

Shellfish Conservation Committee Minutes

DATE 5/6/2025

TIME: 6:30 PM

MEETING LOCATION: COMMUNITY ROOM

Commission Members:

Attendance: A for absent, P for present

Attendance	Name	Town	Term
P	Rachael Whitmarsh	North Yarmouth	June 30, 2026
P	Rob Haile	North Yarmouth	June 30, 2027
P	Len Kaminow	North Yarmouth	June 30, 2025
P	Judy Colby-George	Yarmouth	December 31, 2026
A	Rick Baietti	Yarmouth	December 31, 2025
P	Peter Hubbard	Yarmouth	December 31, 2026

Staff Members:

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

Guests/Diggers : Brian Beal and Tess Houston from the DownEast Institute
Thomas Henninger, Andrew Feeny

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.

Minutes – Approve meeting minutes from April 1, 2025.

Motion – Rachael Second – Peter 5 In Favor, 0 Against

1. WARDEN'S REPORT		
See Attached Report.		
The surveyors will be starting up the contracted surveys soon on Lanes Island.		
The P90 Scores and reclassification of cornfield point information was distributed.		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Add dog bags to beach at Old Town Landing	Will	

2. PUBLIC COMMENT

Thomas Henninger-owner Madeleine Point Oyster, Yarmouth resident – attending the meeting to bring the issue of the water quality change (elevated P90 score) at Cornfield Point to the attention of the board and ask if there is anything we can do about that. The board will discuss this topic under new business.

Brian Beal – DownEast Institute – provided an overview of the Softshell Clam Recruitment project that the commission agreed to participate in. The study was funded by the Casco Bay Estuary Project. They will be working with the town to select two locations to put 12 passive collection boxes. The boxes will be placed in April 2026 and retrieved in October/November 2026. This will be repeated in 2027 and hopefully beyond that time, so the locations should be places where the boxes can be sustained over a long-term study. The boxes become heavy over the time frame they are collecting, so it is important that they it is easy to retrieve them. After the boxes are retrieved, the mud is washed off what is collected and whatever is in the box is counted and a sample of each species is measured. All species of commercial shellfish will be counted as well as green crabs in the box. A core sample will be taken to compare the distribution of species in the box to the distribution in the surrounding substrate. Will suggested the Sea Meadow would be a good location for one set of boxes and Judy said perhaps Broad Cove for the other. Will is going to take Brian Beal on a tour of the flats and they will look at various options and report back to the board.

3. DISCUSSION License Type Discussion

License types to continue discussing:

Senior Commercial License: Anyone over the age of 65 holding an existing commercial license, can apply for a senior commercial license. This license entitles the holder to dig and take any amount of regulated shellfish from the shore and flats of this municipality. The cost of this license will be 50% of the cost of a regular commercial license.

Bushel License: License allows the holder to harvest commercially one bushel of soft-shell clams per tide.

The committee is inquiring of DMR whether we can develop ordinance language to have this license always by lottery, in other words, it would be a rotating license and not held continuously by any one individual.

Non-soft shell clam Commercial License: This license entitles the holder to dig and take any legal amount of regulated shellfish other than soft-shell clams from the shore and flats of this municipality.

Len proposes that we discuss the following option:

Create a Senior License which is available to anyone over 65 who holds an existing Commercial License. This license allows the holder to take any amount of regulated shellfish but would be at a reduced cost. For each senior license taken out, the town would create a conditional commercial license which would be a year-to-year license, not automatically renewed.

A bushel license would also be created that would be non-renewable and whatever number of licenses would be given out based on conservation points and then a lottery each year.

The committee will continue to discuss various options for licensing with the intention of sending a revised licensing structure to the town council and DMR in the fall of 2025 so that we can revise our allocation for 2026.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

4. Discussion Water Quality Check In

Peter has continued to gather materials from the county and will continue to gather information and report back to the committee in June.

Action items	Person responsible	Deadline

5. DISCUSSION Surveys

Date	Low Tide	Tide Level	Meeting Time	Meeting Location	Survey Location
05/30/25	8:19 am	-1.0	7:00 am	Town Landing	Lower Cousins
06/20/25	12:26 pm	0.5	11:00 am	Old Town Landing	Old Town Landing

Surveys voted on in April, kept in minutes for information purposes.

Note: The committee revised the date for the June survey due to scheduling conflicts.

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

6. Discussion Ordinance Change

The committee tabled the ordinance discussion due to time, the discussion will continue in June. The committee intends to provide the town council and DMR with a series of ordinance changes in conjunction with changing license types in the fall of 2025.

Action items	Person responsible	Deadline

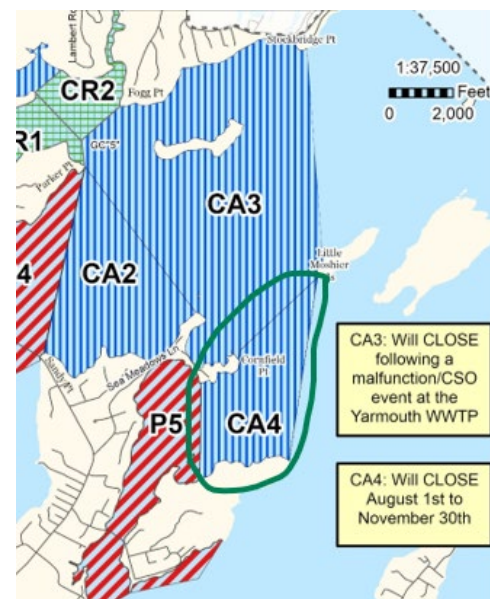
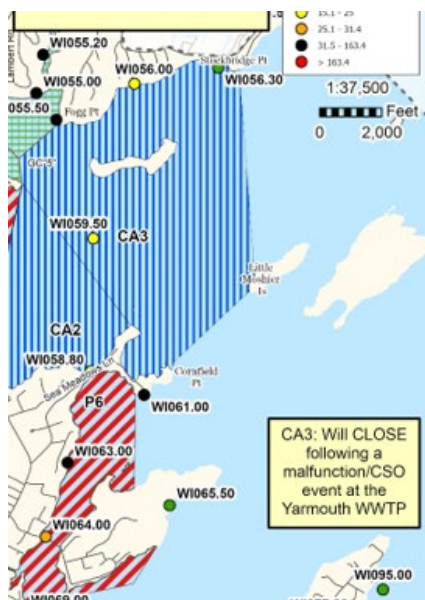
OLD BUSINESS

Update on docks and upweller – money is in place, moving forward

NEW BUSINESS

Water Quality Status Change – see attached DMR announcement

P90 Score for WI061.00 has gone up to 60.8 which has caused the area between Cornfield Point and Little John to be conditionally approved and closed from August through November. The P90 scores have risen dramatically in the reading from July 2023, Sept. & October 2024 with one other high reading in May 2018.



The committee will do what it can to address this situation. There are three homes on the peninsula. Judy will look up the septic information to determine the age of the septic systems. Will will conduct a shoreline survey and collect water samples for the wastewater treatment plant to process. If we see elevated fecal coliform levels, we will work with town staff to notify homeowners and see if we can get their agreement to dye test their systems. If we find a failed septic and it is addressed, then we can rapidly get this change reversed. If we do not, it can be a lengthy time for the P90 score to be reduced.

For more information about P90 scores:

[Water Quality App – Community Intertidal Data Portal](#)

[DMR Growing Area Program – Water Quality](#)

Action items: Will – shoreline study, samples to water treatment plant

Judy – septic system review and mapping

Summer Recess – Next meeting the committee will vote on cancelling the July & August meetings and reconvening on September 2.

The committee wants to thank Randy Bates for is service to the town and for his participation as our liaison from the council to our committee. He will be missed.

Next Meeting Date: June 3, 2024

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

Next month online attendance will be available.

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/430556389>

You can also dial in using your phone.

Access Code: 430-556-389

United States: [+1 \(872\) 240-3311](tel:+18722403311)

Get the app now and be ready when your first meeting starts:

<https://meet.goto.com/install>

Agenda items	Time for discussion
1. Review minutes	4
2. Public Comment	6
3. Warden's report-update on site selection with Brian Beal	5
4. Summer Recess – Vote to cancel July & August Mtgs	5
5. Survey – results of May/Revised June Date	5
6. License Types Discussion	10
7. Water Quality Update – Peter's report/DMR closure update	5
8. Ordinance Changes	10
9. Old business	5
10. New business	10
11. Adjourn meeting	

TIME ADJOURNED 8:05 pm

ADDENDUM

To

Sanitary Survey Report 2012

Shellfish Growing Area WI

Casco Bay

Town of:

