

Aquaculture Advisory Council
Meeting Agenda
April 9, 2024, from 11:00 AM - 1:00 PM
Augusta DMR Room 118 or [Microsoft Teams](#)

Call to order – **Fiona de Koning** **11:00-11:01**

Roll call – **William Fearn** **11:01-11:05**

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

Adoption of minutes from last meeting – **Fiona de Koning** **11:05-11:10**

Mr. Davis motioned to adopt minutes, Ms. de Koning invited any comment, all voted in favor of adopting.

Aquaculture Listening Sessions – **Kohl Kanwit** **11:10-11:40**

Ms. Kanwit noted that 360 members of the public participated in the March Listening Sessions and that 157 people completed the survey. Ms. Kanwit stated that the survey was open to anyone to complete regardless of their participation in the Listening Sessions. Ms. Kanwit shared a breakdown of the percentage of persons, by category (industry, riparian landowner, etc.), who participated in the Listening Sessions and completed the survey. Ms. Kanwit stated that she will be completing a more comprehensive written summary of the Listening Sessions in the coming months. Ms. Kanwit stated that some of the highlights gathered from the Listening Sessions included having a more streamlined process, improved public input, discussion around the sizing of aquaculture operations and its nuances, commitment to compliance, opportunities in aquaculture, etc. Ms. Kanwit stated that most of the concerns raised about aquaculture stemmed from concerns of farm size, sharing uses of the water with other marine uses, and lack of planning on the future of aquaculture. Ms. Kanwit expressed gratitude for the facilitator of the meeting and the panelists that participated. Ms. Kanwit expressed that these were beneficial sessions, but there is no plan to hold more in the future. Ms. Ellis stated that it was a great opportunity to get different stakeholders in the room to discuss aquaculture and share their perceptions and feelings. Mr. Davis asked if there was going to be a deliverable from the Listening Sessions. Ms. Kanwit stated that there is a plan to create a summary of the meetings and what was gathered from the Listening Sessions. Mr. Davis asked when the summary might be available, and Ms. Kanwit stated that the goal is to have it by the next quarterly meeting. Ms. Kanwit asked if any of the committee members had any additional feedback about the Listening Sessions. Mr. Lambert stated that he thought it was a good opportunity for members of the public and industry to get their comments and concerns to DMR. Ms. Warner stated that the meetings were well facilitated. Mr. Davis stated that it was a good educational opportunity for the public and to dispel misinformation. Ms. de Koning stated that it was a good learning opportunity for DMR to hear the problems industry is facing and to have people share concerns in a way that they feel like they are being heard. Ms. de Koning felt that the riparian landowners did not participate much in the listening sessions and that it may have been a missed opportunity for them. Ms. Warner hoped DMR would start to implement some of the feedback to improve processing timeframes for applications.

Ms. Kanwit stated that Chapter 115 went under a major re-write and is now in effect after being adopted by the DMR Advisory Council. Ms. Kanwit stated that the major change is that oysters are now subject to Vibrio controls statewide (June 1 – October 31). Ms. Kanwit stated that there was a lot of concern regarding the ban on retail sales of oysters from someone's home. Ms. Kanwit explained why DMR felt the ban was necessary at this time but noted that DMR is working toward a possible solution via modification to the definition of the enhanced retail license. Ms. Kanwit stated that this would require a legislative change and would need to be part of the next session. Mr. Davis asked if there were to be a Vibrio case originating from home sales, would it trigger the same ISSP/NSSP procedures, to which Ms. Kanwit stated yes.

Ms. Kanwit stated that stakeholders were also concerned about the educational requirements for Vibrio. Ms. Kanwit stated that she understands that it is repetitive, but it is necessary to ensure that guidelines are being followed. Ms. Kanwit stated that Will Fearn has created a new Vibrio training video, and the quiz is currently up, and that these need to be done annually to ensure that licenses requiring this certification can be obtained. Ms. Warner stated that this should be considered food safety training and should be required moving forward to stress the importance of the standards. Ms. Warner asked Ms. Kanwit what it is that industry can do moving forward with these new Vibrio standards. Ms. Kanwit stated that the best way to assist is to educate, especially with new industry ventures that may not be aware of licensing requirements associated with oysters (American and European). Ms. De Koning asked if there are any materials on the DMR website regarding flow charts in controls and measures to be taken. Ms. Kanwit stated that there isn't currently anything like that on the website but would investigate generating a similar deliverable for the public. Ms. Ellis stated that anyone removing products from their site is also required to have a harvester license and that the deadline to renew is coming soon.

A member of the public asked the difference between an enhanced retail license and a wholesale license and Ms. Kanwit answered the question.

Work plan - Fiona de Koning

12:00-12:20

1. Nominations for new council positions

Ms. de Koning stated that she is stepping down from the committee and today is her last meeting. Ms. Kanwit stated that legislative changes have removed DMR's position on the council and today will be Ms. Ellis's last meeting as a council member.

Ms. Kanwit stated that legislation expands the council to 7 members and there are four positions to be filled. Ms. Kanwit stated that the legislation directs the commissioner to consider geographic area, type of aquaculture operation, and other factors when filling positions. These criteria help ensure the sector is well represented.

Ms. de Koning, Ms. Warner, and Mr. Lambert listed several names for consideration:

- Steve Zimmerman, Mook Sea Farm, shellfish hatcheries and leases
- Matt Moretti, Bangs Island Mussels
- Jacob Patryn, Marine Algae
- Cathy Pickering, Harbormaster, Belfast
- Hannah Twombly, Scallops and Marine Algae, Maine Island Aquaculture
- Sara Rademaker, Eels, American Unagi, Land Based Aquaculture

Ms. Kanwit clarified the nomination process and noted that the commissioner will make final determinations. Mr. Davis stated that he plans to step down within the next year.

