

**Shellfish Advisory Council Meeting Minutes
September 14, 2022, from 1:00 PM - 4:00 PM
Room 118 DMR Augusta office
Virtual participation via Microsoft Teams**

Call to order – **Lewis Pinkham**

01:00-01:01

Roll call - **Will Fearn**

01:01-01:05

First Name	Last Name	In attendance
Amanda	Lyons	No (Notified ShAC in advance) Joined for last 15 min
Dick	Douty	Yes
Jessica	Joyce	Yes
Joan	McDonald	No (Notified ShAC in advance of Jury service)
Kevin	Brodie	Yes
Lewis	Pinkham	Yes
Marissa	McMahan	Yes
Michael	Danforth	No (Notified ShAC in advance)
Ron	Parritt	Yes
Jeff	Auger	Yes
David	Wilson	Yes
Jordan	Kramer	Yes
Lori	Howell	Yes
Chris	Warner	Yes

New members – **Lewis Pinkham**

01:05-01:10

- Jeff Auger (Aquaculture) – Newly Appointed
- Jordan Kramer (Aquaculture) – Newly Appointed

Adoption of minutes from last meeting – **Lewis Pinkham**

01:10-01:15

Adoption of minutes passed with no objections.

Adoption of new remote meeting policy – **Lewis Pinkham**

01:15-01:25

Adoption of remote meeting policy passed with no objections.

Commercial harvesting in state parks – **Lewis Pinkham**

01:25-01:40

There was a request from a municipality for the ShAC to discuss whether it's possible to prohibit commercial harvesting in state parks. Mr. Pinkham spoke about commercial harvesting in state parks. It was discussed that recreational harvesters are allowed to harvest in state parks without a license (at a 1-peck a day limit), though certain parks have specific rules and areas designated for harvesting.

Municipal Shellfish Management Meetings discussion – **Jessica Joyce & Amanda Lyons** **01:40-02:25**

Ms. Joyce presented an update from the Management Committee, proposing a process to review and discuss recommendations from the workshop, which are now organized in a MS Excel worksheet (matrix). Now that the committee is transitioning from planning and summarizing the regional workshops, to more active discussions around addressing recommendations, Ms. Joyce asked if any other ShAC members or members of the public were interested in joining the Committee. Chris Petersen (College of the Atlantic) volunteered, as did Lori Howell. With these additions, there are now nine Committee members. Over the next couple of the months, the

Committee will discuss and complete the matrix and then report back to the ShAC. The ShAC would then prioritize the order by which the ShAC would address these ideas.

A question was posed whether any member of the ShAC could attend these committee meetings, or if they were only for members of the committee. After discussion, the Committee offered to send out agendas to the entire ShAC prior to a committee meeting, so they could decide whether to join based on topics they are interested in. There was another question about having a special public meeting to get broader input into the discussion, and it was decided to have the committee discuss this proposal at their next meeting.

Streamlining direct to customer shellfish sales – Jordan Kramer

02:25-02:40

Mr. Kramer would like to see the ShAC take a closer look at the current rules regulating direct to customer sales of shellfish product by retail harvesters. The current system hinders retail harvesters from selling directly to customers by being too inflexible with certain situations like farmers markets or on the mud. The requirements placed upon harvesters seem to push harvesters to sell a fresh product to dealers because they have the proper equipment for keeping shellfish fresh.

A proposal was made to add this item to the work plan, motion passed with no objections. It was added to the Q4 2022 ShAC meeting agenda.

