

**TOWN OF MOUNT DESERT
SHELLFISH COMMITTEE
AGENDA**

Thursday, February 15, 2024

5:00 PM

**Town Hall Conference Room
21 Sea Street
Northeast Harbor
(or ZOOM – see pg. 2 for connection details)**

- I. Call to order 5:00 p.m.
- II. Approval of Minutes
 - a. June 1, 2023
 - b. January 11, 2024
- III. Warden Update
- IV. State Update
- V. Old Business:
 - A. Update on the Army Core of Engineers permit for clam recruitment boxes in Otter Creek (permit application by Dr. Peterson)
 - B. DMR Acceptance of the Mount Desert Management Plan
 - C. Discussion with DMR Biologist regarding Gilpatrick Cove (pipe issue)
- VI. New Business:
 - A. Review and Finalize 2023 DMR Shellfish Annual Report for Town of Mount Desert
 - B. Allocation Plan Approval for July 2024
- VII. Such other business as may be legally conducted
- VIII. Adjournment

Town of Mt Desert is inviting you to a scheduled Zoom meeting.

Topic: Shellfish Committee Meeting
Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

<https://us02web.zoom.us/j/83534426659?pwd=WGdtdFIBRDlHdXdCWmlabU9WL1YwZz09>

Meeting ID: 835 3442 6659

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**TOWN OF MOUNT DESERT
SHELLFISH COMMITTEE
MINUTES**

Thursday, June 1, 2023

5:00 PM

**Town Hall Meeting Room
21 Sea Street
Northeast Harbor
(or ZOOM)**

Members Present: David Dunton, Brian Silverman (via Zoom), Earl Moore, and Rustin Taylor. Town Clerk Claire Woolfolk, Public Works Director Brian Henkel, and Wastewater Superintendent Ed Montague were also in attendance. Also present via ZOOM were DMR Biologist Hannah Annis, DMR Marine Resource Scientist Hannah Horecka, and Shellfish Warden Adam Thurston.

I. Call to order 5:00 p.m.

II. Approval of 3/30/2023 Minutes

MOTION: Mr. Silverman moved, with Mr. Taylor seconding, to approve the minutes of 3/30/2023. Motion carried 4-0.

III. Warden Update

Adam Thurston, Shellfish Warden, introduced himself and reported no violations or complaints from diggers since the last meeting. Regarding patrol of Bartlett's Island, he said they don't often go unless they have a complaint. As harbormasters, they will occasionally go as needed.

IV. State Update

No updates to report.

V. Old Business:

A. Gilpatrick Cove discussion (MDWW Ed Montague and DMR Water Quality Hanna Horecka)

Public Works Director, Brian Henkel and Wastewater Superintendent, Ed Montague introduced themselves to the committee. A discussion regarding the past pollution history from a residential sewer line ensued. Superintendent Montague reported that the sewer line is now tied into the Town's sewer system.

DMR Scientist, Ms. Horecka, said samples of the water quality has improved in Gilpatrick Cove. She brought up a black rubber pipe that runs over the flat (located on the east side of the cove and comes out

of the rocks, running along the mud flats disappearing below the low-tide line). No-one is sure what it is, possible overboard discharge pipe? It must be determined what the pipe is before they can move forward. Mr. Montague said that the town has mapped the treatment plant system and there is no indication that it has anything running through there.

It was asked if it is possible to re-open Gilpatrick Cove with conditional Wastewater Treatment Plant (WWTP) closures. Ms. Horecka said in order to do that a reevaluation of the WWTP would have to be done with the new protocols. She said that a MOU would have to be set up with Public Works for reporting when there is an issue with discharges. Mr. Montague explained that the Department of Environmental Protection (DEP) requires closure and the Town pays the state a fee for the percentage of acreage that is closed to shellfish harvesting for potential emergency due to a disinfection failure. Ms. Horecka warned that there is a potential that other areas would have to be closed if a reevaluation is done and other issues are found.

