

Shellfish Conservation Committee Minutes

DATE 03/01/2022 TIME: 7:00 PM

MEETING LOCATION: COMMUNITY ROOM

Commission Members:

Attendance: A for absent, P for present

Attendance	Name	Town	Term
P	Stephen Demelle	North Yarmouth	June 30, 2023
P	Kevin Oliver	North Yarmouth	June 30, 2024
A	Len Kaminow	North Yarmouth	June 30, 2024
P	Judy Colby-George	Yarmouth	December 31, 2023
P	Brandy Adams	Yarmouth	December 31, 2022
P	Ben Tupper	Yarmouth	December 31, 2023

Staff Members:

Attendance	Name	Title/Role
A	Will Owen	Shellfish Warden
A	Randy Bates	Town Council Liaison
A	Ari Leach	Dept. of Marine Resources

Guests/Diggers : none

Minutes –

Votes/Quorum: All final votes of the commission shall require the affirmative vote of a majority of those members present and voting provided a quorum is present. A quorum shall be deemed present if a minimum of four (4) members are present. A CHAPTER 305 10 quorum shall be required for the transaction of all business except that a smaller number can adjourn to another time.

Reviewed Minutes for February 1, 2022

Notes to minutes: add Warden’s report to minutes and add note that conservation time should accrue to anyone who attends meetings so we will need to add that to the conservation points.

Vote taken, 5 for, 0 against, 0 abstain.

1. DISCUSSION	Warden’s Report	
Will was not able to attend so no report.		
In discussion of upcoming April survey, we need to know what equipment Will has and if he will (and his boat) be available for the survey.		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Check with Will on equipment and boat	Judy	4/5/21

2. DISCUSSION	Shellfish Management Plan – Discussion with Marissa McMahan of Manomet	
<p>Marissa could not make it to our meeting. But she relayed the information that Manomet will run concurrent surveys during our April and May surveys to test their methodology. We will coordinate with her as the time gets closer.</p>		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

3. DISCUSSION	License Recommendations																																
<p>Discussion: Committee is interested in who gets the 5 non-resident licenses, ie is it the same people every year, or does it vary?</p> <p>We would like to resend the voluntary recreation survey to each person licensed in the early Fall to remind them to fill it out.</p> <p>Judy will develop an online reporting form for recreational clambers.</p> <p>The commission would like to receive an email when the dates of the lottery are known. It would also be helpful if the dates of the lottery are displayed on the website.</p> <p>Licenses sold in Yarmouth in 2020 & 2021</p> <table border="1"> <thead> <tr> <th>Class</th> <th>Subclass</th> <th># Sold in 2020</th> <th># Sold in 2021</th> </tr> </thead> <tbody> <tr> <td><i>Commercial</i></td> <td><i>Resident</i></td> <td>4</td> <td>4*</td> </tr> <tr> <td><i>Commercial</i></td> <td><i>Non-resident</i></td> <td>1</td> <td>1</td> </tr> <tr> <td><i>Recreational</i></td> <td><i>Resident</i></td> <td>10</td> <td>12</td> </tr> <tr> <td><i>Recreational</i></td> <td><i>Non-resident</i></td> <td>5</td> <td>5</td> </tr> <tr> <td><i>Recreational</i></td> <td><i>Senior Resident</i></td> <td>17</td> <td>15</td> </tr> <tr> <td><i>Recreational</i></td> <td><i>Senior Non-resident</i></td> <td>11</td> <td>4</td> </tr> <tr> <td><i>Recreational</i></td> <td><i>3-Day</i></td> <td>3</td> <td>0</td> </tr> </tbody> </table> <p><i>*One of the 4 resident licenses was given to a non-resident due to the lack of residents applying for the license in the first lottery. If that happens, then the license must be opened up to any qualified commercial clammer. The license is only available to the non-resident for that one year, then it reverts back to a resident and a lottery is held again the next year.</i></p>		Class	Subclass	# Sold in 2020	# Sold in 2021	<i>Commercial</i>	<i>Resident</i>	4	4*	<i>Commercial</i>	<i>Non-resident</i>	1	1	<i>Recreational</i>	<i>Resident</i>	10	12	<i>Recreational</i>	<i>Non-resident</i>	5	5	<i>Recreational</i>	<i>Senior Resident</i>	17	15	<i>Recreational</i>	<i>Senior Non-resident</i>	11	4	<i>Recreational</i>	<i>3-Day</i>	3	0
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Motion: The shellfish commission recommends to the Town Council the same allocation of licenses for the same categories with the same fees as we did in 2021.

