols and equipment. Establishing a new research laboratory is an expensive proposition that includes hiring the personnel to make it function. Why reinvent the wheel when those resources are currently available through a number of academic and commercial venues? Therefore, I strongly encourage the Plan to prioritize using fee-for-service and ISAs to accomplish collaborative research and monitoring needs and forgo the development/expansion of a dedicated DMF laboratory.

My last general comment covers my current cause célèbre, the overall permitting process. Although my licensing circumstance is somewhat unique, it should not take more than 2 years to permit a site for farming. I have generated and submitted nine different individual permit/review applications, successfully argued for exemption from three more (including an Environmental Impact Review), and still have two to go before I can put any shellfish on my chosen location. Of the nine applications I generated, the redundancy between the information required among the nine was outstanding. Why was there no mention in the Strategic Plan of reviewing the permitting process and finding a means to streamline licensing? Why am I generating upwards to thirteen individual applications, with each providing similar if not the same information? Why is there not a single application format submitted at the town level and guided through the various agencies in a partnership between the applicant and an advocate at the state level (possibly DAR)? What if there was a time limit on the review process such that if no response is received from any specific reviewing group/agency within 60 days then the review is considered completed with no adverse impacts? For example, I am currently on day 210 with my Army Corp application and no timeline for conclusion has yet been defined. The application process is redundant, confusing, too drawn out, and needs to be addressed. I realize that this is a huge lift but it needs to be included in the Strategic Plan.

One last note, kudos to the team that put together the Mass Aquaculture Permitting Tool (<https://www.massaquaculturepermitting.org/>); for without it, I would have been hopelessly lost in the rabbit hole of permitting (and I am supposed to know what I am doing!) A great first step but it needs to go far beyond a list of requirements!

In addition to the generic comments above, I have some specific comments to items in the Plan. I will list these by Goal.

- Goal 1.1:

- o The bulk of this goal is to improve communication between the regulatory world and the stakeholders. The Plan addresses this very well. However, the second part of this goal is to “engage stakeholders” and I see no actions listed that will actively engage the stakeholder. Without directly engaging the stakeholders in the regulatory process, it results in a top-down management structure that does not empower the stakeholders nor make them want to participate. I see the proposed Shellfish Advisory Panel as playing a role here, provided the Panel is constructed to give the stakeholders an equal say in the process.

- o Another tool to open lines of communication is for the Commonwealth to encourage the municipalities to establish shellfish resource management committees in their towns as a means for stakeholder involvement (there are already a number of them in existence). As these committees become established, the state could get them to organize as a statewide organization, either in collaboration with the Mass Shellfish Officer’s Association or as a stand-alone organization. That would provide a direct link between the state and among the towns to help foster consistency in local rules and policies.

- o The timeline says to review annually but I would suggest, at least for the beginning, that the program be reviewed more frequently to ensure that the various components are being launched in a timely manner. Once a year is not enough.

- Goal 1.2:

- o The role of the State Aquaculture Centers is far more than education. While this should be one of their goals, at least SEMAC, and to a lesser degree NEMAC, has played a much larger role in research and extension programming. Therefore, I believe that defining the priority of Aquaculture Center funding as educational will severely limit the Centers’ activities and benefits. The Plan needs to recognize, encourage, and enhance the Centers for the wide array of services that they provide to the industry and not just for education.

- o However, the state needs to place some form of performance metrics and evaluation on the Centers to ensure their funding is being allocated wisely and effectively. If they don’t pass muster then the funds get reallocated to those Centers that are effective.

- Goal 2.1:

- o As noted above, the development of ISA’s and collaboration agreements is a much more cost-effective and productive way to invest in advancing our shellfish knowledge in the Commonwealth.

- o Improving on shellfish constable training and initiating training for town managers and advisory committees is an excellent tool to advance shellfish awareness in our coastal towns.

- o I believe that we currently have a Division of Animal Health that is focused on providing health management services to domestic animals in the Commonwealth. Why appoint a Shellfish Pathologist rather than encourage the Animal Health people to expand their definition of domestic animals to include farmed aquatic animals? We have provided training to the USDA-APHIS folks along these same lines (at their request) and it makes perfect sense for the state to follow along in that vein.

- o The bulleted point starting with “Bolster state shellfish laboratory capacity” is an incomplete statement.

- Goal 2.2:

- o Reference is made to a state “list of prioritized shellfish research needs.” Who will generate this list and how? Will it be generated by stakeholder input? More details are required.

- o Whenever research needs are mentioned throughout the Plan, the agencies identified to respond are limited to NOAA Fisheries and Sea Grant. There are many more fish in the funding sea, so I do not understand why these two agencies are singled out (other than they are represented on the Task Force!) Please expand this list to include all relevant funding agencies or delete specific references to these two.

- o I am sorry to see that much credence given to using shellfish as a nitrogen mitigation tool by specifically mentioning it in this document. While shellfish have a role to play, I believe it is relatively minor compared to other remediation technologies and I hate to see towns put too many of their eggs in that basket. The Plan may help encourage that with its direct endorsement of the strategy.

- Goal 2.3:

- o It makes me nervous to see that formal training may be required for new entrants into the industry. While I am an advocate for training, I do not believe that it is the only route to entry into the industry. To make it mandatory, which is how I am interpreting this section, would be a mistake.

- o Again, what about groups such as the USDA ARS Cold Water Shellfish Genetics group, who are developing lines of oysters for our local use, or the USDA Northeast Regional Aquaculture Center funding program, among others – why aren’t they mentioned if you are going to give named billing to NOAA and Sea Grant?

- Goal 3

- o This is where the 800 lb gorilla rears its head!

- Goal 3.1:

- o I would emphasize that pre-determined metrics are essential for the evaluation (and rewarding) of town programs.

- o This is a good handle to strongly encourage towns to work for consistency across the state in terms of managing their shellfish resources and permitting for wild and farmed harvest.

- o I see a role for a state-wide municipal shellfish resource advisory committee association (SRACA???) within this goal as well.

- Goal 3.2

- o All good!

- Goal 4:

- o When speaking of cultural use of shellfish – I am surprised that there was no Native American tribal representation on the Task Force.

- o It is imperative that the Native American culture be represented in this process.

- Goal 4.1

- o Given the dearth of research coming from Massachusetts State Universities with respect to local shellfish resources. I am surprised that they are singled out as a possible funding collaboration. I would much rather see an open competition for state research dollars rather than an earmark for an uninterested State University that is merely looking for the funding and will promise the world and deliver little to nothing.

- o As DMF establishes formal requirements for resource management (i.e. site inspections, resource surveys, etc.), these thresholds should be vetted with the SAP and with outside experts in the field to establish the veracity of the threshold and subsequent policy.

- Goal 5:

- o I get very nervous when I see the words BMPs and Regulations included in the same statement. BMPs are voluntary practices that are instituted by an industry to provide guidelines to their members for proper management of their enterprise. Regulations should not be related to BMPs as the BMP may change rapidly with developing technology and/or practices while regulations are much more difficult to adapt quickly.

- o Furthermore, not all BMPs are applicable to every farming situation so trying to standardize them in a regulatory framework eliminates the flexibility of the practice standard.

- o Shellfish in 208 plans – see my comment above on nitrogen remediation via shellfish.

- Goal 5.1:

- o Glad to see the Plan encourages the analysis of the economic benefits from and threats to harvesting shellfish resources.

- Goal 5.2:

- o I encourage the Commonwealth to look very carefully at local and regional restoration and enhancement programs to measure their efficacy and their cost-benefit. While each location is different, there are general trends that may provide insight into how the state supports these efforts.

- Goal 6:

- o The rationalization and plan for the development of the Shellfish Advisory Panel needs to be moved to the front of the document as this is a critical part of the Strategic Plan.

- o See my comments on the SAP in the section above.

3/2/2021 16:44:07	Robert Davis	robert.j.davis@nm.com	Chatham	Recreational Harvester, Municipal official
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I hope that MSI will become the lead organization to protect MA shellfishing by aggregating concerns and positions across the Commonwealth to present a single united front on important issues especially relative to the Federal government (eg. 17-100 Marina definition).

2/14/2021 16:43:06	Philip Chiaraluce	EdgewaterOyster@outlook.com	Wareham	Shellfish Farmer, Recreational Harvester
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I'm really hoping to see amendments that would allow for farmers to sell their products directly to the public. During these trying economical times for shellfish farmers, there has been a drastic decrease in market demand. We need all the help we can get in order to maintain our livelihoods. Thank you.

2/16/2021 15:25:27	Mike Dunbar	tide2431@gmail.com	West Yarmouth	Wild Commercial Harvester, Shellfish Farmer, Recreational Harvester
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To whom it may concern, in theory this sounds like a great idea, but if it is going to be another regulatory agency, we already have plenty of those. As it is we have to deal with local, state, and federal agencies. If you are going to be a go between, helping to give us a voice in all these agencies, I'm all for it. That being said, as a full time oyster farmer, part time commercial harvester, and occasional recreational harvester, I'm not 100% sure what you are trying to accomplish. I read over the strategic plan and found it somewhat repetitive and confusing. I'd like to think that we will probably have some of the same ideas on how to improve the industry, but to make sure I'll try to list some of my concerns and ideas.

As we all know the pandemic has definitely changed our industry. One of many things that I would like to see is a temporary stop to new aquaculture leases. Right now the price and demand are way down and additional farms could definitely make that even worse. There is also a large surplus of oysters already on established farms, so any additional new farms could definitely make it even more difficult for the established farms move inventory.

Also many towns have started to use oysters for nitrogen removal. In the past the surplus went to the "commercial harvest" destroying our market at the hardest time of the year to sell. Instead of the state subsidizing the towns to grow oysters, maybe established farmers could receive some type of green tax credits. We already have the gear and if they give tax credit for other green things like solar panels, why not nitrogen removal? We also have to send monthly reports to state, so this proves how many oysters have been removed from the water. The tax credits could be based on that number.

One of the things that I think I saw on your list was establishing new markets. Although new markets definitely need to be established, we should try to expand existing markets. I live on the Cape, and when I go to the local grocery store there's almost always oysters from Connecticut, but rarely any from the Cape. We have a far superior product and it's easier to get oysters from Connecticut then it is from the Cape. It definitely doesn't make sense to introduce out of state oysters to tourists or locals, that might order them at a restaurant.

Also if there was anyway that we could possibly sell directly to the public without having to have a facility to inspect. Even if it was only out of vibrio season. I'm not suggesting that we can sell to restaurants or larger amounts, that should still go to the wholesaler, but smaller amounts to friends and family could help us make some money. Especially during this pandemic, it would be very difficult to pay for a new wholesale facility and all of the things needed to get inspected. We already have additional time and temperature rules for vibrio season. I think with a bit of training we could expand on that to be able to sell directly to the public to help supplement our incomes. I have spoken to growers in other states and they are allowed to sell directly to the public.

If you are going to be the go between for the state and feds why is there suddenly a reason to change the designated shellfish growing areas ? Why are they so worried about the mooring fields? If they are worried about the boaters discharging anything into the water, why wouldn't they fine the boaters instead of taking away commercial areas or possibly effecting the current farms? Between that and the new concern about the presence of birds at the farm it is difficult to know if I should keep investing in gear and seed. Don't get me wrong if they do some testing and there is a problem caused by the presence of the birds I could see the reason for concern. It's just bad for the industry if anyone gets sick but it's also very difficult to pay for seed and new equipment knowing that the rules can change and we can be shut down for months with no advanced warning.

Again with the pandemic and the money not coming in like normal, it will be difficult to pay for a bunch of new bird deterrent that may or may not work to the specifications of the state. Between that and the possibly of the FDA reclassifying growing areas how do we know how to plan for the future, especially

when it can take years to grow oysters and quahogs to market size. Then with the swipe of a pen our business could be closed after investing hundreds of thousands of dollars.

Also ocean acidification is a huge concern. I think the state is trying to be proactive but again with the future in mind we need all the information we can get on the subject. I'm not sure if you or someone else would send us the information. I'm sure that if I continue to think about it that I would come up with more concerns because this is how I make my living, and between the pandemic and the other things I've stated it is a very difficult time to be a shellfish grower/ harvester.

Concerned shellfisherman Mike Dunbar

2/17/2021 7:30:44	Gregg Morris	Greggsoyster@gmail.com	Duxbury	Wild Commercial Harvester, Shellfish Farmer
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1) Government or “outside monies” used to propagate seed beds of oysters should NOT be sold commercially (keep it recreational harvest only). This practice has placing an unfair financial advantage against the farmers that worked so hard to establish their marketplace.

2) FDA has to use models that are reflective our our unique estuary dynamics and conditions (example- higher tidal flow, temperatures, ect) , not the standard that applies to the whole country.

3) As a farmer we should have a provision that allows a farmer to be able to sell direct to their neighbor or general public (like all the other New England coastal states including Long Island)

From: Tyler Hagenstein <tyler.hagenstein@gmail.com>

Date: Fri, Dec 11, 2020 at 5:41 PM

Subject: MSI input/suggestions

To: <MassShellfishInitiative@gmail.com>

Dear MSI,

Since the meeting I attended last winter a lot has changed. I am still a commercial shellfisherman and oyster farmer, but my outlook and concerns about the fishery have shifted. During the two meetings I attended I spoke up about infrastructure issues, vibrio compliance, and the regulations that create road blocks when attempting to distribute fresh/local seafood products. While these issues do still concern me, the biggest issue regarding shellfish is water quality. This is a major problem, that affects aquaculture, recreational, and commercial shellfish harvesters. In our local MA waters areas are opened and closed to shellfishing based on water quality alone. A new federal regulation has just been passed that makes mooring fields of 15 or more boats conditionally closed to shellfishing. Meanwhile the amount of micro closures due to pollution continue to amount. The result of all these closures is obviously less areas for everyone harvest. Shoreline development and is not only contributing to habitat loss but is also adding more nitrogen into our ecosystems than they can handle. I don't need to get into the science of what nitrogen loading can do to our ecosystems, but none of it is good to the marine ecosystems as a whole. The rapid degradation water quality is public enemy number one for anyone involved in the shellfish world. I might also add that it is extremely naive to think restoring oyster beds and approving additional oyster farms will cause any drastic improvement to water quality. In fact I believe many oyster/shellfish farms, especially on the south side of Cape Cod, will be shut down to year round harvest because of water quality closures. Our closure boundaries were drawn up a long time ago and I really believe that the state needs to pay attention to opening areas that should not be closed and close areas that actually should be closed instead of going through the motions year after year. Water quality is the elephant in the room and if MSI focuses on anything at all, please let it be this.

Best,

Tyler Hagenstein