Discussion regarding what could be done included:

1. Ask Kim Keene, Code Enforcement, to look into it as Plumbing Inspector for the Town to see if she could figure out what it is.
2. Hire someone to find the source and remove it. Public Works agreed to supply contact information.
3. Ms. Horecka would work with her supervisor to see if they could create an open area by changing the prohibited area to a conditionally approved area. She reported that standards and protocols have improved.

Possible other resources were Brent Lawson, State LPI; and the DEP for licensing for overboard discharge.

- B. Update on the Army Core of Engineers permit for clam recruitment boxes in Otter Creek (permit application by Dr. Peterson)

Mr. Taylor gave an update on the permit application of Dr. Peterson. Currently, there are 2 sites being studied in Bar Harbor. He is allowed to add 4 additional sites without incurring further costs. Chairman Taylor said this is a simple way to get baseline data for the area. He did a demonstration of a *clam recruitment box*.

The committee brainstormed additional sites: Otter Cove, Sargents Cove, Somes Harbor, Head of Harbor by Asticou, and Gilpatrick Cove.

DMR Biologist Ms. Annis agreed to assist in the research and follow up. Warden Thurston stated that he could assist with looking out for them, especially at the Asticou area. It was suggested that the harbormaster's contact number be put on the boxes and to identify them as belonging to the Town.

MOTION: Mr. Taylor moved, with Mr. Silverman seconding, to approve chosen sites for the permit: Otter Cove two sites (north and south), Sargeant Cove, and the Asticou (head of harbor) for the clam recruitment box locations. Motion carried 4-0.

C. Allocation Plan Approval

Town Clerk, Claire Woolfolk, presented the allocation plan for approval with no changes from previous years. Sales begin July 3, 2023 (July 1st falls on the weekend).

MOTION: Mr. Taylor moved, with Mr. Silverman seconding, to approve the allocation plan as presented. Motion carried 4-0.

D. Management Plan Update

DMR Biologist, Ms. Annis, discussed the State's requirement to file a Shellfish Management Plan, if we don't have one already on file. She directed the committee to the template located on the DMR website as a place to begin drafting the plan. DMR would like to have the plans filed in the fall.

E. Current Residential Clam License Holders report

Discussion on how to recruit additional committee members ensued. Members agreed to invite recreational license holders to the next meeting.

VI. New Business:

None presented.

V. Such other business as may be legally conducted

Questions regarding the Gary Moore Cove closure. Ms. Annis reported that the cove used to have a conditional seasonal closure, but that it is now open.

Discussion followed for the next meeting; it was determined that November 2, 2023 would be placed on the calendar.

VI. Adjournment

MOTION: Mr. Taylor moved, with Mr. Dunton seconding, to adjourn. Motion carried 4-0.

The meeting adjourned at 5:58 PM.

**TOWN OF MOUNT DESERT
SHELLFISH COMMITTEE
MINUTES**

Thursday, January 11, 2024

5:00 PM

**Town Office Conference Room
21 Sea Street
Northeast Harbor
(or ZOOM)**

Members Present: David Dunton, Brian Silverman (via Zoom), Rustin Taylor, Earl Moore, and Town Clerk, Claire Woolfolk.

I. Call to order 5:00 p.m.

Chairman Taylor called the meeting to order at 5:05pm

II. Warden Update

No wardens present to report

III. State Update

DMR Biologist, Hannah Annis, was unable to attend, however she did forward an email with various updates and Town Clerk, Claire Woolfolk, provided members with the updates and documents:

1. The Annual Review Letter/Deadline of due before April 1, 2024
2. 2024 Allocation Applications: due at least 30 days before licenses go on sale
3. 2024 Fisherman's Forum Shellfish Focus Day: Thursday, February 29th
- Seminar Schedule – Maine Fishermen's Forum
(mainefishermensforum.org)
4. DMR mini-grant opportunity: Email with info and documents
5. Scuttlebutt pamphlet, a local effort (Gouldsboro and Harpswell), this guide provides info for new and existing town property owners and what it means to live in a working water front community including issues of shore access for shellfish harvesters. : Scuttlebutt – Gouldsboro Shore AND Harpswell WW Guide
(mainecoastfishermen.org)

IV. Review and Finalize DMR Shellfish Management Plan for Town of Mount Desert

The committee reviewed and finalized the Town of Mount Desert's Shellfish Management Plan for submission to DMR. Town Clerk, Claire Woolfolk, will submit the plan to DMR.

