



September 28, 2011

Paul J. Diodati, Director
Department of Fish and Game
Division of Marine Fisheries
251 Causeway Street, Suite 400
Boston, MA, 02114-2138

Via Email: marine.fish@state.ma.us and MAshellfishguidelines@gmail.com

Re: Comments Draft Shellfish Planting Guidelines

Dear Mr. Diodati:

The Massachusetts Association of Conservation Commissions (MACC) appreciates the opportunity to submit the following comments on the draft Shellfish Planting Guidelines proposed by the Massachusetts Division of Marine Fisheries (DMF).

MACC is a nonprofit organization representing the municipal environmental agencies in all 351 cities and towns of the Commonwealth. For 50 years, MACC has supported the work of coastal communities and their Conservation Commissions to protect natural resources. MACC supports the coastal provisions of the Wetlands Protection Act, local wetlands bylaws, and other federal, state and local regulations and policies in this regard.

MACC applauds DMF for proposing new Shellfish Planting Guidelines. Appropriate management of shellfisheries is critical to the ecological well being of Massachusetts' coasts. To optimize this opportunity, MACC requests that DMF balance ecological considerations with economic ones by promulgating new regulations that establish a permitting path shellfish restoration projects (similar to MassDEP's efforts to revise regulations to streamline permitting for aquatic habitat restoration projects). Through new regulations, we request that DMF define the importance of shellfish restoration, set aside shellfish reefs for the sole purpose of ecological restoration, and permanently protect those closed areas from harvest for an indefinite period of time. Balancing ecological and economic needs puts Massachusetts on par with other coastal states. It also puts our communities in a win-win situation because shellfish reefs set aside for the purpose of restoration balance the following economic and ecosystem services:

- Shellfish reefs set aside for restoration provide food and habitat for fish, crabs and coastal birds, which help maintain other commercial and recreational fisheries;
- Shellfish reefs set aside for restoration boost historic populations and stimulate growth in other reefs grown for economic purposes;

- Shellfish reefs set aside for restoration provide a permanent coastline buffer to absorb water from storm surges and to prevent erosion reducing the billions of dollars federal, state and local governments spend on restoring damaged coastal property;
- Shellfish reefs set aside for restoration filter and purify water in estuaries, bays and adjacent freshwater systems helping juvenile species to spawn, eat and grow; and
- Shellfish reefs set aside for restoration provide spawning habitat thereby stimulating new growth of other, commercial and recreational shellfish reefs harvested for economic and social purposes.

Additionally, MACC encourages DMF to consider whether the municipal management plan contains adequate enforcement of closed areas to allow the opportunity for a new shellfish bed to be established for ecological processes and not force them to transplant to a public fishery. Under the proposed Guidelines, it remains unclear whether a community interested in ecological restoration with a research component would need to utilize the municipal propagation permit or the scientific permit. More clarity is needed.

Please let me know if MACC can otherwise assist DMF in the rulemaking process.

Thank you for considering these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Orel".

Linda Orel
Executive Director