

## Casco Bay Regional Shellfish Working Group Draft Meeting Summary



**Date:** December 6, 2022

**Location:** Morrell Meeting Room, Curtis Memorial Library,  
Brunswick

**Time:** 10:00-11:30 AM

**Participants:** Paul Plummer (Town of Harpswell), Dan Devereaux (Town of Brunswick), Kevin Oliver (Harvester and Chair - Yarmouth Shellfish Committee), Joe Delano (Harvester), Ari Leach (Maine DMR), Mary Ann Nahf (Harpswell Marine Resources Commission [MRC]), Melissa Britsch (Maine Coastal Program), Nate Orff (Harvester, Chair – Scarborough Shellfish Commission), Max Burtis (Harvester), Terry Watson (Harvester and Dealer), David Wilson (Harvester and Chair – Harpswell MRC), Chris Green (Harvester), Brian Soper (Harvester and Dealer), Anne Hayden (Brunswick resident), Camden Reiss (Harvester), Marissa McMahan (Manomet and Georgetown Shellfish Committee), Emily Farr (Manomet), Jessica Joyce (Tidal Bay Consulting), and Virginia Hawkins (Resilience Corps Fellow - Greater Portland Council of Governments)

### **Welcome and Introductions:**

After brief introductions, Jessica reviewed the mission of the Casco Bay Regional Shellfish Working Group (WG) and the agenda for the meeting.

### **Town Sharing**

One representative from each municipal shellfish/marine resource committee was asked to share the following information: 1) What is the current focus of your committee, 2) What are the obstacles to addressing the shellfish community's needs, and 3) What is one shared topic or issue you would like the WG to consider focusing on in 2023 that meet the criteria?

*Phippsburg* (Terry Watson): The Committee has kept up with reseeding programs, and hasn't been working on too much else. The flats have seen a decrease in soft-shell clams. They are getting more and more quahogs, but not enough to add licenses, so they are thinking about reseeding quahogs.

There is a need to address shore access, which has gotten worse since the pandemic with properties turning over to Air BnBs, and then the owners are restricting access. There is also limited *public* access and storage. The town land use committee is addressing an issue with an oyster grower storing gear on shore (town property), and the town is now having issues with allowing tying boats on shore (but only on town property). If the public access is lost, then there is very limited remaining access. There are a few public landings on the Kennebec River – about three – and only one on the New Meadows River.

*Freeport* (Joe Delano): There is a lack of soft-shell clam seed setting, and they also have access issues.

Georgetown (Marissa McMahan): Shore access is also an issue, and the Committee is working with Manomet to inventory access points and take next steps. They are still working on starting a quahog fishery, but so far have not had a lot of success.

Harpswell (David Wilson): This is the third year their Marine Resources Committee (MRC) is rearing hatchery seed for quahogs. They held a landowner appreciation day in August where they provided chowder and steamed clams, and gained three new access points as a result. They added more conservation dates (to help with growing clam seed, which will be planted) and non-resident license holders have been helping too. Also, individuals from outside of Harpswell are reaching out to learn more about how they are addressing access, especially since the town implemented a 'resident/non-resident' license in their ordinance to allow harvesters moving out of town to keep their commercial licenses if they established residence for 5 or more years. The loss of soft shells in Middle Bay is a big concern.

Paul Plummer: They hosted a second field trip with Mt. Ararat HS to get students on the mudflats. They are working on the LPA issue with Brunswick as well.

MaryAnne Nahf: The MRC worked with DMR to re-open closed mudflats, and were able to shift conditional areas to fully approved. They also have a grant with FB Environmental to identify the source of pollution causing closed areas.

Brunswick (Dan Sylvain): Shoreline access is an issue. They are also trying to address the issues with the LPA process for municipal seeding. Their Committee is looking at the resident/non-resident license question with harvesters moving out of town, although the Brunswick Town Council does not agree that harvesters should be allowed to move out of town and retain a license.

Dan Devereaux: They are involved in a legislative initiative to change the process for towns to conduct reseeding activities (outside of the LPA process) with local congressional representatives. The town mudflats are closed for winter quahog harvesting.

