

Shellfish Conservation Committee Minutes

DATE 06/07/2022 TIME: 6:30 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
P	Will Owen	Shellfish Warden
A	Randy Bates	Town Council Liaison
A	Ari Leach	Dept. of Marine Resources

Guests/Diggers : Amanda Moeser

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 May 3, 2022

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

1. DISCUSSION	Warden’s Report	
See attached		
The lottery was successfully held for the Resident Commercial license which was available.		
The closure this past month was created by a sewer main break due to the DOT work on the 295 exit. It has been repaired.		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

2. DISCUSSION	Survey Results	
<p>The results for the Sea Meadow survey are attached. The survey was successfully conducted and there were 5 participants.</p> <p>It would appear that there has been an increase in the size of clams surveyed between the 2018 survey that was conducted and this survey. We only have raw data for 2018, so we will convert that to abundance in order to compare the two surveys and will bring that comparison to the next meeting.</p>		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Continue to look into research on the survey methodologies for shellfish being developed	All members	
Compare 2018 & 2022 Sea Meadows Surveys	Judy/Ben	Next meeting

3. DISCUSSION	Ordinance Change Recommendations	
<p>Ordinance Changes At the last meeting it was brought up that our ordinance does not make an exception for those helping with surveys and licensing requirement. There was a proposal to revise the ordinance.</p> <p>Motion:</p> <p>The Shellfish Commission recommends to the Town Council that the Shellfish Ordinance be revised in the following manner:</p> <p>ARTICLE II</p> <p>A. LICENSES A Municipal Shellfish Digging License is required, except for Depuration Harvesting authorized by the Commissioner of the Maine Department of Marine Resources pursuant to Title 12, M.R.S.A., Section 685. It is unlawful for any person to dig or take shellfish from the shores and flats of this Municipality without having a current license issued by this Municipality as provided by this Ordinance. Resident and non-Resident children under the age of sixteen (16) shall not be required to obtain a recreational license but shall otherwise be subject to the provisions of this Ordinance.</p> <p>A Commercial Digger must also have a valid State of Maine Commercial Shellfish license issued by the Department of Marine Resources.</p> <p>1. <u>Notwithstanding the above stated licensing requirements, for specific conservation or research activities sanctioned by the commission, both licensed and unlicensed volunteers and agents authorized by the Town of Yarmouth are allowed to dig, count, sort or study shellfish growing areas and their environs, and otherwise perform such authorized conservation or research activities but they may not take any shellfish without a license.</u></p>		

ARTICLE V

B. THE SHELLFISH CONSERVATION COMMISSION'S RESPONSIBILITIES

The Shellfish Conservation Commission's responsibilities include:

Recommending annually to the Yarmouth Town Council in conjunction with the Department of Marine Resources the number of shellfish digging licenses to be issued.

Surveying the clam flats to maintain current information on shellfish resources.

Submitting to the Board of Selectmen and/or Town Council budget proposals for the expenditures of funds for the purpose of shellfish conservation and the recommended contributions from each community.

Keeping this Ordinance under review and making recommendations for its amendments.

Securing and maintaining records of all shellfish harvest from the Town's managed shellfish areas and closed areas that are conditionally opened by the Department of Marine Resources.

Recommending conservation closures and opening to the Yarmouth Town Council in conjunction with the area biologists of the Department of Marine Resources.

Submitting an annual report to the municipality and the Department of Marine Resources covering the above topics and all other committee activities.

Conducting appeal hearings pursuant to Section of this Ordinance and making findings and issuing orders thereunder.

Conservation Time Voluntary Work Program – The Shellfish Conservation Commission, in cooperation with the Shellfish Warden and the Department of Marine Resources may offer periodic conservation management work program opportunities which may include, but not limited to such activities as participation in resource surveys, brushing, seeding, pollution detection and abatement efforts, predator species control or similar programs or efforts, all subject to the prior approval and designation by the Commission. Current Resident and Non-Resident Commercial license holders who actively participate in such Conservation Time Voluntary Work Programs established and administered by the Commission, may submit his or her ~~work~~ Conservation Points to the Shellfish Warden and may receive a credit of \$25.00/point hour against the subsequent year license renewal, if renewed, up to a maximum of \$300.00 per calendar year: If an individual obtains the appropriate conservation time, but is unable to obtain a commercial license due to the provisions of Article III.A.2.b, above, his/her conservation time credit will rollover to the next year(s) or until he/she is offered a commercial license. The Commission shall provide a minimum of ten (10) business days

of actual or constructive notice before each Conservation Time Voluntary Work Program event; and all current Commercial license holder shall have equal opportunity to participate in the Conservation Time Voluntary Work Program with or without eligibility for license renewal fee credits. The Shellfish Warden shall maintain a record of ~~points hours worked~~ and report same annually to the Town Clerk on or before ~~the first Wednesday in March February 1~~ so that credits may be applied to the license renewal fee, when applicable.

