

Aquaculture Advisory Council
Meeting Agenda
January 27, 2025, from 11:00 AM - 2:00 PM
Augusta DMR Room 118 or [Microsoft Teams](#)

Call to order – **Will Owen** **11:00-11:01**

Roll call – **William Fearn** **11:01-11:02**

- Greg Lambert – Chair - [Absent](#)
- Will Owen – Vice Chair - [Present](#)
- Briana Warner - [Present](#)
- Christopher Davis - [Present](#)
- Lauren Gray - [Present](#)
- Matt Moretti - [Present](#)
- Steve Zimmerman - [Present](#)

Adoption of minutes from last meeting – **Will Owen** **11:05-11:10**

[The minutes from the prior meeting were unanimously adopted.](#) .

Legislative Update – **Deirdre Gilbert** **11:10-11:15**

[Deirdre Gilbert provided an update to the Council regarding proposed legislation before the Committee on Marine Resources. Updates were specific to proposed legislation that DMR was aware of and had a nexus with aquaculture including LD 64 \(An Act to Eliminate the Cultchless American Oyster Growers License\) and LD 144 \(An Act to Create a Limited Retail Seafood Harvester Certificate\). Ms. Gilbert also explained to the Council how to provide feedback on proposed legislation and to visit the Legislature’s webpage for weekly schedules, including public hearing notices.](#)

MAIC conference update – **Emily Whitmore** **11:15-11:30**

[Dr. Emily Whitmore provided an update to the Council on the Maine Aquaculture Research, Development & Education Summit, which was held on January 9, 2025, at the Maine Maritime Academy in Castine. She informed the group that the summit’s primary focus was on the challenges and opportunities presented by a changing climate.](#)

Pre-application Requirements for Experimental Leases – **Jay McCreight** **11:30-11:40**

[Jay McCreight presented to the Council, on behalf of the Harpswell Aquaculture Working Group \(“Working Group”\). Jay explained that the Harpswell Aquaculture Working Group was formed in response to a special interest group trying to have the Town of Harpswell enact an aquaculture moratorium. The Working Group is comprised of commercial fishermen, aquaculturists, town officials and other stakeholders with the goal of trying to improve community input and review of aquaculture proposals by identifying commercial fishing areas through a mapping initiative. In November 2024, Amanda Ellis \(DMR\), Dana Morse \(UMaine Sea Grant\), and Sebastian Belle \(Maine Aquaculture Association\) were invited to attend a Working Group meeting to explain and answer questions about the leasing process and aquaculture generally. During that meeting, it was noted that experimental leases are the only type of aquaculture application without a pre-application requirement and that towns receive notice of these proposals after the application has been deemed complete. This means that if a town has concerns about an experimental lease proposal it is too late for the applicant to make changes, which can be frustrating for the applicant and the town. The Working Group recommended that a pre-application meeting requirement be enacted for all experimental lease proposals, so that the town would have the opportunity to provide feedback on an applicant’s plans prior to the submission of an application. This is intended to help experimental lease applicants possibly modify their plans in response to community concerns.](#)

Will Owen was generally supportive of the intent of the pre-application meeting requirement for experimental leases. Briana Warner was opposed to any requirement that would increase scrutiny of lease proposals as she felt applicants are already subject to significant scrutiny. She was also concerned that the requirement would only apply to experimental proposals in the Town of Harpswell. Amanda Ellis clarified that this would be a change pursued through agency rulemaking, and it would apply to all experimental lease applications, not just those in Harpswell. Dr. Ellis also clarified that a pre-application meeting for an experimental lease would mirror those currently required of standard leases.

Approved out of State Hatcheries – Katie Stein

11:40-12:00

Dr. Katie Stein explained that some out-of-state facilities have been added to DMR's list of approved shellfish hatcheries. Adding these hatcheries helps address potential supply concerns and improves flexibility should any issues arise with approved shellfish hatcheries in Maine. Dr. Stein explained the regulatory standards a hatchery must meet to be an approved source. Dr. Stein stated that anyone wishing to purchase shellfish from an approved out-of-state hatchery would also need to submit an import permit application in accordance with existing law. Dr. Stein also showed Council members how to access the approved hatcheries list on DMR's website and gave an overview of the Pathology Program's new webpage.

Pathway for Upwellers committee update – Steve Zimmerman

12:00-12:20

Steve Zimmerman provided an update that the committee has met and is exploring different permitting pathways for upwellers. The committee is working to define the term "upwellers" and will continue to meet and provide updates to the Council.

Gear/Lease Amendments committee update – Lauren Gray

12:20-12:40

Lauren Gray updated the Council that the committee has met several times and are learning about the existing process and constraints. The committee is identifying key areas of concern and will provide an update at the next meeting.