Chris Green: In Brunswick, a \$42K annual salary is at the poverty level. Many clambers can't afford to live in town, so the Committee and Town need to consider the impacts of the licensing decision.

Scarborough (Nate Orff): Their Committee is waiting on the Town Council to address the residency issue. Access is not as much of an issue in Scarborough because the river where effort is targeted is very accessible. Some private landowners and lobster pound owners have been doing water testing, and there are discrepancies between those results and state data. The Town Council is really interested in the number of shellfish licenses, and asking the Committee to use more data and conduct more surveys, which is challenging. There is not a lot of interest from the Committee in aquaculture or reseeding.

Yarmouth (Kevin Oliver): Their Committee is working on licensing allocations and setting spring survey dates. Their issue is that they don't have a lot of mudflats, and a lot of the flats are closed. They have a small number of license holders and it's hard for the Committee to get the people out to do conservation projects. They try to conduct surveys; went out to Lane's Island, and found 20 clams. Then the DMR results came back indicating that area should produce 20 bushels an acre, so there is an issue with survey results and calculations. They have recruitment boxes and are looking at where seed is coming from/settling. For small towns, the big obstacle is the lack of people to do the conservation work.

This led to a conversation about surveys, clam populations, and setting the number of licenses in a town:

- Towns should survey every cove and map it out. Clams don't grow every 50-foot pace (like a stratified survey); it is more random and has to do with the geographical makeup of the cove. Surveys should recognize where beds are and where deviations are in a cove. Before any town revokes licenses, they should consider reaching out to license holders who aren't using licenses (latent effort) before taking them away from people who would actively use their license.
- There is frustration with DMR having the ultimate decision-making authority over towns who propose to reduce license numbers. Consistency and stability are hard to get with ups/downs in resource numbers and the licensing. Some flats benefit from digging and some do worse, and it's hard to tell which is which. There is a need for more information about conditions in mudflats that are more conducive to reseeded.
- Phippsburg revised their ordinance to stipulate that if a license wasn't renewed, they took it out of the allocation totals (attrition). That way they are not taking away a license from a working harvester. There used to be a formula with surveys, the number of bushels per mudflat, and some towns set a limit of two bushels per harvester per day. However, some clambers dig several bushels of soft shells a day and then switch to quahogs, and this multiple species effort is not considered in the survey/license formula. There is an issue of fairness and the state needs to give more leeway to towns and local harvesters who have the knowledge.
- Having harvesters switch effort between species is important for the long-term viability of the fisheries. There are peaks and valleys of sets (recruitment). Brunswick has had no luck reseeded soft-shell clams, which was echoed by other towns. Conservation effort applied to hard-shell clams is the only effort worth taking right now. While there is annual variability in shellfish populations, towns should consider long-term trends when considering cutting licenses or changing license allocations.

### **Presentations**

Emily Farr, Marissa McMahan and Virginia Hawkins offered presentations on the following topics (see the link to the presentation file in the 'Meeting Archive' webpage for more information):

Preserving intertidal access – Emily reviewed a mapping project Manomet is coordinating with five towns in the region, and shared information about the [Preserving Intertidal Access guidance document](#) the WG released last spring.

Fall meeting with land trusts – Marissa provided an overview of the WG’s meeting with land trusts in September. Over nine land trusts in the region attended this meeting where we provided information on the importance of the shellfish fishery and how land trusts and shellfish committees can work together to preserve access to the intertidal. See the meeting summary on our ‘Meeting Archive’ webpage.

Community Intertidal Data Portal – Marissa provided a brief overview of two data products that help towns with shellfish conservation and water quality.

Review Casco Bay shellfish landings data – Virginia provided instructions on how to access shellfish (and other fishery) landings for towns using [Maine DMR’s online landings portal](#). She also provided graphs of landings since 2008 for each town (see link for meeting materials on the ‘Meeting Archive’ webpage).

