

**Aquaculture Advisory Council**  
**Meeting Minutes**  
**May 18, 2023, from 10:00 AM - 12:00 PM**  
**Augusta DMR Room 224**

Call to order – **Fiona de Koning** **10:00-10:01**  
Called to order and introductions.

Roll call – **William Fearn** **10:01-10:05**

- Fiona de Koning – Chair [Present]
- Amanda Ellis [Present]
- Briana Warner [Present]
- Christopher Davis [Present]
- Greg Lambert [Present]

All present

Adoption of minutes from last meeting – **Fiona de Koning** **10:05-10:10**  
Correction: changing “C Warner” to “B Warner,” other minor spelling changes. All voted in favor of adopting minutes with changes.

Reappointment of Members – **William Fearn** **10:10-10:20**

- All members expired in 2021
- DMR would like to formally reappoint members

Discussed how best to handle reappointments to avoid all member’s terms expiring at once since all currently serving members terms have expired. Discussed potentially adding additional members which would also mitigate terms expiring all at once. Ultimately decided to reappoint all current members for three years and will add future members at later dates, as was intended anyway, which will stagger term ending dates.

What is AqAC – **Kohl Kanwit** **10:20-10:35**

- 6080 statutes
  - Composition
    - Community representatives
  - Purpose
  - Officers
- Bylaws
- Meeting frequency

Ms. Kanwit opened discussion on how best to make AqAC more effective and shared some of the successful changes made by the Shellfish Advisory Council as a potential model for how best to reform AqAC. She stated that the current statutory requirements for membership are insufficiently representative given the size and significance of the aquaculture industry and shared ShAC membership composition with the caveat that it should not be need to copied verbatim, but that the membership categories determined by ShAC could be helpful as an example. Ms. de Konig suggested creating a work plan item to discuss changing the 6080 statute to expand the council and make it more representative and to add a discussion of this to the next agenda. Also discussed revising the purpose of the council to modernize it and make it more representative. Ms. Kanwit discussed adding a vice chair position to the officers and advised against potentially creating a secretary position, offered DMR staff for note/minutes taking purposes. Ms. de Konig suggested adding the creation AqAC bylaws potentially by adopting, in large part but with necessary relevant changes, ShAC bylaws to the work plan.

She also suggested meeting four times per year, potentially more if necessary, depending on how much there is to do.

Mr. Davis motioned to meet a minimum of four times per year, specifically avoiding the summer months if possible, and more as deemed necessary. Mr. Lambert seconded. All present voted in favor.

**Virtual Access Policy – William Fearn**

**10:35-10:50**

Pandemic rules that allowed councils to meet virtually as an emergency procedure have expired and there is no formal virtual meeting policy for AqAC to allow virtual access to meeting. Currently virtual/hybrid access is not allowed because of the lack of a policy.

Ms. Warner motioned to adopt ShAC virtual meeting policy to AqAC with relevant and necessary changes, Mr. Lambert seconded. All present voted in favor.

**Agenda Structure - Kohl Kanwit**

**10:50-11:10**

- AQ Research Initiatives
- Work Plan
- Public Input

Ms. Kanwit suggested a standard agenda format including a work plan section and public input to make meeting structure more transparent and accessible. Also suggested a research presentation portion of each meeting to engage the scientific community involved in aquaculture research by inviting researchers and to avoid potentially being blindsided by scientific developments.

Ms. Warner expressed a desire to limit a research initiative agenda solicitation to strictly science related topics and questioned how best to make this process transparent. She suggested discussing proposals at a meeting to be put on the agenda for the following meeting and narrowing the scope of any invitation to avoid inviting non-scientific personal or political advocacy. Council agreed to discuss/consider this issue further outside of meeting and come to next meeting with specific ideas and proposals to discuss.

**Outreach/Communication – William Fearn**

**11:10-11:20**

- Website
- Advertising Schedule

Discussed what should and shouldn't be included on the AqAC portion of the DMR's website, Mr. Fearn solicited the opinions of the council and suggested further consideration. Council agreed to remove personal contact information from the DMR website and to have people contact DMR BPH general phone line and be directed to appropriate members as necessary. Ms. de Konig suggested categorizing members on the website once there are additional members in a similar manner to the way the ShAC page is arranged. Ms. Warner suggested changing the general contact for questions related to the council from Ms. Ellis to the Aquaculture Division general email inbox.

