

# Shellfish Conservation Committee Minutes

DATE 1/2/2024

TIME: 6:3 PM

MEETING LOCATION: COMMUNITY ROOM

**Commission Members:**

Attendance: A for absent, P for present

Attendance	Name	Town	Term
		North Yarmouth	June 30, 2023
P	Kevin Oliver	North Yarmouth	June 30, 2024
P	Len Kaminow	North Yarmouth	June 30, 2024
P	Judy Colby-George	Yarmouth	December 31, 2026
A	Brandy Adams	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 :** Alexis Bond & Florence Edwards, Portland  
 Rachael Whitmarsh, North Yarmouth

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 September 5, 2023**

Minutes Approved with amendment.

<b>1. DISCUSSION</b>	Warden’s Report	
See attached Warden’s report. Includes year end and cumulative conservation points.		
Muddy River is currently working on the surveys and should have a report to us by February. They are doing the Cousins from Granite Rd – 295 and Sea Meadows from the end of the road to the bridge. The cost of the surveys is \$10,000 and the money came from the shellfish budget and was approved by the town council.		
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>

<b>2. DISCUSSION</b>	<b>Survey Results</b>	
<p>See attached reports for the Lanes Island survey in April and the Middle Cousins survey in September.</p> <p>It was noted that there is still concern that the formula for bushels/acre is not correct. It is our understanding that DMR is looking into this.</p>		
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>ACTION ITEMS</b>
<b>3. DISCUSSION</b>	<b>DMR Grant RFP</b>	
<p>DMR Grant due March 3, 2024</p> <p>Up to \$7,000</p> <p>We will rewrite the grant from last year to add the upweller to the town dock and make edits from the reviewer comments.</p> <p>One thing requested was to have someone with aquaculture/upweller experience advising us, Thomas Heninger agreed to help out.</p>		
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>
Write Grant for review by committee	Judy	2/6/23
<b>4. DISCUSSION</b>	<b>DMR Discussion</b>	
<p>The sampling point for the Old Town Landing is in a location where many people walk their dogs. We would like to get people to make sure they pick up their dog waste so that point does not close shellfish flats.</p> <p>Sea Meadows is coming back, committee was wondering if they can do anything to protect it. They could put a conservation closure on the whole area for some period of time. Another option would be to limit the volume of clams allowed to be taken each day. The committee discussed the options and no action was taken.</p>		
<b>ACTION ITEMS</b>	<b>PERSON RESPONSIBLE</b>	<b>DEADLINE</b>
Put sign and doggy waste bags at Old Town Landing	Will	2/6/23

## OLD BUSINESS

Kevin asked that the September minutes include the statement that “Will Owen was asked if he knew anything about the removal and reinstatement of Harold Hibbard’s commercial license. Will responded that he did not.” Committee agreed to amend.

Attached to the minutes is a schedule for meetings that we worked on last year. It may need edits, so the committee should review.

## NEW BUSINESS

Alexus and Florence attended the meeting because they are proposing to put in 2 LPAs approximately 1,000 ft to the SE of Lanes Islands. They will grow oysters in trays and sink them to the bottom in the winter. There was an LPA in the same location previously. The LPA is in an area that has a depth of 5ft or lower at low tide so they need to have the Chair sign their application.

The committee discussed the location and the possibility that it would interfere with intertidal harvesting. Will indicated that he had been out to the previous LPA and had not seen an issue with that area being exposed. LPAs are a one year lease, so the warden will keep an eye on it and the owners are aware that there are some concerns about the depth and productivity of the underlying sediments.

***The chair will read the lease and sign it and return to the Shellfish Warden on 1/3/24.***

The Chair brought the issue of not having a quorum for the last three months and that having good attendance at meetings is important. It was noted that North Yarmouth needs another person to be assigned. Rachael told the board the Karl Cyr is the North Yarmouth liaison. ***The Chair will contact the North Yarmouth selectboard about attending a meeting and discussing it.***

***Next month we will discuss electing officers.***

Kevin brought a letter from the town to Harold Hibbard rescinding his license dated April 21, 2023. He pointed out that Will Owen was cc’ed on the letter. Kevin wanted the committee to be aware of this and asked the Council Liaison from Yarmouth to answer his questions about how the town had a right to send the letter.

