**TOWN OF MOUNT DESERT**

**SHELLFISH COMMITTEE**

**Meeting Minutes**

# Wednesday, May 18, 2016

**Town Hall Meeting Room**

## 21 Sea Street

**Northeast Harbor**

1. Call to order 4:45 p.m.

Chairman Victor Doyle called the meeting to order; also present were Committee members Earl Moore, Tom Falt, and John Stanley; Commercial License Holders David Dunton and Ben Hamor; Shellfish Warden Leigh Guildford; DMR Area Biologist, Heidi Leighton; Town Clerk liaison Claire Woolfolk; and members of the public

1. Warden Update

No summons or warnings have been issued since the last meeting. Warden Guildford reported that Chief Willis requested a transfer of $2,500 from the Shellfish Reserve account to the Shellfish Revenue Account from Town Manager Lunt. The monies will go to purchase equipment for the wardens and supplies for the Shellfish Committee to seed mud flats.

1. Water Quality Update – DMR

Hannah Horecka was unavailable to attend the meeting. Heidi Leighton reported that she and Hannah plan to do a walking survey of Gilpatrick Cove next week. Heidi will continue to try and move Water Quality meeting participation along from her end.

There was discussion over communication problems between various parties (DMR Water Quality, DEP, MDWW, and the Shellfish Committee). It was suggested that a meeting with representatives from each party be held so that the issue could be addressed.

MOTION: John Stanley moved, seconded by Tom Falt, to obtain the Gilpatrick Cove storm drain sewage report and documentation that the pollution problem has been resolved from Mount Desert’s Wastewater Department. The vote was in favor 4-0.

1. DMR Classification Change to Gary Moore Cove, Mount Desert

Victor Doyle reported that the classification has changed from a seasonal conditional area to approved year round harvesting.

1. Licensed Digger Conservation Meeting Requirements – Credit Approval

Victor Doyle, David Dunton, and Ben Hamor have met the requirements to be grandfathered for commercial licensing in July.

Zachary Damon and Erick Swanson have *not* met the requirements as commercial license holders. Their licenses will be included in the lottery for remaining residential commercial licenses in July.

Heidi reminded the committee that the allocation plan has changed to 9 residential commercial licenses and 1 non-resident commercial license. All residential commercial licenses not sold after 90 days will be available to *anyone* at the resident commercial license rate.

1. Seed Transfer Update

Victor reported that he was told by a representative of the residents of Bartlett Island that they would not allow the installation of nets off their shore; that it would qualify as aquaculture and that Maine law would side with the land owner.

Heidi said that she would check with the State on the matter, but that under Title 12 §6671. *Municipal Shellfish Conservation Programs*, this project is considered Municipal Resource Management and that the State has issued a permit for this purpose and the Army Corp. permit is in hand.

Victor stated that he would wait to hear from Heidi, in reference to the legality of predator netting, and the state's definition of aquaculture as well as wild stock improvement.

Victor further reported that Manomet Inc. has withdrawn their funding of the project due to the risk of legal procedures that could result from the "gray area" infringement of riparian landowners.

1. Request to Purchase Seed Using Shellfish Committee Funds

It was agreed that seeding of the Bartlett Island area could still take place without the nets. Warden Guildford stated that some monies had been requested for the purpose of purchasing seed.

MOTION: Tom Falt moved, seconded by John Stanley, to spend up to $800 from the Shellfish Revenue Account # 1440500-40502 to purchase seed. The vote was in favor 4-0.

1. Conservation Closure in Birch Cove; Transplant Permit for Closure areas

A request for permit approval to transplant clams from one closure area to another was discussed. Victor Doyle stated that the town would be able to transfer sub legal clams from a closed area such as Northeast Harbor to the conservation closure in Birch Cove with such permit. Heidi said that the application would likely be approved.

MOTION: John Stanley moved, seconded by Tom Falt, to apply for a DMR transplant permit to harvest sub-legal clams from one closure area to another within the Town. The vote was in favor 4-0.

1. Such other business as may be legally conducted

None presented.

1. Adjourn at 6:30 p.m.

MOTION: John Stanley moved, seconded by Tom Falt, to adjourn the meeting. The vote was in favor 4-0.