Class	Subclass	Amount	Cost
Commercial	Resident	4	\$500
Commercial	Non-resident	1	\$750
Recreational	Resident	50	\$40
Recreational	Non-resident	5	\$80
Recreational	Senior Resident	100	0
Recreational	Senior Non-resident	25	0
Recreational	3-Day	20/month	\$40

Moved: Judy Seconded: Ben Vote: 5 in favor, 0 opposed, 0 abstained.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Forward recommendation to Nat for delivery to council	Judy	3/2/2022
Check with Jenn Doten on lottery timing & survey	Judy	3/2/2022

4. DISCUSSION Setting Conservation Points

2020 Approved Conservation Activities

Activity	Example	Points
Full Tide Survey		6
Qualified Meeting	State Shellfish advisory, Casco Bay Regional Shellfish	1
All Day Qualified Meeting	Shellfish Day at Maine Fisherman's Forum	2
Municipal Shellfish Commission	Attend one meeting not in appointed capacity	1

2021 added Green Crab Collection: 1 point/week for up to 12 weeks.

Discussion: It was proposed that the points be increased for full day meetings since people are volunteering their time and a full day should get more than 2 points when a survey gets 6 points. Also, it was determined that anyone who attends a commission meeting (whether a member of the board or observer) should get points for attending.

Motion: The shellfish commission approves the following Conservation Activities and Points for 2022:

2022 Approved Conservation Activities

Activity	Example	Points
Full Tide Survey		6
Full Day Qualified Meeting	Shellfish Day at Maine Fisherman's Forum	4
Half Day Qualified Meeting	Shellfish Day at Maine Fisherman's Forum	2
Qualified Meeting	State Shellfish advisory, Casco Bay Regional Shellfish	1
Municipal Shellfish Commission	Attend one meeting	1
Green Crab Trapping	Trapping Green crabs, check traps 2x/week, record date & time, take time stamped photo and record weight – check with warden before starting and submit document every 6 weeks	1 point/ week up to 12 pts

Moved: Judy Secoded: Ben Vote: 5 in favor, 0 opposed, 0 abstained.

Reminder: Other conservation activities & meetings can be approved by the board during the year, a person just needs to come to a meeting and present their idea before the event occurs, than the board can discuss, and either approve, modify, or not approve their idea. If an idea is approved, it will be in the minutes so anyone can participate.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

5. DISCUSSION Setting Meeting Time

We have checked with the town and **our meetings will now begin at 6:30**, remaining on the First Tuesday of the month.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Ask Jenn to include in email with minutes that the meeting time has changed.	Judy	3/2/22

6. DISCUSSION	Grant Report	
Tabled		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

OLD BUSINESS	
<p>April and May surveys: Make sure we set teams related to area they will be surveying and make sure it is not all sloppy mud. We are going to aim for 50' x 25' spacing of our data collection of the next two surveys, but may revise that when we gather and talk with Manomet about their sampling technique. It would be great if the two survey methods could be done in the same area, so some adjustments may be necessary.</p>	
NEW BUSINESS	
<p>Ben brought up the idea of doing spat surveys in June/early July. Kevin thought we could possibly set up Biel boxes and then just survey them. This may be something Will can do while he is out on the flats.</p>	

Next Meeting Date: April 5, 2021 – NOTE CHANGE IN TIME

Meeting will be held at the **Community Room in the Town Hall at 6:30 pm**. All are welcome and encouraged to attend.