No person shall receive payment or credit for the Conservation Time Voluntary Work Program as described, above, and no payment or debt shall be owed to any person for participation in the Conservation Time Voluntary Work Program except as a license fee credit up to \$300.00 as provided above.

Except as provided in Article III(A)(2)(c), any person aggrieved by the decision of the Shellfish Conservation Commission may appeal to the Superior Court within 30 days from the receipt of the written decision of the Commission; such appeal shall be considered pursuant to Rule 80B of the Maine Rules of Civil Procedure.


Motion moved by Judy Seconded by Brandy

Vote: 5 for, 0 against, 0 abstain

ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Forward vote and changes to Nat	Judy	6/8/22
4. DISCUSSION Spat Survey		
<p>Kevin is working on the boxes and Will will order the screen 1/8" galvanized hardware cloth of PET screening</p> <p>Once they are placed, there will be written summary of what is found and a photo taken to document the spat settlement.</p>		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE
Build boxes	Kevin	July 15
Purchase screening	Will	June 17
5. DISCUSSION Grant Report		
None, table to next meeting		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

Amanda & Judy will meet		July 15

6. DISCUSSION	Casco Bay Regional Shellfish Meeting	
<p>There was a meeting in which there were two topics of discussion:</p> <ol style="list-style-type: none"> 1. Intertidal Data Portal 2. Access – presentation by Maine Coast Heritage Trust <ol style="list-style-type: none"> a. They are willing to help communities secure access for harvesting in a variety of ways. Great ideas and very helpful. b. Also shared information about protection Maine has for land owners who allow access across their land. 		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

7. DISCUSSION	Intertidal Data Portal Demonstration	
<p>Judy provided an overview of the Casco Bay Intertidal Data Portal to the group. Individual who wish to look at the information can follow this link: https://bit.ly/IntertidalData</p> 		
<p>If anyone has comments or ideas about improvements, feel free to email Judy: jcg@spatialalternatives.com</p>		
ACTION ITEMS	PERSON RESPONSIBLE	DEADLINE

OLD BUSINESS	
Resident License Survey Information	
<p>See attached Survey data with license type. Thanks to Jenn Doten for adding the license type to the data for us!</p>	

NEW BUSINESS					
Fall Survey Date					
Date	Low Tide	Tide Level	Meeting Time	Meeting Location	Survey Location
Sept 18	11:49 am	+2.1	9:00 am	Sea Meadow bus turnaround	East side of Sea Meadow
Will is going to ask for permission to use the stairs for survey access.					
Motion to suspend meetings for July and August, committee will reconvene on September 6, 2022 at 6:30.					
Motion moved by Judy Seconded by Brandy					
Vote: 5 for, 0 against, 0 abstain					
Will brought up a request to review licenses to potentially allow a license type for civic groups/education/research/etc. Currently he occasionally has a boy scout troop or college student that want to collect shellfish and they would each need a 3-day license. Perhaps we can create a license type to allow one time license for a civic related project. Discuss in September.					
Ben Tupper announced he is moving and therefore is resigning from the board as of tonight. The board all expressed a great deal of appreciation for his service, his efforts on behalf of the resource for the past 6 years. He will be missed and we hope to see him occasionally in the future! 😊 Thanks Ben!!!					

Next Meeting Date: September 6, 2022

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	6:30	5
2. Warden's report	6:35	10
3. Ordinance change update/Discussion of civic license	6:45	15
4. Spat survey results/update	7:00	15
5. Grant report update	7:15	10
6. Old business	7:25	10
7. New business	7:35	25
8. Adjourn meeting	8:00	

TIME MEETING ADJOURNED 8:00 pm



Town of Yarmouth
 Marine Patrol
 200 Main Street
 Yarmouth, ME 04096
 (207) 846-3333 Telephone (207) 846-2433 Fax

June 6th, 2022, Shellfish Committee Report

Checks range from May 4th, 2022, to June 6th, 2022.

Day Locations Checked	163
Night Locations Checked	8
Contacts Made	2
Worm Diggers	0

Incentive Program Points 2022 M: Meeting S: Survey

Names	M 1-4	M 2-1	M 3-1	M 4-5	S 4-10	M 5-3	S 5-7	M 6-7
Brandy Adams	1	1	1	1	6	1	6	1
Stephen Demelle		1	1	1	6		6	1
Emily Farr					6			
Len Kaminow	1	1		1	6	1		
Jessica Joyce					6			
Andrew Feeney	1				6	1		
Ben Tupper	1	1	1	1	6	1		
Judy Colby-George	1	1	1	1		1		
Jessie Bachelder							6	

Commercial Harvesters Conservation Time M: Yarmouth Shellfish Meeting S: Survey R: Regional Shellfish Meetings

Names	M 1-4	M 2-1	M 3-1	M 4-5	S 4-10	M 5-3	S 5-7	R 6-9	M 6-7
Kevin Oliver	1	1	1	1	6	1	6	1	1

Submitted by

Will Owen
 Shellfish Warden
 Yarmouth Police Department

2022-05-07 Sea Meadows

Notes

Brandy Adams, Kevin Oliver, Stephen Demelle, and Jesse [?, from Manomet] surveyed Sea Meadows. Sixty two plots were surveyed on a 25' x 50' interval pattern.