## **Group Discussion**

The meeting opened up with a brainstorm around developing a list of regional WG projects that meeting the following criteria: would benefit multiple communities, would occur within the span of one year, is feasible with volunteer effort, has a reasonable equipment budget, and does not require additional funding. Participants shared the following ideas:

1. Residency requirements in town ordinances are becoming increasingly hard for harvesters to meet, especially with increases in housing costs in coastal communities. How can we share information across towns about how they are changing residency requirements for licenses? The following examples were discussed
  - Harpswell allows harvesters to move out of town and maintain a ‘Resident-Non-Resident License’ for commercial harvesting if they have a permanent residence for 5+ years and continue participating in the conservation program. However, if they give the license up, it goes back to a resident commercial license.
  - Freeport allows anyone with a license to move out and retain their commercial resident license after they have held a principal place of residence in town for 12 months.
  - Some towns allow non-resident license holders to sit on clam committees, and others don’t, which can make it difficult to keep harvesters on committees.
2. There was interest in having the Working Group host a regional, multi-town awareness event (for example, around landowner appreciation, awareness of the fishery, etc.) Ideas shared include:

- Partnering with restaurants to reach the general public.
  - Similar to Maine Farm Weekend or the Maine Oyster Trail – list of participating oyster farms you can visit. Can there be a similar weekend event for wild shellfish?
3. Increasing representation of clamming at Yarmouth Clam Festival
    - Supplying local clams, although the volume needed is a challenge.
    - Harvester float in the parade or harvester stories during an event
    - Integrate content into the clam shucking contest
  4. Municipalities are seeking funding for shell stock enhancement programs focused on hard shell clams (quahogs)
    - Stock enhancement with oysters for wild harvest and oyster bed restoration is also an option for towns.
  5. There was a discussion around what the soft-shell clam resource looks like in prohibited areas?
    - In Yarmouth there is depuration digging in a prohibited area with lots of shell stock, and there are concerns about limited municipal oversight of those activities.
    - Can prohibited areas serve as seed stock for a town/water body? How does depuration harvesting in these areas impact the overall resource when certain areas serve as a source of seed stock?
    - Another option is to develop a pollution abatement plan to clean up a prohibited area, and then the municipality can manage the area.
    - What are (or should be?) the thresholds for closed areas around sewage treatment plants (that may serve as broodstock sanctuaries)?
    - Prohibited area transfer and relay can also be a source of wild seed with proper DMR transplant/relay permits. Municipalities can move product from prohibited areas, as long as they keep the area closed to harvesting for 6 months after transfer.
    - An example was offered with the New Meadows Lake reseeding where seed grew better outside of the lake. Now issues with vibrio prevent moving shellfish in a vibrio control area.
  6. There was interest in getting a better handle on vibrio, MSX, and other pathogens to develop best management practices around relay of different shellfish species, particularly as water gets warmer.

### **Announcements**

- Airboat Stakeholder Working Group – Dan Sylvain and Chris Green are both members of the DMR/IFW group discussing airboat regulations. The current regulations are scheduled to sunset in September of 2023, and the group is due to submit a report to the legislature by January 2024. DMR held a meeting in December where several alternatives to the current regulations were discussed. Local

legislative representations plan to submit revisions to extend the sunset to September of 2024, to align better with the timing of the report to the legislature. There was some discussion about why this is a statewide issue when the problem seems to be local to Freeport (and airboats have been used for decades in some other areas without issue). Airboats are particularly important in the summer months during large morning tides, and can allow harvesters to continue digging as they get older.

- The next Shellfish Advisory Council (ShAC) meeting is on December 14<sup>th</sup> in Ellsworth and online.
- Shellfish Focus Day is scheduled March 2<sup>nd</sup> at the Samoset Resort in Rockport as the first day of the Fishermen's Forum
- DMR expects to offer mini grants to municipal shellfish programs in 2023

### **Next Steps**

- The meeting summary will be posted online and distributed via our newsletter
- The Steering Committee will be reviewing the proposed project ideas next month, and once they are narrowed down, we will discuss how to work on this at our next meeting.
- Next WG meeting (winter 2023 – Exact date/location is TBD)