MOTION: Mr. Taylor moved, with Mr. Dunton seconding, to approve the Town of Mount Desert Shellfish Management Plan and submit to DMR. Motion carried 4-0.

V. Such other business as may be legally conducted

Town Clerk, Claire Woolfolk, reported the sales of Shellfish Licenses to date:

Residential Recreational	8
Non-residential Recreational	1
Residential Commercial	4 (2 post 90-day non-resident)
Non-residential Commercial	1

Discussion of when to schedule the next meeting. It was determined that a meeting needs to be held before the end of March in order to approve the Annual Report for DMR and to vote for the allocation plan for the upcoming season.

Next meeting will be on February 15, 2024.

VI. Adjournment

MOTION: Mr. Taylor moved, with Mr. Silverman seconding, to adjourn. Motion carried 4-0.

The meeting adjourned at 5:30 PM.



JANETT, MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
MARINE RESOURCES LABORATORY
P.O. BOX 8, 194 MCKOWN POINT RD
W. BOOTHBAY HARBOR, MAINE
04575-0008

PATRICK C. KELIHER
COMMISSIONER

January 19, 2024

Claire Woolfolk, Town Clerk
PO Box 248
Northeast Harbor, ME 04662

Re: Management Plan

Dear Ms. Woolfolk:

This is to acknowledge receipt of the 2023 Shellfish Management Plan for Mount Desert. We have reviewed the Shellfish Management Plan and hereby approve it.

This approval is with reference to the requirements of DMR Chapter 7.20 (2).

We recognize that some municipalities may have previously had an accepted Shellfish Management Plan, which may have been misplaced over the years. We would like to thank you for meeting our request to have a Department-approved plan.

The Shellfish Management Plan serves as the foundation for a municipal shellfish program by setting goals and objectives for the program, as well as describing of the activities to achieve the desired shellfish management. We hope that the exercise of reviewing or rewriting your Shellfish Management Plan has been beneficial for the town's Shellfish Program, providing an opportunity to reflect on the goals and activities.

Sincerely,

Meredith M. White
Nearshore Marine Resources Program Supervisor

cc: Hannah Annis, Marine Scientist

ANNUAL SHELLFISH MANAGEMENT REVIEW

Municipality: Town of Mount Desert **Date of Submission:** _____

For the period: January 1 to December 31, 2023

The Shellfish Conservation Committee needs to submit the following information in partial fulfillment of the town's responsibilities as outlined in Chapter 7 of the DMR Regulations and the Town's shellfish ordinance. A complete Budget Worksheet must accompany this report.

SHELLFISH COMMITTEE / STAFF

CHAIR NAME: Rustin Taylor **ADDRESS:** PO Box 582; Mount Desert, ME 04660

PHONE: 207 266-9651 **EMAIL:** rustintaylor955@gmail.com

VICE CHAIR: Brian Silverman **ADDRESS:** 15 Sweet Fern Way; Mount Desert, ME 04660

PHONE: 207 460-9368 **EMAIL:** silverman9368@hotmail.com

SECRETARY: _____ **ADDRESS:** _____

PHONE: _____ **EMAIL:** _____

MEMBER: Earl Moore **ADDRESS:** PO Box 204; Northeast Harbor, ME 04662

PHONE: 207 276-5537 **EMAIL:** _____

MEMBER: David Dunton **ADDRESS:** 1393 State Hwy 3

PHONE: 207-288-5336 **EMAIL:** Bar Harbor, ME 04609

MEMBER: TOMD Liaison - Claire Woolfolk **ADDRESS:** PO Box 248; Northeast Harbor, ME 04662

