

Eastport Shellfish Committee Meeting Minutes
Thursday 26 January 2023

Present:

Kate Devonshire, Eastport City Manager	Heidi Leighton, Maine DMR
Tony Bennett, Eastport Shellfish Warden	Ella Kowal, City Clerk
Collen Conrad, Shellfish Warden in Training	Chrissy Turner, Resident Commercial Harvester
Earl Small, Secretary	Ricky Cox, Resident Commercial Harvester
Gary Small, Vice Chair	Howard Calder, Nonresident Commercial Harvester
Loring Small, Chair	
William Urquhart, Shellfish Committee Member	

Approval of Agenda: 5:45 PM - Meeting called to order.

Agenda is approved with one addition: Sale of recreational licenses by local business, Moose Island Marine.

Items Discussed:

- a. Loring read the minutes from the previous shellfish committee meeting. Members present for the previous meeting agreed the meeting minutes are accurate.
- b. Update of ordinance enforcement: Ms. Colleen Conrad, reported low digging activity. Two commercial harvesters encounter and checked for compliance. Collen has submitted the required application to attend the Sate DMR administered municipal shellfish warded training course scheduled for 29-30 March 2023.
- c. Shellfish predation. Heidi agreed with the committee's assessment that the predatory green crab population is out of control and there's no foreseeable remedy for preventing the crab's continued destruction of shellfish stocks.
- d. Changing the nonresident commercial license sale to a lottery instead of first come first server, which has been done since the ordinance was put in place. The current DMR approved ordinance, allows for first come first serve or lottery in the sale of commercial licenses. Howard Calder, who has held the nonresident license every year is in opposition to the change, directing negative comments at the shellfish committee members. Howard suggested grandfathering him to hold the nonresident license and that in his opinion Eastport beaches can absorb additional commercial licenses. Loring commented that changing the nonresident commercial license to a lottery, is because of the heightened interest from several non-resident harvesters and to reduce the probability of confrontation when multiple people show up for the only first come first serve non-resident commercial license. Howard was asked would you leave if you are not the first person to arrive for the one nonresident license. Howard responded "probably not". Ricky also disputed changing the nonresident commercial license sale to a lottery in support of Howard. Ricky suggested that if the nonresident license is moved to a lottery, the resident commercial licenses should be by lottery as well. Chrissy Tuner, a part time harvester, commented that she was concerned that her purchase of a resident commercial license this past June, prevented a longtime resident harvester from being able to buy a license for the year. Loring commented that Chrissy had made attempts above and beyond to facilitate sale of her license to the harvester who arrived too late at city hall to purchase the last available license. That harvester choose not to attempt in securing the license from her.

- e. Heidi read the annual DMR municipal shellfish ordinance review letter dated 11 January 2023. The DMR Letter includes the annual program review reporting deadline, required forms, DMR's internal review of municipal shellfish ordinance programs, the transition for DMR to Near Shore Marine Resources (NSMR) and shellfish warden training requirement.
- f. Discussed the City Council ordinance changes approved during the July 2022 public hearing. Heidi advised that the City Council must sign the ordinance final and provide a certified copy to the DMR before the changes go in effect. DMR requires 30 days to review ordinance changes for approval. The City's annual license allocation plan must be approved by the DMR a minimum of 20 days before the licenses go on sale.

Adjournment: 7:00 PM.

Post Meeting follow up:

- a. Heidi (NSMR) provided the City Council approved shellfish ordinance changes for review on 26 Jan 2023.
- b. Sale of recreational licenses at Moose Island Marine. It has been determined that sale of licenses outside of city hall will create confusion in keeping track of and in the accountability of license sales and fees. License sale outside of City hall is not supported by the committee at this time.
- c. During the previous committee meeting, changing sale of the nonresident commercial license to a lottery was unanimously approved by the committee. In follow up discussion the committee considered changing all commercial license sales to a lottery and grandfathering licenses as requested by two commercial harvesters during the 26 Jan 2023 meeting. However these changes are not adopted and as per DMR, nor does the ordinance allow grandfathering licenses to anyone.
- d. Discussion with residents in combination with the comments from the Jan 2023 meeting attendees, in addition to follow up with DMR, the shellfish committee has determined it in the best interest of the City to offer unlimited resident commercial licenses along with a lottery for the nonresident commercial license. There are very few, if any additional Eastport residents who commercially harvest shellfish. Other than the harvesters who each season, routinely apply for a resident commercial license. However, unlimited resident licenses will ensure a regular commercial resident harvesters is not excluded by situations beyond their control.
- e. Ms. Meredith White, Maine NSMR Program Supervisor, confirmed on 08 March, 2023 that the changes to the ordinance as well as the shellfish committee's allocation plan for unlimited resident commercial license sale and a lottery for the nonresident license is within the proposed ordinance changes. The next step before implementation of the new ordinance and license sale changes is to provide DMR/NSMR a copy of the ordinance signed by the City Council. Approval of the license allocation plan by the DMR is required a minimum of 20 days before license go on sale.

Next Committee meeting TBD: