

**Shellfish Advisory Council**  
**Meeting Agenda**  
**September 19, 2023, from 12:30 PM - 03:30 PM**  
**DMR Augusta Office (Marquardt Building) Room 118**  
**Virtual Meeting via [Microsoft Teams](#)**

Call to order – **Lewis Pinkham** **12:30-12:31**

Roll call – **Mickenzy Breton** **12:31-12:35**

First Name	Last Name	In attendance
Amanda	Lyons	Yes
Dick	Douty	No
Jessica	Joyce	Yes
Joan	McDonald	Yes
Kevin	Brodie	Yes
Lewis	Pinkham	Yes
Marissa	McMahan	Yes
Michael	Danforth	Yes
Ron	Parritt	Yes
Jeff	Auger	Yes
David	Wilson	No (Notified ShAC in advance)
Jordan	Kramer	No (Notified ShAC in advance)
Lori	Howell	No (Notified ShAC in advance)
Chris	Warner	Yes (Late, notified ShAC in advance)

Adoption of minutes from last meeting – **Lewis Pinkham** **12:35-12:40**

**Mr. Danforth motion to approve minutes without comment, Mr. Brodie seconded, all present voted in favor of approving minutes.**

Shore Access Initiatives: Thesis Research Presentation – **B Lauer** **012:40-01:00**

**B Lauer gave a presentation on, and took questions regarding, research she conducted on the discourse around the loss of intertidal access and ongoing efforts to preserve and expand it.**

Marine Resource Committee Veteran’s License LD Discussion – **Jessica Joyce** **01:00-01:20**

**Ms. Joyce discussed LD 1915 and a request from the Marine Resource Committee for the ShAC’s input on the LD. Ms. Joyce shared some of the questions that were asked of the Marine Resource Committee and provided in testimony during the public hearing on the LD that warranted the need for the ShAC’s input.**

**Mr. Pinkham suggested potentially creating a committee to discuss the issue because the present discussion only seemed to generate additional questions on the part of ShAC members. Mr. Danforth questioned whether the demand for a program like the one the LD is proposing creating would be worth the effort of creating a committee and dedicating a potentially substantial amount of time to it. Several members of the ShAC and a member of the public commented that their town committees have never been approached by a**

veteran for a license, with the exception of Lubec, although that scenario was related to overall resident/non-resident licenses and was not a veteran-specific license issue.

Mr. Pinkham suggested instead tasking one or two members of the ShAC to draft a letter containing the numerous questions about, and potential issues with, creating such a program as well as a section regarding the fact that towns already have the authority to create such a category of license and how. Ms. Joyce will draft a letter based on feedback provided by ShAC members and have it reviewed by the ShAC before sending it to the MR committee.

Violation Related Suspension of Licenses by the Commissioner – Lewis Pinkham 01:20-01:30

Mr. Pinkham discussed a question that was posed to him by Representative Tiffany Strout regarding the perceived lack of effective consequences for repeated municipal shellfishing violations. Mr. Pinkham discussed a repealed law that previously allowed the Commissioner of DMR to suspend licenses after three or more violations and the change from shellfishing violations being considered criminal violations vs. civil violations.

Mr. Pinkham suggested that he would reach out to concerned ShAC members and partners outside of the meeting to brainstorm potential solutions to this issue and Marine Patrol will be included in that discussion.

Green Crab Trapping Discussion – Joanie McDonald 01:30-01:40

Ms. McDonald wanted to discuss potential ideas for reducing green crab populations and predation on shellfish and she specifically suggested accessing grant money to trap them and conduct research on whether trapping would affect populations long term. Discussion ultimately concluded that currently trapping is not necessarily a viable, long-term solution for a variety of reasons but efforts to evaluate its effectiveness are ongoing. DMR staff suggested that if there is a research question this initiative could be eligible for their mini-grant program. Given the significant threat that green crabs pose to the shellfishing industry discussing them will be added to the work plan and discussion about efforts to control them will be a recurring topic.

PFAS Testing Results Presentation and Q&A – James Stahlnecker 01:40-02:05

Mr. Stahlnecker of the Maine Dept of Environmental Protection gave a presentation regarding the results of a DEP study on the presence of PFAS in Maine waters and marine animals. Ultimately the research concluded that the levels of PFAS and PFOS in Maine shellfish do not pose a health hazard even in areas where levels in the water are relatively high.