Mr. Fearn suggested advertising meetings similarly to the way ShAC does, Mr. Davis inquired about making it standard practice to schedule the next meeting at the end of current meeting and council agreed this would be best. Ms. de Konig suggested scheduling meetings around the legislature's quarterly rulemaking change sessions.

Scheduled a meeting specifically to discuss the work plan on June 27<sup>th</sup> 10AM – 12PM (*later discussion resulted in meeting time being changed to 10AM-1PM*).

## Other business

11:20-11:55

Mr. Davis inquired about adding a regular agenda item for council members to share industry input and council agreed that this was a worthwhile additional.

- **Legislative update – Dierdre Keliher**

Ms. Keliher advised the council regarding AQ bills before Marine Resource committee, final public hearing is likely to be next week. Bill that have been dealt with so far:

- DMR technical changes bill provided definition of whole scallop that includes whole shell.
- Enhanced retail license updated to include AQ license
- Updates to reporting requirements for experimental leases: seeding and harvesting reports struck for experimental leases, research plan struck for commercial experimental leases but not scientific.
- Delayed implementation of LPA oversight changes from 2024 to 2025.
- LD 581 Act to Assist Municipal Shellfish Program waived LPA license fee and waived training requirements for LPA holder if LPA is for municipal conservation programs but will provide biosecurity training in other ways.
- LD 711 Act to Regulate Oyster Seed voted ought not to pass.
- LD 586 An Act to Protect Maine Fisheries from the Effects of Industrial Recirculating Aquaculture Operations voted ought not to pass.
- LD 487 An Act to Establish Coastal Waters and Submerged Lands Regional Planning Commissions voted ought not to pass.

- LD 1951 An Act Regarding Marine Finfish Aquaculture was withdrawn (I believe)

- **Programmatic updates - Amanda Ellis**

Ms. Ellis advised council of aquaculture division being combined with the Bureau of Public Health (BPH) and discussed referring to new group as “Bureau of Public Health and Aquaculture,” even though the name change does not officially go into effect until the next budget cycle. Also advised council regarding staffing changes within aquaculture division since the move to BPH and of the creation of aquaculture division policy, which was previously lacking, specifically policies regarding public outreach and regular programmatic updates. Gave updates regarding changes to inspection, outreach, and pathology components of aquaculture program. Ms. Ellis advised the council regarding changes to the aquaculture portion of the DMR’s website and the ongoing efforts to make it more user friendly and informative. Advised council regarding aquaculture’s upcoming participation in regional shellfish meetings.

Ms. Ellis updated the council on Chapter 2 changes: increased application fee for experimental leases, fixed definition of riparian owner in consideration of outcome of recent court decision, updated decision timeline for experimental leases, updated chapter language to be gender neutral, proposed LPA renewal applications be due November 30<sup>th</sup> to help streamline processing, midterm LPA amendments no longer allowed and must instead be made at time of renewal, stock would need to come from the wild, within the same hatchery, or within the same health zone, clarified that experimental LPA applications must be one contiguous track unless it meets specific exceptions already specified in rule, clarified LPA required signatures, cleaned up sections for improved clarity and enforcement.

Ms. Warner suggested adding an agenda item to discuss experimental LPA gear change rules: what should require an amendment vs. what shouldn’t? The rest of the council concurred that this would be important to discuss.

- **Schedule next meeting – William Fearn**

Discussed whether the above scheduled work plan meeting should also serve as the next regular meeting, council decided to extend work plan meeting to three hours and have it also act as the second quarterly meeting. Also discussed travel reimbursements.

Ms. de Konig opened the floor to public comment and there was none.

- Discuss expectation for next meeting – **Kohl Kanwit**  
Previously discussed.

Adjourn

Ms. de Konig adjourned.

**11:55-12:00**