PHONE: 207 276-5531 **EMAIL:** townclerk@mtdesert.org

MEMBER: _____ **ADDRESS:** _____

PHONE: _____ **EMAIL:** _____

MEMBER: _____ **ADDRESS:** _____

PHONE: _____ **EMAIL:** _____

MEMBER: _____ **ADDRESS:** _____

PHONE: _____ **EMAIL:** _____

WARDEN: Kevin Edgecomb **ADDRESS:** PO Box 248; Northeast Harbor, ME 04662

PHONE: 207 276-5111 **EMAIL:** kedgecomb@mdpolic.org

WARDEN: Adam Thurston **ADDRESS:** PO Box 248; Northeast Harbor, ME 04662

PHONE: 207 276-5737 **EMAIL:** deputyharbormaster@mtdesert.org

SELECTMAN/ COUNCIL REP.: John Macauley **ADDRESS:** PO Box 248; Northeast Harbor, ME 04662

PHONE: _____ **EMAIL:** jmacauley@mtdesert.org

Municipality: Town of Mount Desert

COMMITTEE MEETINGS

The Committee holds regularly scheduled meetings (once a month etc.): YES _____ NO X

Number of meeting held during the reporting period: 2

The minutes of meetings are recorded and available on request: YES X NO _____

STATEMENT OF MANAGEMENT GOALS AND IMPLEMENTATION ACTIONS

The goals of the shellfish management for this municipality during the reporting period were (pick one in each category that best describes the municipal program):

- 1. Provide open licenses to maximize opportunity
 Limit licenses to maximize individual harvest
- 2. Conduct enhancement activities to increase resources
 Use closures and harvest limits to maintain resource levels
- 3. Emphasize recreational harvest
 Emphasize commercial harvest

The following management controls were utilized (check all that apply):

- 1. Limited the number of commercial harvesters
- 2. Limited the number of recreational harvesters
- 3. Restricted the times of harvest (seasons, days off etc.)
- 4. Restricted the areas of harvest (conservation closures etc.)
- 5. Limited the amount of commercial harvest (daily harvest limit)
- 6. Limited the amount of the recreational harvest (daily harvest limit)

The following management activities were undertaken (check all that apply):

- 1. Predator protection using fencing, netting, trapping etc.
- 2. Reseeding from wild or hatchery stock
- 3. Surveys of flats to determine resource abundance
- 4. Collection of catch data from harvesters
- 5. Enhancing natural seeding using brushing, roughing etc.
- 6. Utilizing flat rotation through conservation closures

Municipality Town of Mount Desert
CONSERVATION CREDITS

Conservation credits are required: YES X NO _____

If NO are volunteer hours logged: YES _____ NO _____

Conservation credits are required for: RENEWAL X NEW LICENSE _____

Number of conservation credits required annually: 2 credits (meetings attended)

The total number of conservation/volunteer hours during the reporting period:
(Please include total number of Participants) HOURS 0 PARTICIPANTS 0

A reduced license fee is offered with earned conservation time: YES _____ NO X

Opportunities are provided for earning required conservation credits
(surveys, meeting attendance etc.): YES X NO _____

Conservation credits earned for this year were (Check all that apply):

- Reseeding
- Surveys
- Brushing
- Predator Control
- Education activities
- Coastal Cleanup
- Other meeting attendance

WARDEN ACTIVITY REPORT (from Warden Enforcement Worksheet)

The Municipal Shellfish Warden is provided a written job description: YES X NO _____

Hours patrolled during report period: 50

Number of harvesters checked during report period: 0

Number of warnings issued during report period: 0

Number of summons issued during report period: 0

Number of court appearances during report period: 0

Number of convictions during report period: 0

Enforcement can be improved by (check all that apply):

- More Hours
- Additional Staff
- More Training
- Greater State Support
- Better Equipment
- Other _____

Municipality Town of Mount Desert

WARDEN ANNUAL APPOINTMENT

WARDEN: Kevin Edgecomb, Police

REAPPOINTMENT: X NEW HIRE*: _____ TOWN CLERK SIGNATURE: Claire Woolfolk
Digitally signed by Claire Woolfolk
Date: 2020.03.31 13:25:30 -0400

WARDEN: Adam Thurston, Deputy Harbor Master

REAPPOINTMENT: X NEW HIRE*: _____ TOWN CLERK SIGNATURE: Claire Woolfolk
Digitally signed by Claire Woolfolk
Date: 2020.03.31 13:25:50 -0400

*** - If the warden is a new hire the candidate must fill out a NEW WARDEN FORM found at:
<http://www.maine.gov/dmr/msf/forms/index.htm>**

SUMMARY OF CONSERVATION ACTIVITIES

CONSERVATION CLOSURES

X _____ No Closure Conservation Closures were requested this year.

