

S H E L L F I S H
C O N S E R V A T I O N
C O M M I S S I O N

Meeting Minutes
Thursday April 28, 2016
6:00 PM – Town Council Chambers

MEMBERS PRESENT: Mike Brown (Chairman), Charles Adams, Jessica Joyce, Bob Maloney, Ralph Oulton John Ryder, and Harland Storey.

OTHERS PRESENT: Town Manager Bill Shane, Lieutenant Milt Calder, Teri Dane & Pete Thayer of DMR

I. Roll Call & Welcome

Chairman Brown introduced new members, Ralph Oulton and John Ryder.

II. Approval of November 19, 2015 meeting minutes

Motion by Mr. Storey, seconded by Mr. Adams to accept the minutes as presented.

VOTE: UNANIMOUS

III. To hear a report from DMR re: update on water quality

Teri Dane, Marine Resource Scientist from the Department of Marine Resources said that our water quality testing is looking good and test scores meet both seasonal and year round open status. They conducted a shoreline survey last summer and found one pollution source (a failing septic system) at the head of Broad Cove and another questionable area near Sunset Point (source unknown). Until they have a definitive answer as to what the source is there, the northern area will remain seasonal, but the southern part of Broad Cove can be open year round. DMR Report attached.

IV. To hear a report from Jessica Joyce re: Fisherman's Forum

Jessica Joyce reviewed the following with the committee on the Shellfish Advisory Council Meeting in February:

*Lewis
Pinkham*
The Maine Shellfish Advisory Council
February 2016

*milbridgetown@gmail.com
-e-mail w/ issues*

Here is a list of some of the topics we have worked on over the past two years.

1. Adoptions of policy's and by-laws; Vice-Chair Jane Disney put together a draft which we reviewed four times before final adoption in January 2016.
2. Green Crab workshops and symposium: There were surveys done by DMR and Shellfish Committee members where they trapped and counted the green crabs caught. The symposium was held at UMO with over 200 attendants. DMR also hosted a municipal workshop for predator control methods
3. U.S. Department of Labor ruling on child labor laws: the ruling is anyone 16 and younger cannot do mandatory conservation time as it is a violation of child labor laws. Coastal clean-up is not an exempt activity but adults can do re-seeding as a requirement to get a license. Some towns have set a differential fee for those who do conservation time and those who do not.
4. Intertidal Mussel Harvesting Ordinances; Towns can adopt an Intertidal Mussel Harvesting Ordinance to protect their flats. DMR and ShAC developed a guidance document on how towns could implement this provision.
5. New requirements for Harvesters and Dealers mostly related to time and temperature requirements like getting product to a dealer in 18 hours and getting it to 50 degrees in 10 hours.
6. Size tolerance of Oysters and Quahogs: It was voted to recommend a 2% tolerance on the minimum size of quahogs.

7. Importing seed stock; Review what would be needed to import seed stock due to demand in State.
8. New online Municipal closures maps: DMR is working on improving online maps. ShAC requested a better tool for identifying conservation closures, DMR has developed a mapping process and posts all permits on their website
9. Certification for a sustainable fishery; reviewing ways to get Maine clams Certified as a sustainable fishery. ShAC has evaluate various ceetification programs and their cost and found that Maine shellfish would likely qualify to use the Maine Quality Trademark.
10. Acidification studies done by Dr. Brian Beal: Dr. Beal gave a presentation on PH studies in Freeport on the effects of acidification on the shells. Mike Doan from the Friends of Casco Bay presented their work on acidification.
11. Climate change effects on shellfish: Studies on the PH effects on spawning oysters presented by Bill Mook of Associated Seafarms.
12. Vibrio control plan for the Damariscotta River: A plan was developed and after public hearing the Commissioner adopted it.
13. Washington/Hancock County District Attorney prosecutions: We worked with the District Attorney to get him to reverse his plan not to prosecute Civil Municipal Shellfish cases.
14. Update on ISSC work including MSC testing. Presentations by DMR and Tom Howell of Spinney Creek Shellfish on MSC and it current and possible applications in Maine. ShAC voted to request that the Commissioner not support the inclusion of MSC in the National Shellfish Sanitation Program.

