

Aquaculture Advisory Council
Meeting Minutes
June 27, 2023, from 10:00 AM - 1:00 PM
Augusta DMR Room 224 or [Microsoft Teams](#)

Call to order – **Fiona de Koning** **10:00-10:01**

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

First Name	Last Name	In attendance
Fiona	de Koning	Yes
Amanda	Ellis	Yes
Briana	Warner	Yes
Christopher	Davis	Yes
Greg	Lambert	Yes

Adoption of minutes from last meeting – **Fiona de Koning** **10:05-10:10**

Mr. Lambert motioned to adopt minutes; Mr. Davis seconded. All present voted in favor of adopting minutes without comment.

AqAC admin update – **William Fearn** **10:10-10:20**

1. Reappointment letters
2. Public Meeting Policy
3. Travel Reimbursements

Mr. Fearn updated the AqAC regarding reappointment letters having been sent. The new public meeting policy has been added to the AqAc website and travel reimbursements have been established/sent for all current members.

Work plan - **Fiona de Koning** **10:20-11:50**

1. 6080 Statutes
 - a. Council Purpose
 - b. Council Composition
 - c. Council Officers
2. Bylaws
3. Agenda item policy
 - a. Industry input
 - b. AQ research initiatives

Ms. de Koning read the current statutory purpose of the AqAC and invited discussion on how to update it. Ms. de Koning shared the updated purpose of the Shellfish Advisory Council as an example of how the AqAC purpose could be updated. Ms. de Koning proposed an updated AqAC purpose that she prepared modeled on the ShAC purpose and requested comment on it:

“The council shall make recommendations to the commissioner concerning matters of interest to the state’s aquaculture industry. The council shall assist the commissioner in the dissemination of information to members

of the aquaculture industry. The council shall make recommendations to the commissioner concerning expenditures from the Aquaculture Management Fund (6072-D).”

Ms. Ellis inquired about whether the purpose of the AqAC should include making recommendations to the legislature as well as the Commissioner of DMR given that Ms. de Konig’s proposed purpose did not include specific mention of the legislature. Ms. Ellis also inquired about a specific reference to making recommendations regarding expenditures in the statutory purpose/Ms. de Konig’s proposed purpose and potentially changing that wording. Ms. de Konig inquired about whether public input to the council should be included in the purpose or in the by-laws since the purpose of the council in her view should be more broad, relative to the by-laws, and that specific operational requirements should be included in the by-laws. Ms. de Konig emphasized her desire to keep the purpose relatively simple and to address particulars about representation either through the by-laws or the composition of membership. After extensive discussion it was decided that it would be best to send the proposed wording out via email, conduct additional research, and consider the specific wording and it will be addressed at the next meeting.

Council composition: Ms. de Konig suggested potentially having a seven-member council specifically emphasizing the importance of having an odd number of members. There are many more players in the aquaculture field than there had been previously, and Ms. de Konig stated a desire to ensure that they are all represented fairly and efficiently on the AqAC. Specific statutory wording of the council’s composition should reflect the diversity of species and growing methods present in Maine but should not be so specific that it is prohibitive. Ms. Ellis suggested removing the required non-voting DMR staff member sitting on the Council. Mr. Lambert motioned to remove DMR from the council’s composition, Chris seconded, and all present voted in favor. Ms. Ellis also proposed including harbor masters and/or a member of the interested public as permanent members of the council. Ms. de Konig suggested that these voices should be included when relevant, but she does not believe that they need to have permanent positions on the council. Ms. Ellis encouraged further discussion outside the meeting regarding whether the council’s composition should be defined by statute or in by-laws given that a statutory definition would be more concrete. Some discussion about how members would be appointed occurred but ultimately the commissioner has appointment authority. Ms. de Konig proposed positions based on species and style of aquaculture: Oysters, mussels, seaweed, fin fish, shellfish hatchery (marine and land based) and land-based fin fish grow out.

Council officers: Ms. de Konig proposed adding a co-chair position. Mr. Davis motioned in favor, Mr. Lambert seconded, and all present voted in favor. Ms. Warner nominated Mr. Lambert as co-chair, Mr. Lambert accepted the nomination and all present voted in favor of appointing him co-chair.

By-laws: Ms. de Konig suggested potentially adopting ShAC’s by-laws but with some specific changes: she wants to include a provision for inviting expertise when issues call for it. Ms. de Konig asked Ms. Ellis to come up with wording for creating a process to solicit feedback when an issue arises that is outside the expertise of current membership. Ms. Ellis suggested to Mr. Fearn to rework existing ShAC by-laws for AqAC and that additional changes can be workshopped outside the meeting for potential adoption at the next meeting.

Agenda item policy: Mr. Davis would like there to be a permanent agenda item for council members to share stakeholder (industry) input that they may have received outside of meetings, and it was decided time would be set aside for this during other business. Ms. de Konig would like to ensure that a public input agenda item remains on the agenda permanently as well.

Discussion of AQ research initiative question was specifically geared toward guidelines to keep a potential agenda item from becoming a platform for opinion or political advocacy, Ms. Warner suggested a guideline

requiring that research being presented is either peer reviewed or has specific plans for peer review. Ms. Ellis asked Mr. Fearn to provide information about how the ShAC handles soliciting agenda items and he shared that ShAC usually puts out an open call that doesn't specifically reference science/research and what makes it on the agenda is at the discretion of the Chair and Co-Chair.

Public input - Fiona de Koning

11:50-12:10

Angel Donovan inquired about whether AqAC has provided input on the proposed changes to DMR rules Chapter 2. Ms. de Koning stated that the council has not yet, but will be reviewing it.

Other business - Fiona de Koning

12:10-12:50

1. Programmatic Updates – **Amanda Ellis**
2. Schedule next meeting
3. Council members

Programmatic updates: Ms. Ellis shared two programmatic updates. Lisa White was hired as AQ Outreach Coordinator, Resource Management Coordinator (position previously held by Lisa) is in the process of hiring. Ch. 2 regulatory changes were published last week on DMR's rulemaking website, public hearing will be on July 10th as a hybrid meeting: in person in Augusta and via Teams. Comment deadline is July 20th. Many of the changes made were attempts to enhance efficiency in the LPA side of the program. Rulemaking is handled by a specific part of DMR and comments should be direct to them and not directly to the Aquaculture group. Ms. de Koning asked for more information about other hiring within Aquaculture and Ms. Ellis advised that Aquaculture is fully staffed besides the Resource Management Coordinator position.

Sebastian Belle asked about a prior discussion of subcontracting the diving portion of site reviews. Ms. Ellis advised that she was not involved in those conversations but that she could get additional information and reiterated that Aquaculture is currently fully staffed and that the dive positions are staffed specifically with qualified divers.

Ms. de Koning requested a one-hour meeting in about four weeks to discuss the delay in processing leasing applications because it is an issue that she receives a lot of questions about, Ms. Warner confirmed that this is the primary concern within the aquaculture industry presently. Scheduling this meeting was discussed and all members agreed on July 25th from 10AM-12PM (members agreed to expand the meeting to two hours). All also agreed that the Q3 AqAC meeting will be scheduled at this meeting in July.

Ms. Warner inquired about submitting names for potential additional members and Ms. Ellis clarified that additional members cannot be appointed until after statutory changes regarding the council's composition have gone into effect. Ms. de Koning stated that members should consider who they might like to recommend eventually though.

Adjourn - Fiona de Koning

12:50-01:00

Mr. Davis motioned to adjourn, Ms. Warner seconded, and all present voted in favor of adjourning.