**Next Meeting Date: February 6, 2024**

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

<b>Agenda items</b>	<b>Proposed time</b>	<b>Time for discussion</b>
1. Review minutes	6:30	5
2. Warden's report	6:35	5
3. Review Survey Results	6:40	15
4. DMR grant review	6:55	10
5. Review meeting schedule	7:05	10
6. Election of officers	7:15	20
7. Set Survey dates	7:35	15
8. Old business	7:40	5
9. New business	7:45	15
10. Adjourn meeting	8:00	

**TIME ADJOURNED** 8:05 pm



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

January 2<sup>nd</sup>, 2024, Shellfish Warden Committee Report. Officer Will Owen.

Checks range from Sept 6<sup>th</sup>, 2023, thru January 2<sup>nd</sup>, 2024.

Day Locations Checked	279
Night Locations Checked	93
Contacts Made	1
Worm Diggers	0

2023 Year End Incentive Program Totals.

Incentive Program Points 2023    M: Meeting    S: Survey    RS: Regional Shellfish

Names	M 1-13	M 3-7	M 4-4	S 4-29	M 9-5	S 9-22
Brandy Adams	1	1	1		1	
Stephen Demelle	1		1			
Peter Hubbard			1	6	1	6
Len Kaminow	1	1			1	6
Jessica Joyce						
Andrew Feeney		1	1			
Rachael Whitmarsh					1	6
Judy Colby-George	1	1			1	

Commercial Harvesters Conservation Time    M: Meeting    S: Survey    RS: Regional Shellfish

Names	M 1-13	M 3-7	M 4-4	RS 4-	S 4-29	M 9-5	S 9-22	RS 11-29	RS 12-1
Kevin Oliver	1	1	1	1		1		1	1
Joe Delano					6		6		



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Incentive Program Points amended at February Meeting - attached at the end of these minutes and also in the February Minutes.

Incentive Program Points 2022 & 2023
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Names	2022 Points	2023 Points	<b>Total</b>
Brandy Adams	24	4	<b>28</b>
Stephen Demelle	23	2	<b>25</b>
Emily Farr	6		<b>6</b>
Len Kaminow	11	9	<b>20</b>
Jessica Joyce	6		<b>6</b>
Andrew Feeney	7	2	<b>9</b>
Ben Tupper	10		<b>10</b>
Judy Colby-George	6	3	<b>9</b>
Peter Hubbard		14	<b>14</b>
Rachel Whitmarsh		7	<b>7</b>