15. Working with the Wild Mussel Harvesters and Aquaculture Harvesters ShAC established a sub-committee to assist in resolving a conflict between seed mussel access and wild harvest in the Frenchman's Bay area

16. Presentations and discussions on the development of municipal aquaculture programs

17. Legislative updates including predator control pilot project (LD1452) and expanded protection for municipal aquaculture

18. Setting up a work plan for next year
A. More rain gauges to help with closure times
B. More interactive maps showing rain closures

V. Other Business

None

VI. Adjournment

Motion by Mr. Storey, seconded by Mr. Adams, to adjourn.

VOTE: UNANIMOUS

TIME: 7:54 P.M.

Respectfully submitted by,

Brenda Moore
Committee Secretary



Investigative Report

Cumberland

DMR initiated a meeting with the Cumberland Shellfish Commission to provide an update on annual water quality data review and possible upgrade for Broad Cove.

Water Quality Station Data

There are 6 WQ sampling stations within Cumberland (Figure 1 and Table 1). Table 2 shows the P90 scores of the stations for an open status year round. Routine runs are completed yearly by both DMR staff and volunteers.

Table 1: The calculated P90 scores from the last 30 samples collected at 6 WQ stations within Broad Cove using samples collected during the open season of November to May. Data is current and inclusive to **12/31/2015**.

Station	Class	Count	MFCCount	GM	SDV	MAX	P90	Appd_Std	Restr_Std	Min_Date
WI027.00	CA	30	30	2.4	0.32	50	6.4	31	163	2/7/2011
WI028.50	CA	30	30	2.7	0.35	48	7.7	31	163	4/11/2011
WI029.00	CA	30	30	2.4	0.33	104	6.6	31	163	4/11/2011
WI030.00	CA	30	30	2.5	0.31	31	6.4	31	163	4/20/2011
WI033.00	CA	30	30	2.9	0.42	42	10.4	31	163	3/28/2011
WI034.10	X	30	30	3.3	0.63	620	21.6	31	163	7/31/2012

Table 2: The calculated P90 scores from the last 30 samples collected at 6 WQ stations within Broad Cove using data collected year round (i.e. open and closed samples). Data is current and inclusive to **12/31/2015**.

Station	Class	Count	MFCCount	GM	SDV	MAX	P90	Appd_Std	Restr_Std	Min_Date
WI027.00	CA	30	30	2.9	0.38	50	9.2	31	163	10/29/2012
WI028.50	CA	30	30	3	0.39	48	9.6	31	163	9/12/2012
WI029.00	CA	30	30	3.1	0.59	1220	18.6	31	163	9/12/2012
WI030.00	CA	30	30	2.9	0.3	27	7.1	31	163	11/19/2012
WI033.00	CA	30	30	3.4	0.45	56	13.2	31	163	10/29/2012
WI034.10	CA	30	30	3.3	0.63	620	21.6	31	163	7/31/2012

Shellfish Resource Survey

In November 2015, Pete Thayer conducted a walkover of the Town landing to Payson property and Teal entrance to determine resource for license allocations. There was one patch of 40-65 mm softshell clams in sandy area near Payson dock, but overall very low resource. No seed was found. There was a razor clam patch found near the sand area.

Shoreline Sanitary Survey

In summer 2015, Hotspot shoreline survey work was conducted for Broad Cove with staff from DMR and DEP.

Pollution Sources Identified

There was one actual problem and one potential problem discovered during this survey.



Remediation

Problems and questions were submitted to the town LPI and waiting remediation.

Watershed Stream Data

There are 7 stream stations with Cumberland (Figure 2). Four stations were sampled in 2015 (Table 3).

Table 3: Stream samples collected in 2015

Location ID	Sample Date	Method	Raw Score
WI034-172	8/4/15	MFCOL	<2
WI034-172	8/24/15	MFCOL	2
WI035-84	8/4/15	MFCOL	280
WI035-84	8/24/15	MFCOL	860
WI035-86	8/4/15	MFCOL	35
WI035-86	8/24/15	MFCOL	300
WI036-12	8/4/15	MFCOL	64
WI036-12	8/24/15	MFCOL	1360

Summary Conclusion

Overall water quality meets both seasonal and year round open status. See Figure 3 for proposed upgrades.