Lease Processing Time committee update – Chris Davis

12:40-12:45

Dr. Chris Davis stated that the committee has met to discuss and understand DMR's lease review process. He added that the group will continue to meet, learn more about the process, identify roadblocks with processing, and report updates at the next meeting.

Will Owen recommended the Council add a new topic (scallop Biotoxin Testing) to the agenda at the request of several members of the public. The new agenda item was approved unanimously.

Scallop Biotoxin Testing – Dana Morse & Marsden Brewer

12:45 – 01:20

Marsden Brewer discussed biotoxin testing requirements for aquaculture lease holders interested in selling whole or roe-on scallops. Mr. Brewer stated that the testing requirements are cost-prohibitive and logistically challenging, which limits the growth of the sector. Mr. Brewer felt that the Council should evaluate DMR paying for this testing as this would remove a significant barrier to growth in this sector. Dana Morse clarified that testing costs \$500 per sample, but Bigelow Lab currently covers most of the cost so that growers are paying \$25 per sample. Mr. Morse also presented data related to amnesic shellfish poisoning (ASP) and paralytic shellfish poisoning (PSP) research in whole and roe-on scallops in Casco and Penobscot Bays from 2017-2019. The research may help inform future closure limits and the retention of biotoxin in whole and roe-on scallops.

Kohl Kanwit clarified that there is a state-wide prohibition on the take and possession of whole and roe on scallops due to biotoxin. This prohibition applies to the wild scallop fishery. However, aquaculture lease holders

may receive an exemption from the closure provided they have a valid memorandum of understanding with the Bureau of Public Health and Aquaculture governing testing. Ms. Kanwit explained that DMR does not currently have funding to cover the cost of testing whole and roe-on product. Ms. Kanwit also noted that other types of shellfish growers (i.e. mussel farmers) also pay for their own testing. s

Briana Warner requested more information on the number of farms impacted and a cost projection for the required testing. Will Owen proposed adding this topic to the work plan for the next AqAC meeting.

Work plan – **Will Owen**

01:20-01:30

1. Review of the Bonding system – Possible future Committee
2. Relaying Seed from prohibited areas – Steve Zimmerman suggested this be removed.
3. Legislative updates and engagement
4. Wet Storage clarification – Steve Zimmerman suggested this be removed. James Becker will be invited to the next AQAC to discuss wet storage.
5. Pathway for using upwellers other than an LPA - committee
6. Lease application processing time expectations - committee
7. Gear tagging/standards – committee
8. The council will add Scallop Biotxin Testing to the work plan

Other business – **Will Owen**

01:30-01:35

1. Programmatic updates – **Amanda Ellis**

Amanda Ellis explained that the Marine Resource Management Coordinator (Hearings Officer) position was reposted, and interviews were occurring within the next week. Ms. Ellis also stated that 58 lease applications were received in 2024 compared to 88 in 2023. DMR issued 52 decisions in 2024 compared to 34 in 2023. DMR published 60 site reports in 2024 compared to 22 in 2023. Amanda also shared that the newly redesigned standard and experimental lease applications have been launched, and industry has been notified accordingly.

2. Industry input

A: Willy Leathers stated that a lease site his company holds, in Recompense Cove, Freeport was closed in summer 2024 as it was part of a Campylobacter outbreak and product was subsequently recalled by DMR. Mr. Leathers shared his perspective on DMR's investigatory and testing protocols concerning the outbreak.

Will Owen felt that the situation may best be handled by exhausting all communication avenues with DMR and the Maine Aquaculture Association (MAA).

Kohl Kanwit provided a clarification that there are currently no acceptable or safe levels of Campylobacter. Ms. Kanwit also stated that this is an issue being addressed by the International Shellfish Sanitation Conference and she offered to give a presentation on Campylobacter including current strategies to prevent and manage illness outbreaks. The Council agreed that this presentation should be held at the next meeting.

B: Briana Warner announced that she is vacating her seat, effective immediately as she is leaving Atlantic Sea Farms. Briana Warner recommended that her colleague, Aurora Burgess, assume her position on the Council. Matt Moretti stated that he supported Ms. Warner's recommendation.

Will Owen asked Kohl Kanwit about the nomination process. Kohl Kanwit clarified that the Council can make nominations to the commissioner, but the commissioner will ultimately decide. Mr. Owen felt it

would be helpful to gather nominations from the Council and stakeholders and discuss them at the next Council meeting.

3. Schedule the next meeting

The council set the next meeting for April 28, 2025, 11:00 AM – 2:00 PM at the DMR Augusta office Room 118.

Public input – **Will Owen**

01:36 - 01:37

1. Comments from the Teams Chat – [No comments were made on Teams.](#)

Adjourn – **Will Owen**

01:37 – 01:39