2. New work plan topics

Ms. de Koning indicated that council members will be anticipating DMR follow up from the listening sessions. Ms. de Koning acknowledged that with her stepping down and filling new positions at the next meeting, the development of work plans should be left to the next meeting.

Public input - Fiona de Koning

12:20-12:30

1. Comments from the Teams Chat

Regarding Vibrio changes, Dana Morse asked if vessels can be considered a “facility”. Ms. Kanwit stated that she did not currently have an answer, but it will be considered. No other questions or comments were received.

Other business - Fiona de Koning

12:30-12:55

1. Programmatic updates – Amanda Ellis

Ms. Ellis stated that on January 1, 2025, the LPA Owner/Operator requirement will be taking effect. Ms. Ellis stated that DMR is currently working on an implementation plan and informational meetings will be scheduled to assist LPA holders in navigating the change. Ms. Ellis stated that this is going to be rolled out during the LPA renewal process-in fall. Ms. de Koning requested that the informational meetings be held sooner rather than later as summertime is a busy period for individuals and this may require them to modify or change their operations completely.

Ms. Ellis stated that the Aquaculture Inspector position is currently listed and closes on April 16, 2024. Ms. Ellis stated that this position will conduct routine aquaculture inspections and compliance work under the DMR Bureau of Public Health and Aquaculture Inspection Division. This position will analyze inspection findings and report any deficiencies or non-conformance to Federal and State Law or procedure. This position will also assist the Inspection Division Supervisor with writing policies, procedures, and reports for the program. This position may oversee the removal of gear from a site once the Commissioner has terminated a lease and coordinate enforcement activities with Marine Patrol.

Ms. Ellis stated that LD 2065 (An Act to Amend Maine’s Aquaculture Leasing Laws) proposed changes to certain notice procedures. During the work session for that bill, Legislators had requested that DMR develop a more targeted approach to get information to stakeholders about lease proceedings in their community. DMR has since created county specific lists through GovDelivery, so stakeholders will be able to sign up to get updates specific to a county or counties of interest. Stakeholders can still receive state-wide updates-they’ll just sign up for the general “Aquaculture Notices and Updates” list.

Ms. Ellis noted that at the last quarterly meeting, Mr. Davis asked if center points for LPA sites could be enlarged on the webmap. Ms. Ellis stated that these center points have been enlarged and now include the LPA acronym above the center point. Additionally, Ms. Ellis updated the council that the webmap is also being

updated to display the entire polygon of pending lease sites. Ms. Ellis stated this will show the full extent of a pending site to better assist stakeholders in the review of proposals and industry with site planning/selection.

2. Aquaculture Division Organization Chart – Amanda Ellis

An organizational chart was displayed to show where the Aquaculture Division sits within the Bureau of Public Health and Aquaculture. Ms. Ellis explained the role of the Aquaculture Division and discussed the other positions within the Bureau of Public Health and Aquaculture have a direct nexus with the Aquaculture Division. Ms. Ellis explained the organizational structure of the Aquaculture Division noting that it is comprised of administrative and scientific staff. Ms. de Koning asked if it was possible to shift some of the work from the Aquaculture Division to other branches within the Bureau. Ms. Kanwit clarified why that would not be possible and provided future staffing priorities within the Aquaculture Division.

Ms. de Koning asked Ms. Ellis how she felt regarding the staffing situation and the workload within the program. Ms. Ellis stated that the situation is better than a year ago and is now trying to anticipate future trends, so the program can be more responsive to emerging needs. Mr. Davis & Ms. de Koning asked if would be possible to provide an overview of the resources needed to process a lease application within a year. Ms. Kanwit indicated that it would be possible to provide the overview. Ms. Kanwit stated that aquaculture is a pipeline, and that more staffing would be needed in all aspects of the program to ensure that the program moves forward efficiently and effectively. Mr. Davis asked Ms. Kanwit what could be done to provide more staffing. Ms. Kanwit stated that funding is needed to keep the fisheries pathologist position as it is currently self-funded and create other positions. A member of the public asked Ms. Kanwit to explain the difference between funding types (general fund and self-funded). Ms. Kanwit provided an overview of the funds and state budget process.

3. Industry input

Sebastian Belle asked if product placed in an inspected refrigeration truck could not be sold, would a wholesale license be required if the product was brought back to a home. Ms. Kanwit answered Mr. Belle's question.

Ms. de Koning asked if there was any public input on Teams and there were no questions or comments.

Mr. Davis asked if there had been changes to the cultchless oyster license. Ms. Kanwit stated that it currently still stands and that DMR is looking into changing it to help support municipal programs.

Ms. Kanwit stated that DMR will host three virtual information sessions on the new Vibrio regulations. The sessions are scheduled for April 17, May 2, and May 13. Ms. Kanwit stated that the announcement was sent to stakeholders on March 29, 2024.

4. Schedule next meeting

Council members agreed to schedule the next meeting for July 23, 2024. Ms. Warner noted that most council members would need to participate remotely.

Ms. de Koning made a motion to nominate Mr. Lambert as chair of the next AQ Quarterly Meeting. The motion was approved.

Adjourn - **Fiona de Koning**
Adjourned 1:03

12:55-01:00