# Survey Results

TOWN: Yarmouth  
 FLAT: Lanes Island  
 CREW: A. Leach, W. Owen, JD

PLOT SIZE: 1' x 2'  
 PLOT INTERVAL: 25'  
 PLOTS: 70

DATE: 4/29/2023

ACRES: 16.1

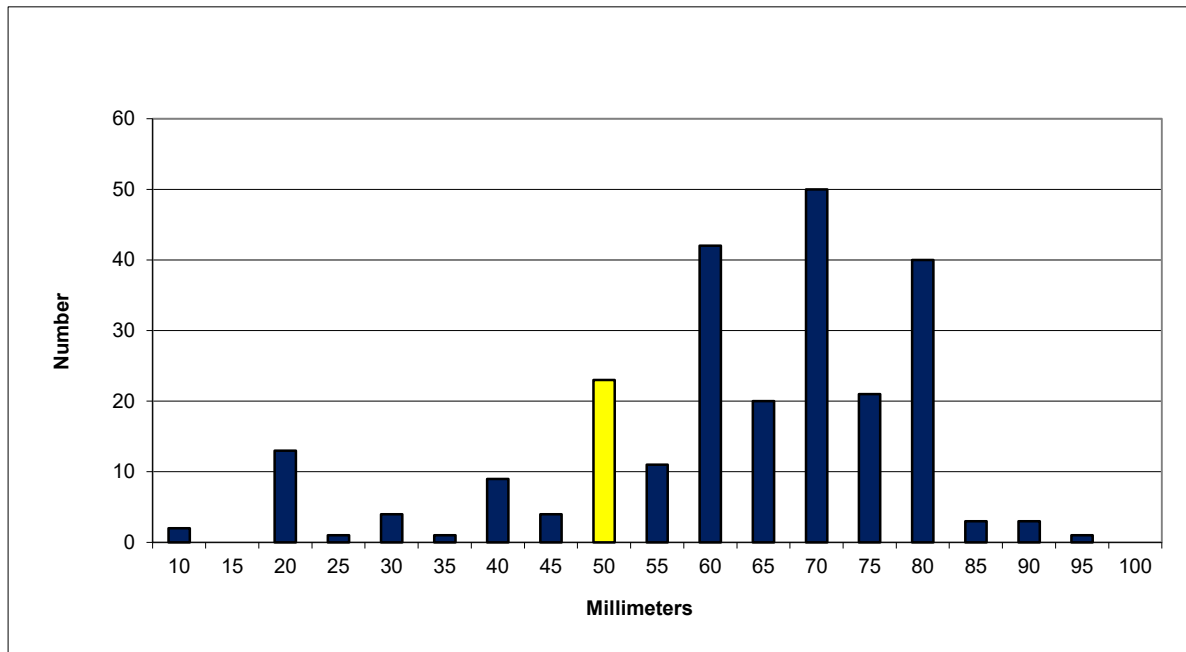
**Length (mm) # of Clams % Number**

10-14	2	0.8%
15-19	0	0.0%
20-24	13	5.2%
25-29	1	0.4%
30-34	4	1.6%
35-39	1	0.4%
40-44	9	3.6%
45-49	4	1.6%
50-54	23	9.3%
55-59	11	4.4%
60-64	42	16.9%
65-69	20	8.1%
70-74	50	20.2%
75-79	21	8.5%
80-84	40	16.1%
85-89	3	1.2%
90-94	3	1.2%
95-99	1	0.4%
100	0	0.0%

Total # of Clams	248
Total # of Clams > 50.8mm	214
% of clams > 50.8mm	86%
Total Average Bu./Acre	115
Total Avg. Bu./Acre > 50.8mm	113
Total standing crop (bu)	1855
Total standing crop > 50.8mm	1822
% of crop > 50.8mm	98%

**Conversion Inches to Millimeters**

.5" = 12.7 mm  
 1" = 25.4mm  
 2" = 50.8 mm  
 2.5" = 63.5 mm  
 3" = 76.2 mm  
 3.5" = 88.9 mm



# Survey Results

TOWN:	Yarmouth	PLOT SIZE:	1'x2'
FLAT:	Middle Cousins	PLOT INTERVAL:	50'
CREW:	WO & others	PLOTS:	84
DATE:	22-Sep-23	ACRES:	4.828