Recommendations

- Follow-up with LPI regarding questions and problem forms
- Reduce the conditional area



Appendix



Maine Department Marine Resources Cumberland - Broad Cove

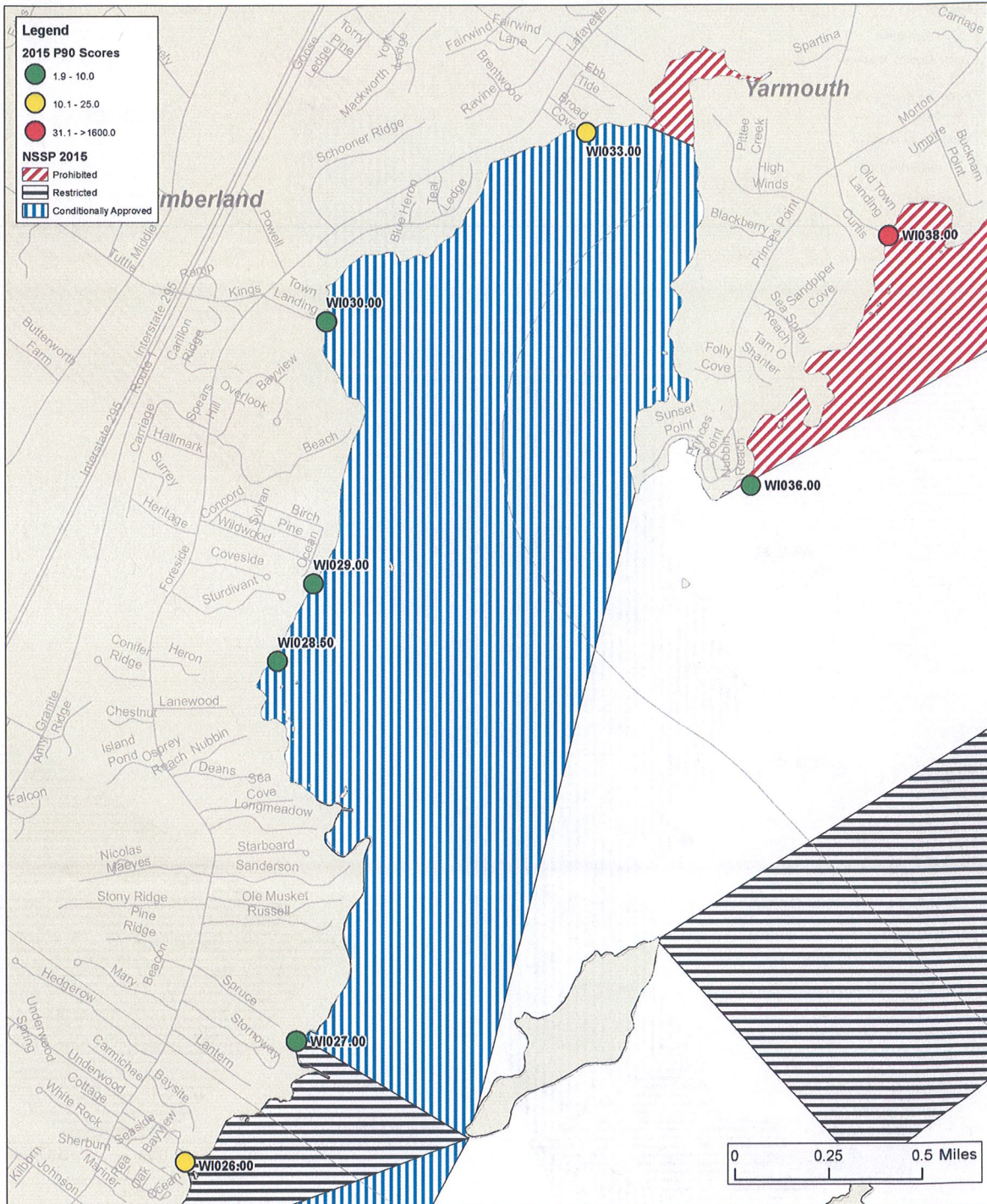


Figure 1: Cumberland 2015 P90 scores and NSSP Classification.



