

Shellfish Advisory Council Meeting Minutes

September 7, 2017 Ellsworth City Hall

Members in attendance: Dan Curtis, Glen Melvin, Bridie McGreavy, Lewis Pinkham, Scott Moody, Raeleen Pert, Fiona Dekoning, Tom Connolly, Patricia Hinds, Ralph Smith

Members Absent: Jim Norris, Andy Rhuel, Jeff McKeen

DMR Staff in Attendance: Angel Wilson, Bryant Lewis, John Fendl, Denis Nault, Heidi Leighton

Others in Attendance: Sebastian Belle, Dan Devereaux, Herbert Carter, J. Paul Plummer, Mike Pinkham, Tyler Quiring, Bill Zoelick, Dana Morse, Kevin Brodie, Alex Dekoning, Shuling Chen, Jessica Joyce

Meeting called to order at 10:05 A.M.

Attendance/Roll Call- 10:07 A.M.

10:10 a.m. Agenda item #3- Dan Curtis had a question on Agenda item #6 from previous meeting minutes, Bryant will address this during his presentations. Raeleen Pert made motion to approve minutes, Motion was 2nd by Fiona Dekoning, unanimous vote yes. Minutes adopted.

10:11 a.m. - Agenda item #4- Legislative Update- Bryant Lewis- Bryant Lewis went through a packet of information provided ([see attached](#)) on legislative updates bill by bill. Glen Melvin asked how many dealers we currently have, John Fendl answered about 120, Glen then asked how many current full time inspectors do we have, John answered 2 currently, with 2 pending positions. John explained the amount of time involved in doing inspections, paperwork, frequency of inspections, and reasoning behind the need for the fourth inspector based on FDA recommendations. Dan Curtis asked what the difference is in DMR vs. private testing of a recirculating wet storage system, Ralph Smith asked if other than fees, is anything changing in the process of permits for dealers, John answered no.

10:28 a.m. - Agenda item #5- Sharing Biotoxin Scores with the public in real time -Bryant Lewis- Bryant explained that currently we do not provide weekly biotoxin scores during the season, no do we wish to do so. Has verified with other states that they also do not share this information during the season. Explained biotoxin scores are based on real time data, much different than P90 scores. He went on to explain reasoning behind how tracking scores, and trends works and why it is not feasible to provide real time scores to the public. Ralph Smith stated he can understand and it makes sense for the public, but feels industry should be provided more information about trends, what's coming. Bryant explained there is no good way to do so, and Ralph agreed.

10:35 a.m. Agenda item #6- Results from Shellfish Focus Day Survey- Bridie McGreavy- ([See attached](#)) Bridie discussed the results from the survey done after 2017 Shellfish Focus Day at the fisherman's Forum. There were questions about integrating the shellfish day into the rest of the forum more. It was explained by Angel Wilson and agreed by Sebastian Bell that it isn't feasible because during the remainder of the forum, we are unable to get an entire double room for an entire day to complete our full agenda. More discussion on 2018 Forum added to next agenda.

10:50 a.m.- Agenda item#7- Clam Cam Presentation- Tyler Quiring- Tyler presented on his project in collaboration with UMaine (<http://nest.maine.edu>) on the Clam Cam. (<http://nest.maine.edu/clamcam>) Fiona asked what his target audience is, is it academic or just industry. Tyler answered they have the academic side covered, but would like to reach more industry people. Fiona suggested reaching out to municipalities to add to their town websites. Tyler said partnering with towns would be ideal. Lewis suggested that Tyler reach out to Dr. Brian Beal in regards to the project he is currently working on and doing a video that includes each step of the process to be used by towns as instructional assistance. Dana Morse from Maine Sea Grant asked how we could make tourism and consumers a target also, possibly the Maine Bureau of Tourism? Offer the short videos to seafood restaurants to play for customers while they dine? Lewis suggested Judy at the Washington county council of Governments may be able to assist as well. Dan Curtis asked about the funding behind the project, when will it run out? Bridie answered they have received several small foundation grants, that have been a source of continuous funding, there are consistent efforts made to ensure funding continues.

11:05 a.m.- Agenda Item #8-Nonresident commercial license sales- Denis Nault- Lewis asked if since it is in law now, do we now have to sell nonresident licenses based on previous year's sales. He believes we should do away with the 10% rule. Denis explained that this is regulated for limited license sales towns, not effecting unlimited license sales towns. The key word is minimum of 10%, that is why it is structured the way it is. Denis went on to explain that it is structured this way to be fairly offering the nonresident licenses for a full year based on previous year's sales, and it can change from year to year. There were many complaints of many years of unfair sales of nonresident licenses, thus the change in structure and law.