Airboat stakeholder group – Wesley Dean

02:40-03:00

Sgt. Dean Wesley addressed the ShAC with an update on the Airboat Stakeholder Consensus Group, which is coordinated jointly between Maine DMR and Inland Fish and Wildlife. He discussed the ongoing investigation of possible solutions to this issue of coastal noise and conflicts resulting from airboat use. It was mentioned that the issue is *currently* in and around the Casco Bay area and seems to be a local issue with 85% of the noise complaints coming from a group of nine people. The deep water between boat launches and the flats require more power to move through which creates the higher decibel levels than moving across the mud. In Freeport, the boat launch is tidal and further away from the productive mud flats, so the duration of the higher decibel levels is longer in Freeport than surrounding towns where boat launches are closer to the productive mudflats. However, despite the fact that current airboat use and conflicts are in the Casco Bay area, the current track the group is focusing on is statewide legislation. The group previously discussed other potential state and municipal regulatory and policy options earlier on in the process.

The stakeholder group, which includes staff from municipalities, harvesters, as well as coastal landowners, is working well together trying to define what is reasonable and what is unreasonable when it comes to decibel levels. The current [regulations](#) stipulate that a person cannot use an airboat between the hours of 7 pm and 7 am if it exceeds 75 decibels, nor can they use an airboat during the hours of 7am and 7pm if it exceeds 90 decibels. This regulation is set to expire September 30, 2023. Sgt. Wesley believes 90 decibels is achievable, but 75 decibels is challenging for many boats to achieve. The stakeholder group is due to submit their report to the legislature in January. It is likely the existing regulations will be revised in the 2023 legislative session, with the sunset (expiration) clause removed.

There was a lengthy discussion about the process and outcomes, as many ShAC members were not aware of the current regulations or the stakeholder group. Ultimately, several members of the ShAC requested that the stakeholder meetings are communicated more broadly (through .gov email delivery systems), held in rotating locations throughout the state (since existing meetings have either been in Freeport or online), and that DMR and IFW develop more outreach opportunities or materials for individuals who have registered airboats in the state. These steps will expand awareness of this issue, which will affect current and future airboat operators throughout the state indefinitely once new legislation is proposed and approved.

Announcements and updates – **ShAC Partners** **03:00-03:15**

1. Regional shellfish meetings – **Will Fearn**
 - Eastern - Tue, Oct 11 at 1:00 PM - 3:00 PM - [Pellon Center, Machias](#)
 - Central - Wed, Oct 12 at 1:00 PM - 3:00 PM - [Hutchinson Center, Belfast](#)
 - Western - Wed, Nov 2 at 9:00 AM - 11:00 AM - [Curtis Memorial Library, Brunswick](#)
[Kohl Kanwit mentioned public concern regarding location of central meeting location.](#)

Work plan **03:15-03:30**

1. Fee for service lab testing and certification of private labs – **Tabled**
[Item will remain on the work plan for one more meeting.](#)
2. Alpha-numeric system for identifying harvest areas – **Tabled**
[Item will remain on the work plan for now.](#)
3. Soft-shell clam market presentation - **Keith Evans** – **Tabled**
[Bridie McGreavy will ask Keith Evans to provide an Update for next meeting.](#)
4. Fisherman’s forum committee – **Jessica Joyce** – **Tabled**
[Fisherman forum is happening the first weekend of March. Ms. Joyce will check-in with Meredith Mendelson for an update on the ShAC’s role.](#)
5. Shore access – **Dave Wilson**
[Dave hosted a landlord appreciation day. The harvester community and town provided steamers and chowder to the attendees. Mr. Wilson said it went well and helped preserve access for the harvesters. Three new homeowners agreeing to provide access. Mike Pinkham shared that his community gaining access points by working with realtors and hosting community events that teach how to harvest clams and garner support for access.](#)
6. **Added to work list Streamlining direct to customer shellfish sales** – **Jordan Kramer**

Public input – **Open floor** **03:30-03:45**

Other business **03:45-04:00**

[Bridie McGreavy asked about an update on the Clam mortality event in casco bay. They occurred during a large Phyto plankton bloom. DMR Public Health is tracking visible Phyto plankton blooms. They are naturally occurring Phyto plankton, not harmful to people, but can impact shellfish. The blooms use up the oxygen in the water and cause die offs in certain species of marine animals.](#)

Adjourn **04:00-04:00**