

Shellfish Advisory Council Meeting Agenda
January 5, 2022 from 11:00 am - 3:00 pm
Virtual Meeting access: [Microsoft Teams](#)

Call to order – **Lewis Pinkham**
Roll call - **Will Fearn**

11:00-11:01
11:01-11:05

Amanda	Lyons	y
Dick	Douty	y
Jessica	Joyce	y
Joan	McDonald	y
Kevin	Brodie	y
Lewis	Pinkham	y
Marissa	McMahan	y
Michael	Danforth	n
Ron	Parritt	y
Ryan	McPherson	y
David	Wilson	y
Evan	Young	y
Lori	Howell	y
Wendell	Cressey	n

Adoption of minutes from last meeting – **Lewis Pinkham**
Motion to adopt minutes passed with nine in favor.

11:05-11:15

Welcome New members - **Will Fearn**

11:15-11:20

1. Lori Howell, Depuration Rep - New member appointed on 11/8/21
2. Wendel Cressey, Harvester Rep - New Member appointed on 11/8/21

Election of officers - **Lewis Pinkham**

11:20-11:40

1. Chair – Motion for Lewis to continue as Chair, vote passed with 10 in favor. No other names were submitted for the Chair position.
2. Vice Chair – Motion for Jessica to continue as Vice Chair, vote passed with 10 in favor. No other names were submitted for the Vice Chair position.
3. Secretary – No names were submitted for Secretary. Secretary duties will be provided by DMR.

Announcements and updates

Explore policy/funding avenues to reduce septic failure risk – **Jessica Joyce**
[Waldoboro Septic Link](#) and [Prospect Harbor Closure Link](#)

11:40-12:00

Jessica Joyce brought forth examples of local ordinances and state policy requirements that require septic tanks to be regulated to help provide better water quality along the coast and in the shoreland zone. These examples included a requirement for an inspection when property is transferred, requiring a permit for maintenance, and requiring septic pump outs every 3 years. Open discussion took place on some specific situations and responses from various municipalities around Maine.

DMR's David Miller and Bryant Lewis spoke on the topic – DMR's role is to locate the source causing poor water quality and then notify the town of the issue. DMR is not always notified of a resolution to the problem. If a town notifies DMR of a fix to a pollution source, reevaluation of the area can be done, potentially opening a site quicker.

Kohl Kanwit – DMR's role is to notify towns of issues, towns are required to fix the problems. DEP and towns enforce and address pollution sources, not DMR. DMR classifies shellfish harvest areas based on pollution sources and water quality.

Jessica Joyce provided a link for the Water Quality Decision Tree, which helps guide you through the process to finding and fixing pollution sources - <https://themudflat.org/water-quality-decision-support/>

Kathleen Leyden – spoke on some of the difficulties municipalities have when enforcing these rules.

Limited Purpose Aquaculture - **Gabrielle Hillyer**

12:00-12:20

[The Mudflat Website link](#)

Gabrielle Hillyer started a guidebook to help municipalities apply for limited purpose aquaculture (LPA) permits. She interviewed folks asking how to make things easier for shellfish committees while reviewing and determining whether to issue a permit or not. Her research findings and the complete Guidebook are available on the mudflat website. They are still open to input moving forward.

Research Updates and Clam Kit Videos – **Sara Randall**

12:20-12:30

[Down East Institute Website](#)

[Clam recruitment Monitoring Network](#)

[Oyster Shell Recycling vs Predator protection on Mudflat Acidity and Shellfish Enhancement](#)

Sara Randall provided an update on the research being conducted by the Downeast Institute. More information can be found on the Downeast Institute website. Individual links are provided.

Working Waterfront – **Kathleen Leyden**

12:30-01:00

Loosing access to intertidal zones, Kathleen Leyden introduced the roll of the Maine Coastal Program at DMR, which works with many municipalities from shore to three miles out. She shared information on local and state programs and avenues to address access, including: coordinating with local chambers of commerce, working with land trusts, conducting access planning (funding available through Coastal Community Grant program and Shore and Harbor grants), addressing parking issues, conducting right-of-way discovery projects, compiling or updating working waterfront inventories in comprehensive plans, submitting proposals to Land for Maine's Future program, and the Accessing the Maine Coast 'Toolkit' has resources, and is planned to be updated.

A question was posed through a poll about how people access the intertidal, the polling via teams didn't work as intended. Poll responses were given verbally.

This opened a discussion about access to the intertidal over the upland. Many situations of loss of access were brought up, especially related to property transfers that have accelerated during the COVID-19 pandemic. There were a number of potential solutions raised to address the loss of access, including: easements and land acquisitions, taking an inventory of access sites (and take legal steps to make them permanent), outreach and

education, letters to the editor and coastal residents, using comprehensive plans as a tool, and collecting resources for preserving access and sharing them with towns.

Add this topic to the work plan and consider possibly creating a committee to address these issues.

Break till 12:55

Final copy of revised Bylaws – **Kohl Kanwit** **01:00-01:05**

Kohl Kanwit showed everyone how to access the bylaws at <https://www.maine.gov/dmr/about/councils/shellfish/index.html>

Committee update – **Jessica Joyce** **01:05-01:25**

Update on Shellfish Management Update Committee – contract for facilitator includes three public meetings as well as one online meeting, and a survey. Kohl Kanwit provided an update on the hiring of a group facilitator.

Update on Gouldsboro Shellfish Resilience work – **Mike Pinkham and Bill Zoellick** **01:25-01:35**
Bill gave an update on the Gouldsboro resilience and shore access projects.
<https://gouldsboroshore.me/>

A large group of volunteers helped with collection of recruitment boxes and counting. Green crabs are eating many of the clams. Trying to increase seed size to avoid the green crab predation. Another batch will be put in nursery trays.

Work plan **01:35-01:45**

1. Fee for service lab testing and certification of private labs - **Tabled**
2. Alpha-numeric system for identifying harvest areas - **Tabled**
3. Soft-shell clam market presentation - **Keith Evans - Tabled**
4. Fisherman’s forum committee – **Jessica Joyce – Tabled, no event in 2022**
5. Municipal Shellfish Management Update Committee – **Jessica Joyce and Amanda Lyons**
6. Shore access – **Dave Wilson**

Public input – **Open floor** **01:45-02:00**

Public comment requesting 30-day notification of ShAC meetings with agenda allowing municipal shellfish councils to meet ahead of time.

Other business **02:00-03:00**

Changes to Shellfish Warden requirements – proposed changes should be incorporated into the Municipal Committee work. DMR will utilize the Commissioner’s ability to waive requirements while waiting for the Committees input and possible changes to the regulation. Opposition was expressed regarding removing the ability for a Municipal Shellfish Warden to hold a commercial shellfish license. The Town of Addison sent a letter to the Commissioner stating opposition to changes.

There is a bill in the legislature regarding a task force to study water quality in Saco Bay. DMR is tracking it and will be part of a task force if one is created.

There is a bill in the legislature (LD 1873) to address air boat noise. DMR is tracking it and participating in working groups.

Jessica Joyce – Asked if ShAC should have more frequent meetings online but shorter, 2 hours every other month? Ended up deciding to make the meetings more economical with the use of time and shorter, 3 hours v. 4 hours.

Adjourn

03:00-03:00