Work plan 02:05-03:00

1. Fee for service lab testing and certification of private labs – **Tabled**

2. Alpha-numeric system for identifying harvest areas – **Tabled**

3. Retail Rules Committee: Streamlining Direct to Consumer Sales – **Jordan Kramer**

**Mr. Kramer was not present, so Ms. Kanwit advised that the committee had its first meeting to discuss preliminary ideas and a second meeting is in the process of being scheduled.**

4. Shellfish Focus Day Planning – TBD

**Ms. Joyce mentioned that there is a new coordinator for SFD and that they have not yet put out a request for topics or abstracts. Additional information will be shared with the ShAC as becomes available.**

5. Economic research study (RFP Update) – Will Fearn

**Mr. Fearn advised the ShAC that there were no proposals received in response to the RFP and this allows the ShAC to instead select a qualified candidate to conduct the economic research. Ms. Joyce informed the ShAC about attempts to make a potential study more attractive by gaining additional funding from organizations that conduct or fund similar research but that these efforts were ultimately unsuccessful. Mr. Pinkham suggested discussing with Commissioner Keliher whether it would be possible to request additional funding for the study in the next fiscal year and Ms. Kanwit said she would do so but cautioned that it was unlikely. Ms. Joyce has been in contact with Dr. Bridie McGreavy regarding who might conduct the research and, along with Mr. Fearn, will be reaching out to potential candidates.**

6. Water Quality (Committee Update) – Jessica Joyce

**Ms. Joyce gave an update regarding the membership of the committee which now includes DMR, DEP, and DHHS staff all involved in the regulation of overboard discharges, septic systems, and their impact on water quality. The first meeting was mostly an informational session about OBDs and the apparent difficulty in enforcing their maintenance outside of sending non-compliance letters and notices of violation. The OBD elimination grants program has not been funded in years and that specific program was determined to not be an acceptable use of federal grant funding from a recent NOAA grant. Ms. Kanwit shared that in other states coastal landowners are required to pay for the regular inspection and maintenance of their septic systems, which is not the case in Maine, and strongly encourages the ShAC and the committee to consider this as an avenue for increasing water quality.**

7. Increasing/incentivizing shore access through private property – Jessica Joyce

**Ms. Joyce advised ShAC regarding the IF&W Outdoor Partner's Program and how it could be emulated for the purposes of helping to secure shore access or potentially partnering with IF&W to develop a similar program for the DMR and the shellfish industry. She has been in contact with Corporals LaFlamme and MacCabe of the Outdoor Partners Program and would like to have them speak at a future ShAC meeting regarding the program.**

**There was also some discussion of potentially taking a legislative route and trying to get a tax incentive for landowners who allow access to the intertidal across their property through the open space program of the Current Land Use programs. B Lauer has also worked on this issue and offered to comment indicating that while such an incentive technically already exists in the working waterfront program, the requirements to apply it in the situation of shore access make it essentially not worthwhile for landowners. Therefore, developing new incentives could require considerable effort on the part of legislators.**

**Mr. Fearn shared the dates and times of upcoming 2023 Regional Shellfish Meetings:**

- **Southern Maine Regional Meeting: November 14, Curtis Memorial Library, Brunswick 9AM – 11AM**
- **Eastern Maine Regional Meeting: November 20, UMM Reynold Center, 3PM – 5PM**
- **Central Maine Regional Meeting: December 4, Bucksport Municipal Office, 2PM – 4PM**

Other business

**03:15-03:30**

**Ms. Joyce updated ShAC regarding the letter being sent to towns (which was discussed at the previous meeting) to inform them of issues that were raised during the shellfish management workshops and later determined by the management committee to be within the purview of town governments and municipal shellfish management programs. She will be sending out a final draft of the letter to be sent via GovDelivery sometime after the meeting.**

**Mr. Breton discussed the impending expiration of Dick Douty, Joan McDonald, Ron Parritt, and Lori Howell's terms as ShAC members and whether members who are able would like to be reappointed. Mr. Douty cannot be reappointed because he is serving his second consecutive term so a new dealer representative will need to be sought. Ms. McDonald and Mr. Parritt both agreed to serve a second term and Mr. Breton will contact Lori Howell privately since she is not present to inquire about her serving another term.**

Adjourn