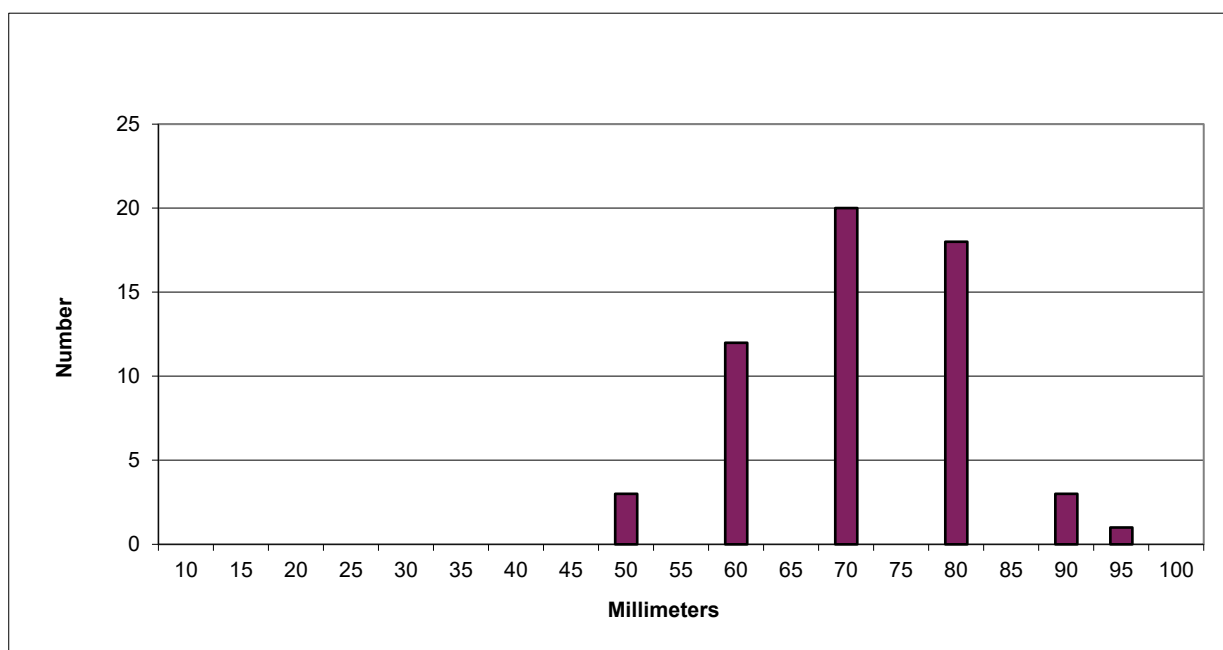
### Length (mm) # of Clams % Number

10-14	0	0.0%
15-19	0	0.0%
20-24	0	0.0%
25-29	0	0.0%
30-34	0	0.0%
35-39	0	0.0%
40-44	0	0.0%
45-49	0	0.0%
50-54	3	5.3%
55-59	0	0.0%
60-64	12	21.1%
65-69	0	0.0%
70-74	20	35.1%
75-79	0	0.0%
80-84	18	31.6%
85-89	0	0.0%
90-94	3	5.3%
95-99	1	1.8%
100	0	0.0%

Total # of Clams	57
Total # of Clams > 50.8mm	57
% of clams > 50.8mm	100.00%
Total Average Bu./Acre	29.30
Total Avg. Bu./Acre > 50.8mm	29.30
Total standing crop (bu)	141
Total standing crop > 50.8mm	141
% of crop > 50.8mm	100.00%

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.5" = 12.7 mm  
 1" = 25.4mm  
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 2.5' = 63.5 mm  
 3" = 76.2 mm  
 3.5" = 88.9 mm





## Annual Shellfish Commission Schedule

Month	Commission	Licenses	Council	DMR
<b>January</b>	Final Report of Conservation Points for previous year.			
<b>February</b>	Review Water Quality and Landings.			Receive Water Quality & Landings report from DMR
<b>March</b>	License Recommendation to send to Council & DMR  Vote for Chair/V Chair/Secretary		Workshop License recommendation	Send DMR license recommendation
<b>April</b>	Survey		Approve Number and Cost of licenses	
<b>May</b>	Survey	May 1 -15 Commercial License Renewal  May 20 <sup>th</sup> : Recreational Licenses available		
<b>June</b>		June 1: Lottery for New Commercial Licenses  Current Yearly Licenses Expire June 30 <sup>th</sup>		
<b>July</b>	No Meeting	Yearly Licenses effective July 1		
<b>August</b>	No Meeting			
<b>September</b>	Survey			
<b>October</b>	If there are changes to the ordinance, send to council			
<b>November</b>				
<b>December</b>				



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Amended Total Points

Incentive Program Passed by Yarmouth Town Council on 12-17-20.
Incentive Program Points 2021, 2022 & 2023

Names	2021 Points	2022 Points	2023 Points	Total
Brandy Adams	1	24	4	<b>29</b>
Brandon Gibbs	12			<b>12</b>
Stephen Demelle	2	23	2	<b>27</b>
Emily Farr		6		<b>6</b>
Amanda Moeser	8			<b>8</b>
Len Kaminow	10	11	9	<b>36</b>
Jessica Joyce		6		<b>6</b>
Andrew Feeney		7	2	<b>9</b>
Ben Tupper	24	10		<b>34</b>
Peter Hubbard			14	<b>14</b>
Rachel Whitmarsh			7	<b>7</b>