Yarmouth

Kelsey Peterson, Scientist II

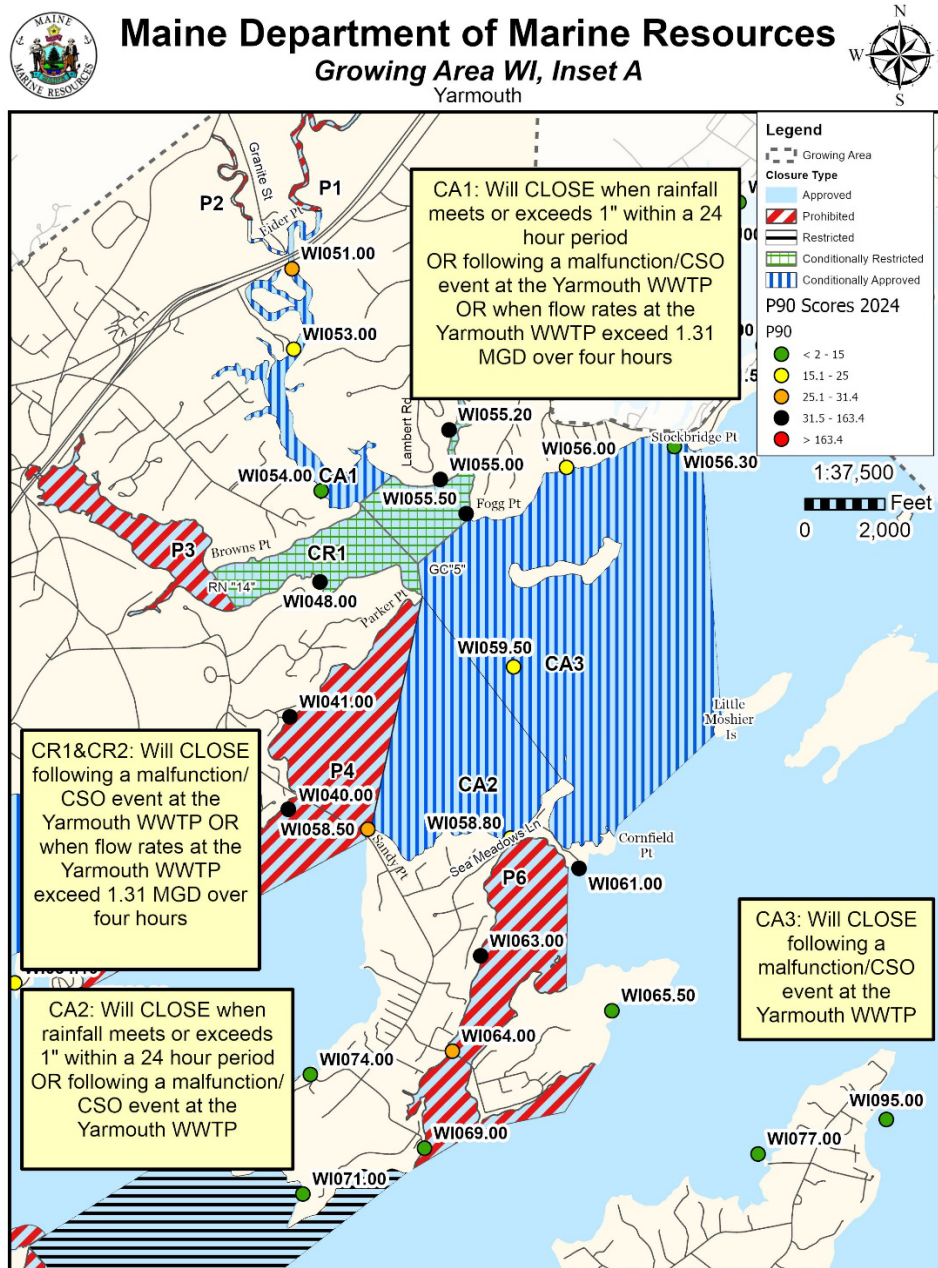
2025

Growing Area WI: Casco Bay

History

The portion of Casco Bay that includes the mouth of the Cousins and Royal River, as well as the islands of Cousins, Littlejohn, and Little Moshier, is divided into multiple classifications including Approved, Prohibited, and Conditionally Approved based on rainfall and WWTP.