11:24 a.m. – Short Break

11:34 a.m. - Meeting restarted

11:35 a.m. - Agenda Item #9- Lab testing facilities/issues for dealers- John Fendl- John explained there is no ability for the state of Maine to do a fee for testing service. No lab availability on weekends. Fiona De koning asked if SHAC feels that it should be priced out and the state forced to provide the service, since they are the only certified lab in the state of Maine. She said it limits companies' ability to move forward and get ahead of the curve when testing becomes necessary. She believes in order to keep Maine competitive in the shellfish market we need to have DMR make services available for weekend testing. John stated we would have to look at many factors which we have no control over, like status of areas, open closed etc, no real way to determine pricing for daily testing. Fiona suggested we make the fee for the permit enough to cover the cost of the potential testing. Patricia Hinds said she petitioned Katahdin to become a certified lab, and they had no success convincing the FDA to come out and certify them. Lewis Pinkham suggested someone could approach Katahdin and possibly Clearwater to see if they are at all interested in becoming a certified lab for this type of testing. Patricia said the issue is convincing the FDA to come out to certify them. Lewis suggested that SHAC needs to make a recommendation to the commissioner's office that DMR pursue the FDA to get them to come to Maine to certify labs. Scott Moody stated it was his understanding that Lab Manager of DMR (currently Jill MacLeod) was supposed to be getting certified as an LEO in order to herself be able to certify labs in Maine. Bryant confirmed but no timeline for this to happen. Fiona stated there is far too much risk in sending samples out of state for testing. Scott and Fiona both agreed that we have gone as far as we can in the industry without the testing availability, which is currently only possible by DMR. Lewis suggested a motion to ask DMR to look at the issue and come back to the next meeting with ideas and suggestions. Fiona made the motion, 2nd by Scott Moody, voted unanimous approval. Scott added that it needs to be stressed to DMR the importance and necessity of this. Added to next meeting agenda and work plan. ([see handout provided](#))

12:00 p.m.-Agenda item #10-2017/2018 Work Plan

A.- New items to be added- Dan Curtis discussed a project he is working on in his town to collaborate with high school students to work with shellfish committees to offer classes, etc for students interested in the industry as a future career. Wants to have SHAC come up with a methodology on how to introduce this type of program to other towns/committees. Dan said David Miller had indicated it would work well and he would allow his DMR lab in Lamoine to be a useful part of the teaching program. David was not there to confirm. Bridie suggested using social media as an avenue to reach more schools and towns. Lewis suggested we add it to the work plan as student outreach possibilities.

B. Bryant reviewed DMR's work with the aquaculture program to be able to add growing area classifications to the maps they use on the website.

(<http://www.maine.gov/dmr/aquaculture/leases/decisions/index.html>) Bryant further explained next steps will be to have the information available that's no more than 24 hours old. More real time data accessibility. It may also in the future be available as an app on your phone. Jessica from Cumberland shellfish committee asked how we will be communicating the availability of it. We agreed we would send out gov delivery updates as it is available.

C. Quality trademark update ([see attached](#))

D. Kohl will send out an update to SHAC by September 15th on the ISSC.

E. Bryant provided FDA updates, 2 visits so far this year. First was for Vibrio and was completely about the Damariscotta River. No results expected for a few months. Most recent evaluation was of the inspection program, and the FDA was here for 2 weeks, again several months before a final report will be sent. Added was that last year on the FDA inspection evaluation, we were found in Major nonconformity, and we have since resolved those issues. Another FDA evaluation for PSP review is scheduled for November between DMR and Bigelow Labs.

F. Ideas for Shellfish Focus day added to next agenda.

G. Minimum size tolerance for Oysters added to next agenda as Jeff McKeen was not in attendance.

H. Lewis stated the mussel subcommittee was completed a few months ago, DMR has implemented a good new set of rules as a pilot, and we should now remove this item from the work plan. Herbert Carter then asked why mussel dragging was still legal in the state of Maine. He stated it made no sense to him why a harvester cannot use hydraulics to harvest, but a dredger can, it is unconstitutional. Lewis suggested he start with contacting his local representative if he is looking for regulation changes.

12:54 p.m.: Next meeting scheduled for December 19, 2017 at Augusta DMR conference room 118 from 10am-1pm

12:55 p.m. Meeting adjourned.