The following conservation closures were implemented during the review year:

CLOSURE DESCRIPTION/LOCATION	DATE CLOSURE	DATE OPEN

Summary of Transplant Activities

Municipality:

The following seeding / reseeded activities were conducted during the past year.

No seeding / reseeded activities were conducted.

	Event 1	Event 2	Event 3	Event 4
Date (m/d)				
Supervisor				
Crew #				
Amount				
Mean Size (mm)				
Size Range (mm)				
Source Hatchery				
Source Flat				
Receiving. Flat				
Flat Prep (y/n)				
Netted (y/n)				
Closed until				
	Event 5	Event 6	Event 7	Event 8
Date				
Supervisor				
Crew #				
Amount				
Mean Size (mm)				
Size Range (mm)				
Source Hatchery				
Source Flat				
Receiving. Flat				
Flat Prep (y/n)				
Netted (y/n)				
Closed until				

Municipality: Town of Mount Desert

SPATFALL ENHANCEMENT

X No spatfall enhancement activities were conducted during the review year.

Please list activities undertaken to promote settlement such as brushing, flat roughening, tenting or shell on flats.

LOCATION	DATE	DESCRIPTION

Municipality _____

PREDATOR REDUCTION

No predator protection activities were conducted during the review year.

Please list activities undertaken to protect clams from predators such as trapping, netting and hand collection.

LOCATION	DATE	DESCRIPTION (Species targeted and method)

CLAM FLAT SURVEYS

_____ No population surveys were conducted during the review year.

All survey data should be forwarded to the proper DMR Area Biologist. Please list the surveys conducted during the review year. DMR will not accept surveys without data.

CLAM FLAT	SURVEY DATE	DATA PROVIDED TO DMR	MAP PROVIDED TO DMR
Otter Cove	5-10/2023	Yes _____ No _____	Yes _____ No _____
Squid Cove	5-10/2023	Yes _____ No _____	Yes _____ No _____
		Yes _____ No _____	Yes _____ No _____
		Yes _____ No _____	Yes _____ No _____
		Yes _____ No _____	Yes _____ No _____

The flats surveyed during the review year represent approximately _____ <5 % of the total productive flats.

Municipality Town of Mount Desert

ADDITIONAL ACTIVITIES

X No other activities were conducted during the review year.

Please list other activities undertaken to benefit the shellfish conservation program such as education, participation in regional councils and shoreline clean-up.

LOCATION	DATE	DESCRIPTION

PROPOSED MANAGEMENT ACTIVITIES

The following management activities will be undertaken during the coming year (check all that apply):

- Predator protection through netting, trapping and etc.
- Reseeding from high density areas or with hatchery stock
- Flat surveys to determine size distribution and density
- Enhance natural seeding through brushing, roughing and etc.
- Establishing conservation areas for flat rotation
- Other To be determined

In order to implement these management activities the committee will utilize (check all that apply):

- Harvesters vested with conservation credit
- Harvester volunteers
- Paid harvesters
- Municipal employees
- Paid consultants
- Other volunteers



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
MARINE RESOURCES LABORATORY
P.O. BOX 8, 194 MCKOWN POINT RD
W. BOOTHBAY HARBOR, MAINE
04575-0008

PATRICK C. KELIHER
COMMISSIONER

April 3, 2023

Clair Woolfolk
Town Clerk
P O Box 248
Northeast Harbor, ME 04662-0248

Re: 2023 Allocation Approval

Dear Ms. Woolfolk:

