**TOWN OF MOUNT DESERT**

**SHELLFISH COMMITTEE**

**Meeting Minutes**

# Thursday, February 25, 2016

**Town Hall Meeting Room**

## 21 Sea Street

**Northeast Harbor**

1. Call to order 4:30 p.m.

Chairman Victor Doyle called the meeting to order; also present were Committee members Steve Boucher, Earl Moore, Barry Thomas, and John Stanley; Commercial License Holder David Dunton; Shellfish Warden Kevin Edgecomb; Town Clerk liaison Claire Woolfolk; and members of the public

1. Conservation/Seed Bed Closure

Victor Doyle reported on his inquiries for the NOAA Fisheries grant competition. The grant is part of the Saltonstall-Kennedy Program and is provided through the Manomet Foundation. The project manager is Chris Warner from the Merrymeeting Bay region and the seed source is Dr Brian Beal's, Down East Institute.

Victor described the process to obtain the grant and that the Army Corp of Engineers and DMR are on board as they are interested in the study as it addresses a defense against green crabs. The grant will cover the cost of nets and seed (there will be no cost to the Town of Mount Desert), and physical assistance with the installation of the nets.

The study would involve the closure of part of Birch Cove off Bartlet’s Island from mean mid-tide level down, and the installation of twenty-five (25) 10’X25’ nets. There would be no visual impact of the nets to surrounding areas. Each plot would support 5,000 seed clams.

MOTION: Victor Doyle moved, seconded by Barry Thomas, to present the program to the Board of Selectmen and obtain approval from the Board for the conservation closure of Birch Cove. The vote was in favor 5-0.

1. Warden Activity Update

Kevin Edgecomb reported on the recent enforcement activity. Wardens caught four poachers (non-licensed diggers) last month. The first offense resulted in a waring; a second offense will result in a summons.

The clams confiscated were returned to the water. There was discussion regarding the possibility of selling clams (from future enforcement activity) and putting the money in escrow until a final court decision is made. It was agreed that that this could be looked into.

Officer Leigh Guildford will be running the Warden Enforcement program going forward with assistance from Harbormaster John Lemoine and Deputy Harbor Master Joshua Jordan (currently in training). There is also an option of using the Bar Harbor police boat.

The committee thanked the efforts of the wardens and reported that DMR is happy with the efforts as well.

Enforcement requests 2 weeks’ notice of a meeting to plan for attendance.

1. Gilpatrick Cove Findings

Victor Doyle informed the committee that, per DMR, part of the closure of Gilpatric Cove is not due entirely to the wastewater plant closure from the past. Patrick Smallidge stated that the OBD classification for water quality control of the wastewater station has not been an issue for several years. David Miller and Hannah Harika (DMR) have confirmed that the entire cove is not prohibited and that it could be re-opened with favorable water test results.

Through perseverance, Victor was able to get DMR to commit to a site visit (most likely in June) to test the water quality. DMR Biologist Heidi Leighton and Chairman Doyle will be present at the site visit.

1. Proposal of Sub-Legal Size Clam Transfer to and from Open and Closed Areas

Victor Doyle informed the committee that what is not under nets would be considered part of the conservation closure located in Birch Cove and that the area could be used to transfer specimen for up to 6 months to allow for growth. The specimen could then be transferred back to open areas for cultivation.

1. Direct Fund Access Discussion

Per Heidi Leighton (DMR), direct fund access is not unheard of but it is irregular. Currently the committee must obtain approval from the Board of Selectmen to access funds. This causes a delay to access funds in response to needs that are time sensitive.

1. Quorum Issues and Solutions

The committee discussed whether to increase committee membership to allow for a larger pool of members to make up the quorum for meetings. It was pointed out that a larger committee base would increase the number required for a quorum. It was agreed to remain at seven members/quorum four members.

Also discussed was the lack of attendance of commercial license holders. The allocation plan requires that commercial license holders attend 2 meetings per year in order to retain their license. Many have not met this requirement.

The next meeting will be a mandatory meeting for commercial license holders that have not met the requirement for meeting attendance. The meeting is set for March 16, 2016.

1. Such other business as may be legally conducted

The committee reviewed the allocation plan and the DMR annual review.

MOTION: Victor Doyle moved, seconded by Steve Boucher, to approve the 2016 Allocation Plan as presented. The vote was in favor 5-0.

Also discussed was the Rales’ use of the bubble off their property over a flat area.

1. Adjourn at 5:45 p.m.

MOTION: Victor Doyle moved, seconded by Steve Boucher, to adjourn the meeting. The vote was in favor 5-0.