Figure 1. 2024 P90 scores and NSSP classifications in a portion of Casco Bay.



This map is provided as a courtesy. Read the provided legal notice for closure details. Closures are not shown outside of the designated growing area. Maritime navigational aids are for reference only and are not suitable for maritime navigation.

Current Data

Table 1 shows 2024 P90 scores for WI 61 in Casco Bay. Scores highlighted in red do not meet their compliance standards. WI 61, located on the southwestern portion of Cornfield Point on Cousins Island, no longer meets the approved standard of 31 cfu/100 ml in the open status. Table 2 shows samples taken from station WI 61 over the past 10 years with a score of 31 cfu/100 ml or greater.

Table 1. 2024 P90 scores for WI 61.

Station	Class	Count	GM	SDV	MAX	P90	Min_Date
WI061.00	A	30	7.1	0.7	520	60.8	5/18/2020

Table 2. WI 61 scores at or above 31 cfu/100 ml.

Station	Date	Class	Sal	Method	Score
WI061.00	24-Sep-24	A	31	MFCOL	520
WI061.00	08-Oct-24	A	30	MFCOL	440
WI061.00	07-May-18	A	30	MFCOL	280
WI061.00	10-Jul-23	A	26	MFCOL	220
WI061.00	11-Dec-19	A	30	MFCOL	58
WI061.00	06-Nov-18	A	30	MFCOL	44
WI061.00	09-Aug-22	A	32	MFCOL	44
WI061.00	02-May-17	A	26	MFCOL	38

Figure 2. Scores by month.

