

**MINUTES  
WESTPORT SHELLFISH COMMISSION  
FEBRUARY 1, 2017**

ATTENDANCE

Commission Members:

Clarinda Higgins, Chair  
Leo Cirino  
Richard Harris

Ex-Officios:

Alicia Mozian, Conservation Director  
Brandan Fearon, Westport Marine Police

Staff:

Susan Voris, Recording Secretary

Guests:

Pete Ratkiewich, Town Engineer  
Michael Calise  
Jardar Nygaard, Stella Mar Oyster Co.  
Steve Schafer, Stella Mar Oyster Co.  
Mike Oravez, Shellfisherman

The February 1, 2017 meeting of the Westport Shellfish Commission was called to order at 6:30 p.m. in Room 309 of the Westport Town Hall, 110 Myrtle Ave., Westport, Connecticut, by Chairman, Clarinda Higgins.

This is to certify that these minutes and resolutions were filed with the Westport Town Clerk within 7 days of the February 1, 2017 meeting of the Westport Shellfish Commission pursuant to Section 1-225 of the Freedom of Information Act.

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Alicia Mozian  
Conservation Director

1. New Business

- a. **Lots 42 & 43 Canal Road:** Application by the Town of Westport to maintain approximately 65' of retaining wall, maintain 25' of stone headwall, stabilize the stone slopes, provide a reinforced vegetated slope and perform repairs to and widen the roadway.

Pete Ratkiewich, Town Engineer, presented the application. The headwall has collapsed along a part of the road and a part of the wall on the north side of lot 42. This project is not eligible for a Certificate of Permission from the DEEP, so the Town will be applying for a full permit. This could take up to two years to get the permit. If the road collapses before permit is issued, they will have to get an emergency repair permit for at least part of the work. The wall along the northside of lot 42 will be concrete. Along the west side of the road, they will place a Jersey barrier with a guard rail on top. The tidal wetlands will be partially impacted. The DEEP is asking for mitigation adjacent to 38 Canal Road.

Officer Fearon asked about the dock that belongs to lot 42.

Mr. Ratkiewich stated DEEP has required that it be removed since it is on Town property. The work on lot 42 needs permission from the owner. If the work is denied, then the Town would have to confine its work to repair of the headwall.

The Commission found that there were no Shellfish beds to affect.

Mr. Ratkiewich stated the timeline would likely be late fall. It would take about 4 months to complete. They would take out the pipes first and then install the temporary road.

- b. **Metro North Railroad Bridge over Saugatuck Bridge:** Application by the State of Connecticut Department of Transportation for the installation of a 220' submarine cable crossing.

This is a re-review of the plans discussed the Commission's November 2016 meeting.

Ms. Mozian reviewed her conversation with Mark Alexander of the CT DOT highlighting the changes to the plan.

The Commission expressed that they did not feel their concerns had been addressed as outlined in their letter and needs the following information:

- They would like it in writing that the intent to construction is the time of year when the water temperature is below 45 degrees.
- They want a copy of the DEEP dewatering requirements.
- The public safety concerns were not addressed. The Westport Marine Police needs to be able to access both sides of the bridge at any time. Officer Fearon was going to talk with Norwalk Marine Police to see how they dealt with the issue and with Westport's Deputy Chief Sam Arciola.
- Ms. Higgins noted that Norwalk made the suggestion that construction occur during out-going tides.
- Ms. Higgins noted the plans indicate contaminated soils but she would like a copy of the report indicating what those contaminants are.
- Could we ask for water quality testing for contaminants before, during and after construction as a condition.
- Questioned what procedures would be taken to prevent contaminants from getting back into the water column.

c. 2017 Meeting Calendar

Ms. Mozian noted the inclusion of the 2017 meeting calendar in the Commissioner's packet.

2. Approval of January 4, 2017 meeting minutes.

The January 4, 2017 meeting minutes were approved as submitted.

**Motion: Higgins Second: Harris**  
**Ayes: Higgins, Harris, Cirino**  
**Nays: None Abstentions: None Vote: 3:0:0**

3. Treasurer's Report including 2016 expenditures

Ms. Higgins read the checking account balance ending December 31, 2016 into the record.

Ms. Voris reviewed the 2016 expenses and deposits with the Commission.

4. Police Report

Officer Fearon stated there are no boats in the river. He did get a complaint about illegal selling of quohogs but did not get a lot of information. They are keeping an eye out. This coming season Deputy Chief Arciola and he will start doing full boarding of boats to ensure that everyone is working their own beds. The new boat is expected by mid-March. They will need to order a new propeller for the Shellfish boat. The tentative start date for Marine Police will be in May.

5. Recreational Shellfish Report

Ms. Mozian reviewed the following report prepared by Ms. Voris:

We have issued **149 annual recreational permits** as of January 31, 2017.

|                                      |           |                      |
|--------------------------------------|-----------|----------------------|
| Adult Resident Permits issued –      | <b>61</b> | <b>(\$ 1,830.00)</b> |
| Senior Resident Permits issued –     | <b>83</b> | <b>(\$ 1,125.00)</b> |
| Adult Non-resident Permits issued –  | <b>2</b>  | <b>(\$ 120.00)</b>   |
| Senior Non-resident Permits issued – | <b>4</b>  | <b>(\$ 120.00)</b>   |
| Daily Permits issued -               | <b>0</b>  | <b>(\$ 0.00)</b>     |

The Commission has collected **\$3,210** since January 3, 2017 when we began issuing the 2017 recreational shellfishing permits.

**7** senior permits were issued to people who are 85 and older for free.

6. Old Business

a. Progress Report of the Seed Oyster Regulation Sub-Committee

Ms. Higgins reviewed the work of the sub-committee and highlighted the proposed changes to the regulations. She noted the goal is to make the program sustainable and to sustain the resource for years to come.

Steve Schafer of Stella Mar Oyster Company expressed concern that capping the number of bushels would prohibit the beds from being worked to the full extent needed to keep them viable.

Mike Oravez, shellfisherman, stated the fee should be tiered so that there is one for those that have transplant licenses and a fee for those that are only doing relay.

Mr. Schafer stated the Commission needs to define what is a "company" better. He thinks the catches should be inspected every day. He questioned what the penalty is for not reporting.

Mr. Oravez made the point that the bigger companies have both the hand and power dredges on their boats. This new regulation would require a separate boat just to have a hand powered dredge. He added that he felt the fees should be put toward propagation of the shellfish program.

Mr. Schafer asked about the cultch replacement requirement.

Ms. Higgins stated the Committee had tabled the item at its last meeting as they were still looking into getting information.

Mr. Oravez stated cultch should be a requirement from all companies.

**b. Determination of Presence at March 4, 2017 Farmer's Market**

The Commission discussed its presence at the March 4, 2017 Farmer's Market.

**c. Gathering of Shellfish Commissions Report**

Ms. Mozian gave an overview of the Economic Assessment of Recreational Shellfishing that was presented at the Gathering of Shellfish Commissions.

Ms. Higgins reported on her presentation relating to Seed Oyster Programs amongst local Shellfish Commissions in the State. She will email the Commission the results of the survey she conducted.

**7. Other Business**

**8. Public Comment**

The February 1, 2017 meeting of the Westport Shellfish Commission adjourned at 7:55 p.m.

|                |                                |                     |               |                    |
|----------------|--------------------------------|---------------------|---------------|--------------------|
| <b>Motion:</b> | <b>Higgins</b>                 | <b>Second:</b>      | <b>Harris</b> |                    |
| <b>Ayes:</b>   | <b>Higgins, Harris, Cirino</b> |                     |               |                    |
| <b>Nays:</b>   | <b>None</b>                    | <b>Abstentions:</b> | <b>None</b>   | <b>Vote: 3:0:0</b> |