Summary

Softshell Survey data: 2022-05-07, Yarmouth, Sea Meadows

N plots: 62, Plot intervals: 25' x 50', Area: 1.8 acres

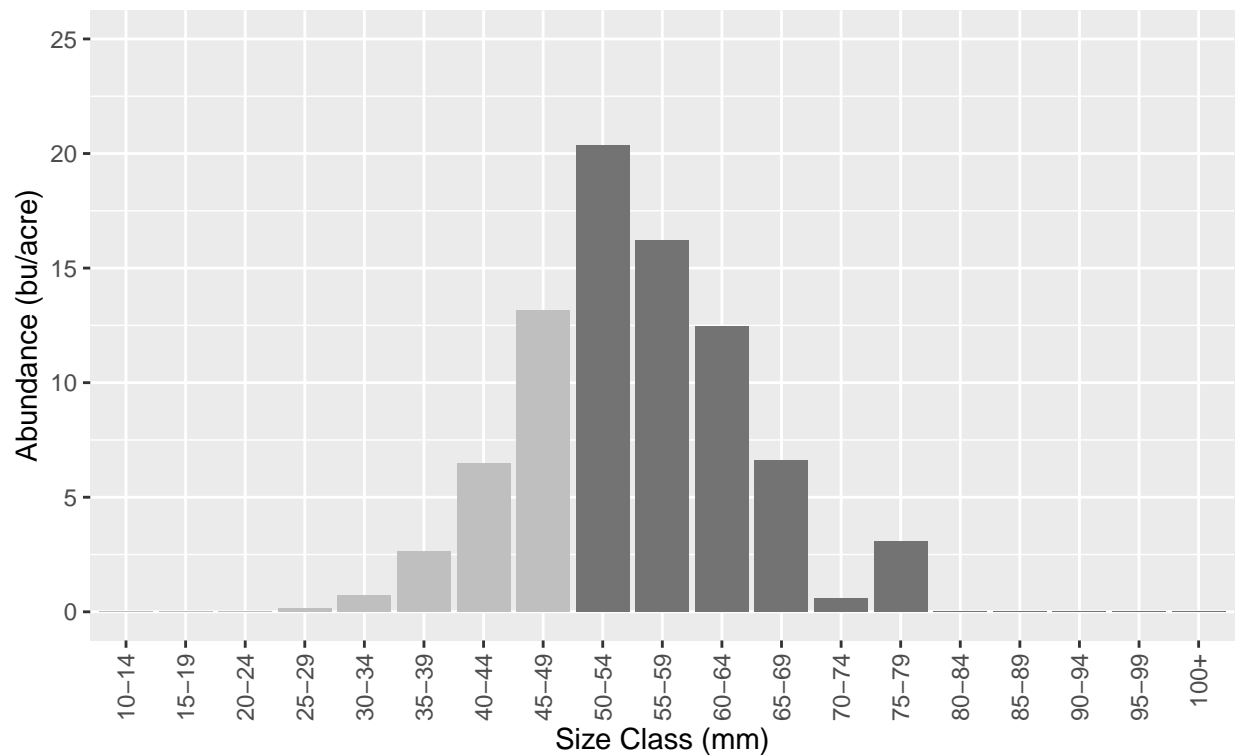
Abundance: 82.5 bushels per acre

Legally sized abundance (> 50mm), 59.3 bushels per acre

Abundance Distribution

2022-05-07: Sea Meadows

Area: 1.8 acres, Abund: 82.5 bu/acre, Abund legal: 59.3 bu/acre



**Town of Yarmouth
Recreational Clam Harvesting 2021
of Trips**

TYPE OF LICENSE ISSUED	RAZOR CLAMS	SCALLOPS	MUSSELS	OYSTERS	OTHER	SOFTSHELL CLAMS	QUAHOGS	# of Licenses with no Survey data
3-Day						1		4
Comp Resident						1		14
Comp Resident						2		
Comp Resident						2		
Comp Resident						3		
Comp Resident						5		
Comp Resident						6		
Comp Resident	10					10	10	
Comp Resident						20	20	
Comp Non-Resident						1		4
Comp Non-Resident						1		
Comp Non-Resident						1		
Comp Non-Resident						2		
Comp Non-Resident						3		
Comp Non-Resident						5		
Comp Non-Resident						6		
Non Resident						2		2
Non Resident						5	1	
Non Resident						10		
Resident						3		14
Resident						5		
Resident						8		
Resident	15		15	15		15	15	
Resident			1				10	