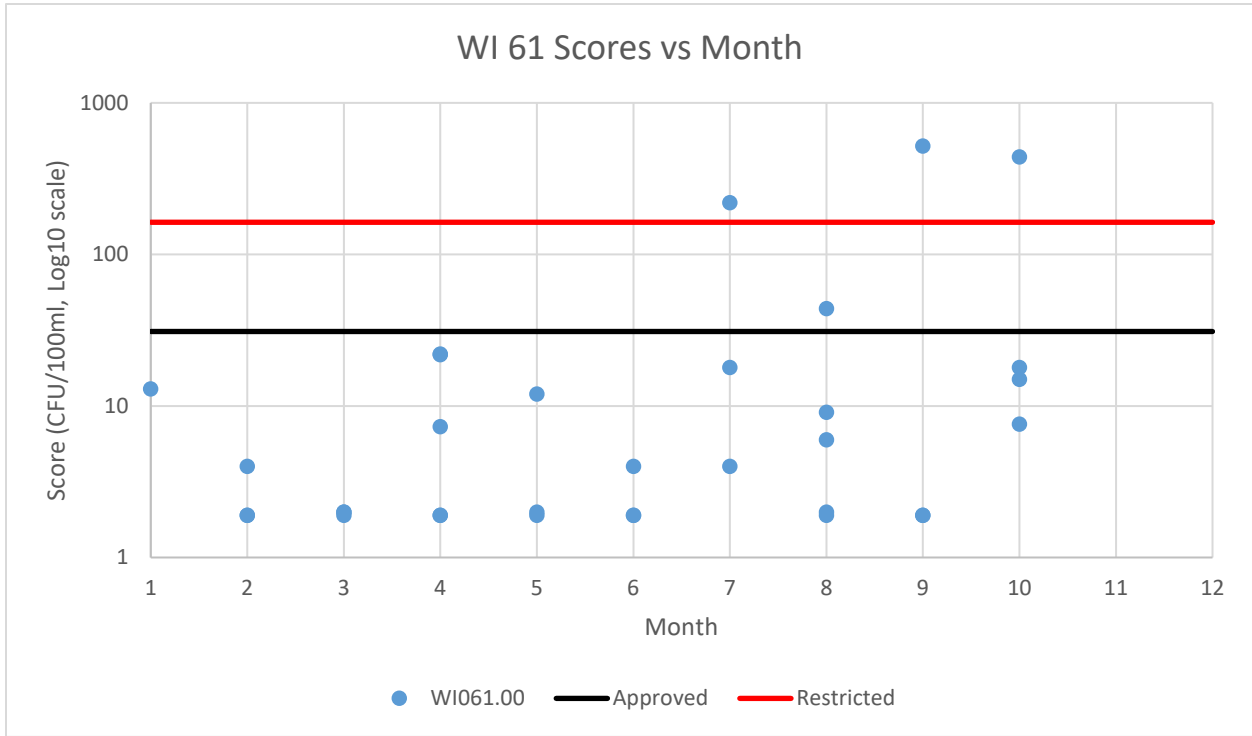
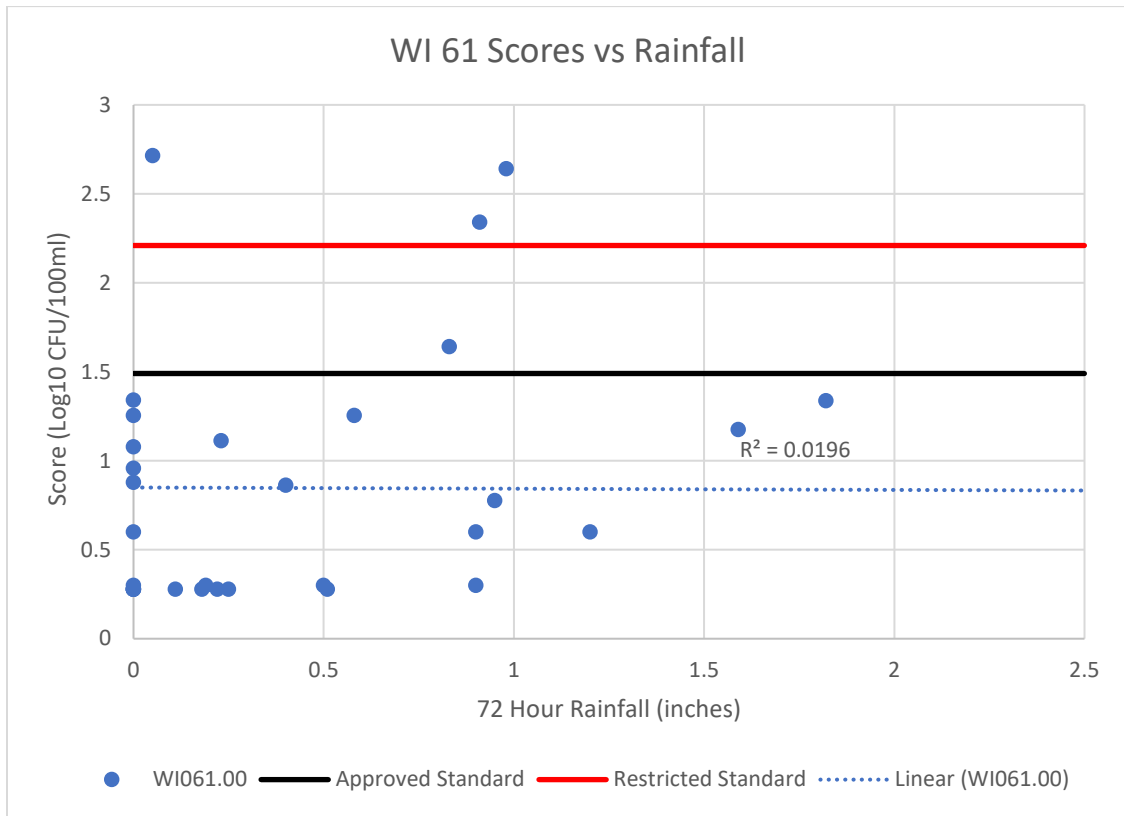


Figure 3. Comparing rainfall with scores.



Conclusion

Figure 2 shows WI 61 fecal coliform scores increasing significantly in July and remaining elevated into late fall. Table 2 shows a majority of the elevated fecal coliform scores occurred between late summer and the end of the year. Figure 3 shows that rainfall does not have a significant impact on fecal coliform scores. Table 3, below, shows P90 scores calculated based on the addition of a seasonal closure.

As a result of this analysis, it is recommended that the area monitored by station WI 61 be reclassified from Approved to Conditionally Approved with a closed season from August 1st to November 30th.