Maine Department Marine Resources Cumberland - Broad Cove

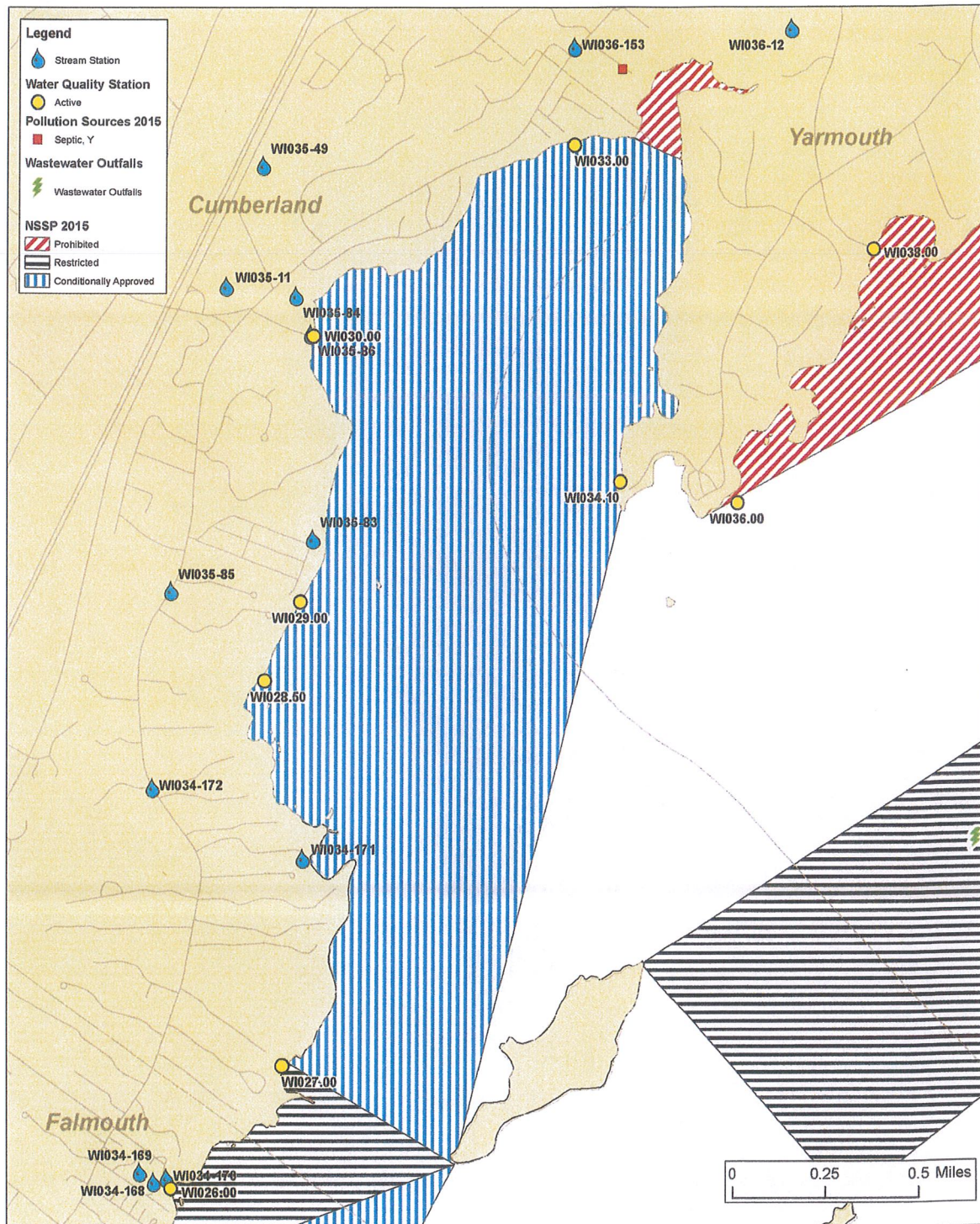


Figure 2: 2015 Stream stations, pollution sources and NSSP Classification.



