

**TOWN OF MOUNT DESERT
SHELLFISH COMMITTEE
MINUTES**

Thursday, March 3, 2022

5:00 PM

**Town Hall Meeting Room (masks required)
21 Sea Street
Northeast Harbor
And ZOOM**

Members Present: David Dunton, Earl Moore, Brian Silverman, and Town Clerk Claire Woolfolk. Also present were Commercial License holder Victor Doyle, DMR Biologist Heidi Leighton and Warden Kevin Edgecomb

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

The meeting was called to order by Vice Chair Brian Silverman

II. Approval of 1/13/2022 Minutes

Town Clerk Woolfolk confirmed that the Selectmen did confirm the appointment of David Dunton to the Shellfish Committee and therefore, there is a quorum present to conduct business.

The minutes were approved with a motion by Earl Moore and seconded by Brian Silverman. (3-0)

III. Warden Update

Warden Kevin Edgecomb reported that they have continued to monitor the flats; they have been iced up with no signs of digging.

Mr. Silverman inquired about the use of the marina boat and Warden Adam Thurston to do occasional patrols of the flats to observe areas that can't be seen by cruiser patrol.

IV. State Update

DMR Biologist Heidi Leighton, reported on upcoming events:

- Annual Warden Training the March 30-31
- Shellfish Advisory Counsel in early April
- Towns around the Frenchman Bay region that are getting very interested in coastal access issues, access points to the shore for

harvesters. Are we in danger of losing access due to property turnover or other reasons? Programs available through the State and non-profit organizations to help towns manage coastal access

Brian requested more information and Heidi said she would send it.

V. Shellfish Conservation Ordinance Amendment

Town Clerk Claire Woolfolk reported that the town is cleaning up ordinances by removing the sunset clauses. The proposed amendment eliminates the fifteen-year sunset provision required by the charter for all Town ordinances (The charter is up for revision at the Annual Town Meeting in May). This type of sunset provision is uncommon for Maine municipalities and has created complications for the Town regarding ordinance enactments and amendments. The charter still requires the Select Board to review all town ordinances every five years to determine whether they remain necessary or helpful to the Town.

There was no opposition to the amendment.

VI. Allocation Plan Approval for 2022

Agreed to table the discussion for allocations until the April meeting. Questions regarding the remaining budget for warden expenses and possible committee projects. The committee requested that the town treasurer come to the next meeting to outline what is available in the budget and how they might be able to use it.

Warden Edgecomb confirmed that the wardens do the shellfish duties as part of their regular duties. When footwear is needed, they purchase just as they would through the department for police requirements (Victor Doyle thought that the police department had purchased boots from the budget funds a few years ago.)

Mr. Silverman asked the Clerk when the last increase was for the license fees. He wants to make sure that we have enough funds to provide the police with what they need. Perhaps need to look at raising the fees. Ms. Woolfolk said she'd have to research it and get back to the committee.

DMR Biologist reminded the committee that allocations are due to DMR 30 days prior to the sale of new licenses.

VII. 2022 Annual Review to DMR

Town Clerk Woolfolk reviewed the planned submission for the DMR (2021 CY) annual review; there would be no changes reported as the

committee has not been active since 2019. The Board of Selectmen have extended the sold licenses until June 30, 2022, due to COVID.

VIII. Such other business as may be legally conducted

Commercial license holder, Victor Doyle, reported that Bar Harbor has a grant for having a water quality study by DMR in Northwest Cove. Sampling will be taken from the Pretty Marsh area and in the area near Pirate's Cove.

Mr. Doyle also brought up that there would be an opportunity for conservation credits via public education/public relations during Clam Week to be handed out to restaurants.

The Clerk read the section of the ordinance that pertained to conservation credits. The language was left intentionally vague as to allow the committee the ability to determine what it would accept as conservation credit. After some discussion and input from DMR Biologist Leighton, it was agreed to leave the language as is in the ordinance so as not to limit what the committee could include for education. The Clerk said that if the committee were to submit a list of previously approved conservation credit activity by the first week in April, she would include it on the agenda for the next meeting.

The committee agreed to meet Thursday, April 21, 2022.

IX. Adjournment

Motion to adjourn made by Brian Silverman, seconded by Earl Moore. (3-0)

Meeting adjourned at 5:41pm.