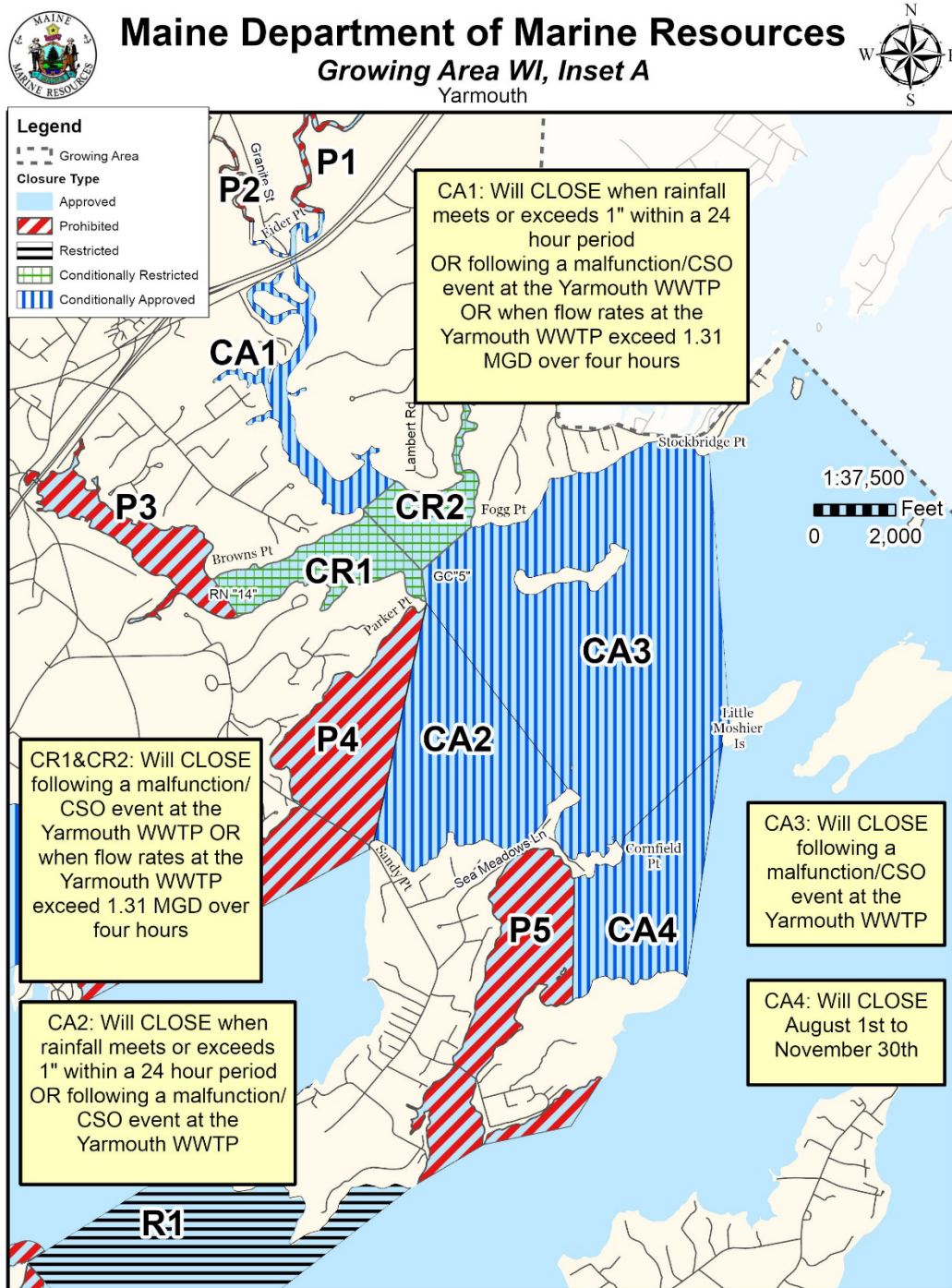
Table 3. P90 scores calculated based on a seasonal conditional area that is closed from August through November.

Station	Class	Count	GM	SDV	MAX	P90	Min_Date
WI061.00	CA	30	4.7	0.52	220	22.1	6/20/2018

Proposed Classification Changes

The proposed reclassification adds a seasonal closure in Casco Bay between the islands of Little Moshier, Littlejohn and Cousins. This section will be classified as Conditionally Approved which closes seasonally from August 1st to November 30th. Figure 4 reflects the proposed classification change.

Figure 4. Proposed classification change.



This map is provided as a courtesy. Read the provided legal notice for closure details. Closures are not shown outside of the designated growing area. Maritime navigational aids are for reference only and are not suitable for maritime navigation.