We have reviewed the proposed shellfish license allocations for 2023, and hereby approve them as follows:

<i>Class</i>	<i>Subclass</i>	<i>Amount</i>	<i>Cost</i>
Commercial	Resident	9	\$150.00
Commercial	Nonresident	1	\$300.00
Recreational	Resident	No Limit Set	\$30.00
Recreational	Nonresident	No Number Set*	\$50.00

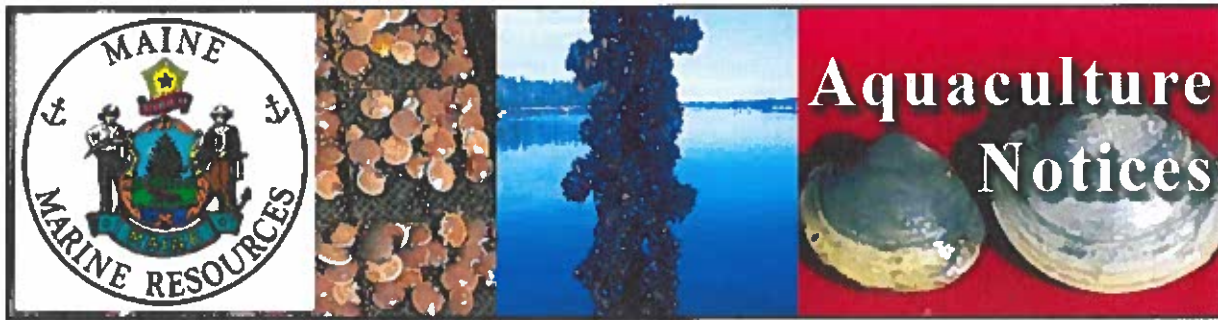
**One to one (one non-resident for every resident license sold) up to 10 licenses; then one non-resident license for every 5 (five) resident licenses sold.*

Licenses may be issued starting July 1, 2023, following a minimum of 10 days advertising pursuant to Title 12. §6671 3-A. C.

Sincerely,

Meredith White, Nearshore Marine Resources Program Supervisor

cc: Hannah Annis, Marine Scientist



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 SHARE

Guided by state law and for the benefit of all Maine people, the Maine Department of Marine Resources (DMR) administers the Aquaculture Leasing Program. This program was recently reorganized and now falls under the Bureau of Public Health and Aquaculture. In light of this change, as well as increased interest in the blue economy, aquaculture in general and growing demands on the program, DMR wants to hear directly from stakeholders as we plot a course for the future.

We are holding in-person listening sessions at five locations in coastal communities to hear from stakeholders. Each two-hour session is open to the public and will be professionally facilitated by Craig Freshley of Good Group Decisions in Brunswick. These are not traditional public hearings, but rather the sessions are designed to foster understanding of the opportunities and challenges we face and discussion of the best ideas for moving forward with aquaculture in Maine. In addition to giving input at the sessions, stakeholders are also invited to submit written feedback. A report of all input received, including themes and leading ideas, will be prepared and made available afterwards.

Listening Session Details ([Links now function properly](#))

- [Portland: March 6, 4:00 PM - 6:00 PM](#)
 - Portland High School Auditorium - 284 Cumberland Ave.
- [Belfast: March 7, 4:00 PM - 6:00 PM](#)
 - Belfast Area High School Gym - 98 Waldo Ave.
- [Newcastle: March 13, 4:00 PM - 6:00 PM](#)
 - Lincoln Academy Cafeteria - 81 Academy Hill.
- [Machias: March 14, 4:00 PM - 6:00 PM](#)
 - UMaine Machias Science Building Room 102 - 116 Obrien Ave.
- [Ellsworth: March 21, 4:00 PM - 6:00 PM](#)
 - Moore Community Center Theater - 133 State St.

A detailed agenda will be posted on the DMR website in the coming weeks.

Please contact DMRPublicHealthDiv@maine.gov or 207-633-9515 with questions.

[Please visit the DMR website for notices of biotoxin and bacterial shellfish closures.](#)

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