Agenda items	Proposed time	Time for discussion
1. Review minutes	6:35	5
2. Warden's report	6:40	15
3. Survey discussion	6:55	15
4. Grant report	7:10	15
5. Spat survey	7:25	15
6. New business	7:40	15
7. Set agenda	7:55	5
8. Adjourn meeting	8:00	

TIME MEETING ADJOURNED 8:45 pm

**Yarmouth - North Yarmouth Shellfish Conservation Ordinance
Chapter 305 Article III (3)(A) and Article II (4)(A)**

Appendix A

Dec 3, 2020

Mar 1, 2022

Commercial Licensing Incentives

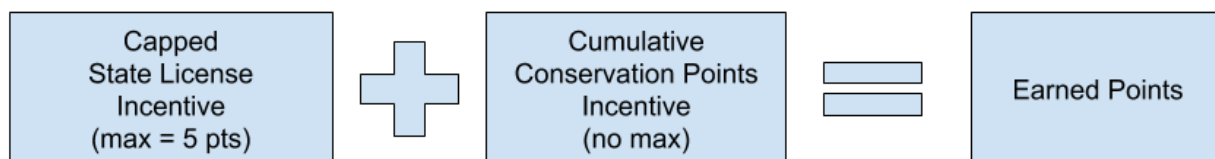
The commercial license incentive is designed to encourage and reward engagement in approved conservation-related activities and professional development on the part of prospective commercial harvesters. The incentive program uses a point system to preferentially award vacant licenses to those who demonstrate the greatest engagement. The program has two areas in which points may be accumulated: state licensing and conservation activities.

Capped State License Incentive: At the time a new license is available, an applicant will be awarded 1 point for each year a valid state commercial harvesters license is held in the preceding 5 years. Any year(s) in which a state license is subsequently rescinded by the state is (are) not counted. This could yield a maximum of 5 points.

Cumulative Conservation Activities Incentive: The Shellfish Commission provides prior approval for (a) any opportunities for earning conservation points, and (b) the number of conservation points to be earned for each opportunity. Such activities may include but are not limited to surveys, reseeding events, enhancement projects, invasive species management, environmental monitoring and remediation, or relevant continuing education. The commission maintains a table of pre-approved activities (with point value), but the onus is on the applicant to provide proof of involvement. Any interested party may propose a new activity to the commission for consideration for prior approval. The Town will maintain record of points earned, and the Commission will publish the cumulative tally at least annually in its minutes.

Minimum Threshold: The Commission sets a minimum number of points earned (sum of Capped State License Incentive and the Conservation Activities Incentive) in order to qualify for a point-based license award.

Commercial License Award: Available commercial licenses are offered first to the applicant with the greatest sum of earned points from the Capped State License Incentive and the Conservation Activities Incentive. In the event of a tie, a lottery will be used among those with the highest number of points. If no applicants meet the minimum threshold the current ordinance provides for a lottery.



Draft Pre-approved Conservation Activities:

Activities	Examples	Points
Full Tide Survey	Soft shell survey	6
Full Day Qualified Meeting	Shellfish Day at Fisherman's Forum	4
Half Day Qualified Meeting	Shellfish Day at Maine Fisherman's Forum	2
Qualified Meeting	State Shellfish Advisory, Casco Bay Regional Shellfish Working Group	1
Municipal Shellfish Commission	Attend one meeting	1
Green Crab Trapping	Trapping Green crabs, check traps 2x/week, record date & time, take time stamped photo and record weight – check with warden before starting and submit document every 6 weeks	1 point/week up to 12 pts

Adding New Pre-approved Activities: The commission invites interested parties to propose for consideration new activities suitable for the aims of the Conservation Activities Incentives program.

Record of Attendance: Record of attendance at pre-approved activity is required before points can be awarded. Some activities may be minuted which may serve the purpose, but others may require a check in with a Commission appointed individual (Warden, DMR employee, etc.) Completion of pre-approved course work may be in the form of certificate of completion, satisfactory grade, etc.