Maine Department Marine Resources Cumberland - Broad Cove

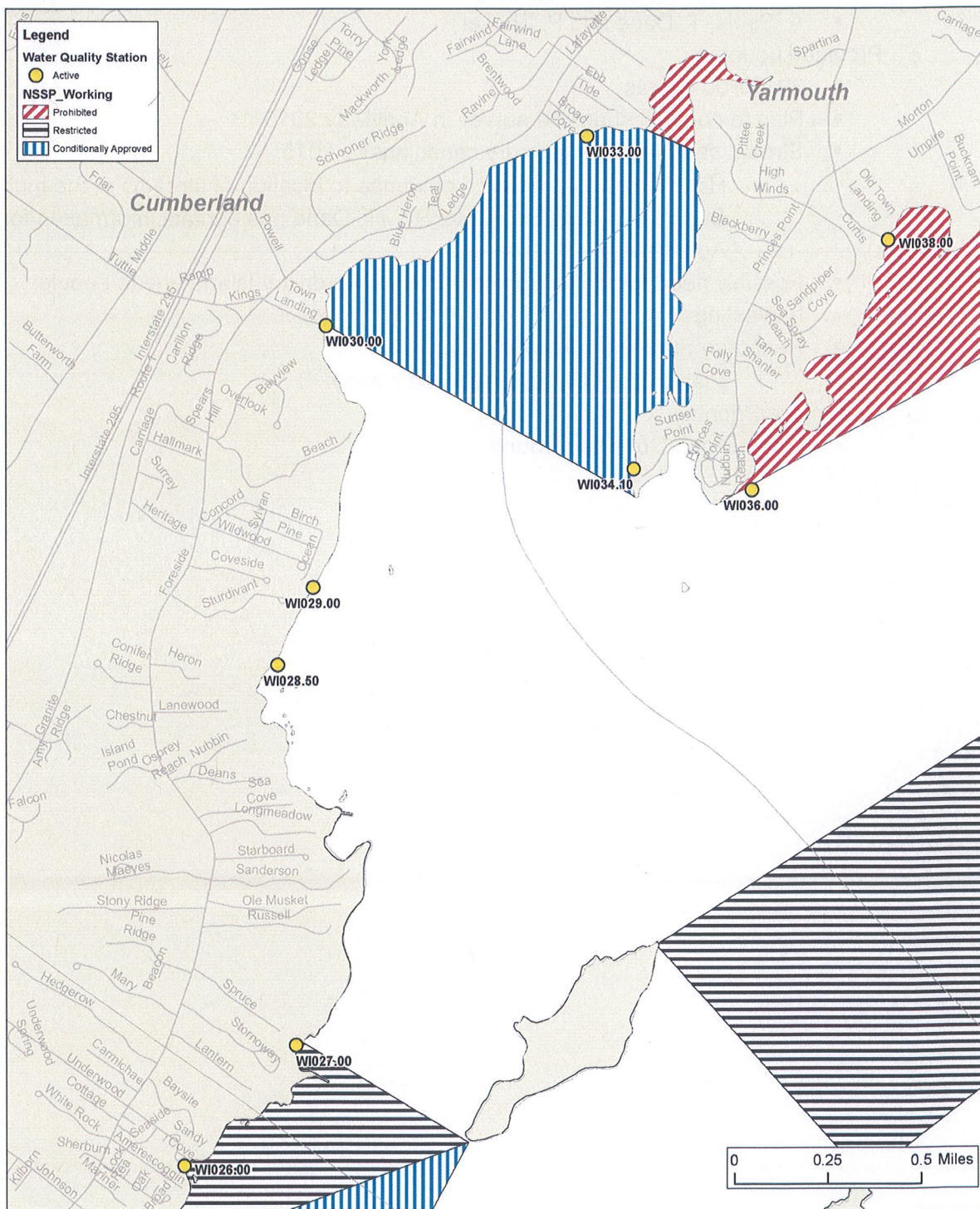


Figure 3: Proposed upgrade for Broad Cove, Cumberland



Progress and Communications

- Update 11/13/14:
 - Attended Shellfish Committee Meeting
 - A. Sirois, T. Dane and P. Thayer
 - Provided updates
 - 2015 P90 scores
 - Plan to conduct shoreline survey in April/May 2015
 - Stream sampling (wet and dry conditions) – 2015
 - Hank Adams has offered guidance to location of streams at the foot of Dean's Way and Sea Cove Rd. (T. Dane has contact information for Hank Adams)
 - Possibly need to add stations on/around Sturdivant Island due to people harvesting
 - Resource Survey (P. Thayer)
 - Plan to due full clam resource survey
 - Committee Priorities
 - Open Broad Cove year round
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