

Frenchman Bay Regional Shellfish Municipal Joint Board

Meeting Minutes

Thursday 17 November 2016

Location: Gordon's Wharf - Sullivan

Time: 7:30 PM Present: Dick Fennelly, Craig Clement, Roger Dubois, Dana Smith, Gary Edwards, Mike Hodgkins, Steve Beathem

1. Chairman Fennelly convened the meeting at 7:30.
2. The minutes for May 19th meeting were approved. Motion by Dana, second by Steve, all in favor.
3. Discuss and consider action to make proposed minor administrative amendments to the Frenchman Bay Regional Shellfish Conservation Ordinance and the Frenchman Bay Regional Shellfish Conservation Inter-local Management Agreement, after considering comments received at the public hearing held for that purpose, immediately preceding this meeting. On a motion by Dana, second by Mike the suggested changes were approved with all in favor. (A copy of the accepted changes is at the end of this document).
4. Discuss and consider action to address the deteriorating condition of the Shellfish Warden vehicle. Dana motioned, second by Gary that Steve work with the city of Ellsworth to acquire a new vehicle (new or lightly used). It was suggested that State Surplus was a good possibility.
5. Other business, if any.
 - A. Dana reported that the shellfish committee was recommending that the Gonk (Sullivan) be opened on June 20, 2017 instead of the planned date of September 1, 2017. It was reported that the resource was recovering well and having it open would take some pressure off other areas. Dana moved to approve the request, second by Dick, all in favor.
 - B. Gary reported that littering and trespassing complaints were still a problem. One solution would be to have Warden Mike Hall become a part time deputy Sheriff. It will be included on the agenda of the next regular meeting.
6. The meeting was adjourned at 8:24pm.

Respectfully submitted,

Gary Edwards, Secretary pro tempore

Proposed FB Ordinance changes November 2016

Deleted language ~~lined through~~, new language in *italics*

3.1 **The Frenchman Bay Regional Shellfish Conservation Committee:** The Regional Shellfish Management Program for the participating communities shall be administered ~~jointly~~ by the Frenchman Bay Regional Shellfish Municipal Joint Board (Municipal Joint Board, MJD) ~~and~~ *with technical input from* the Frenchman Bay Regional Shellfish Conservation Committee (Conservation Committee).

3.2B **Powers:** The Municipal Joint Board is authorized to approve the number of shellfish licenses to be issued, approve license fees, open and close the flats, set times when digging is allowed, set permitted quantities that may be harvested, and to take such actions as authorized by each of the participating community's Board of Selectmen/Council, and subject to the Department of Marine Resources approval as noted in Section 6, based upon the recommendations of the Regional Shellfish Conservation Committee. These actions shall be described in an Annual Shellfish Management Plan submitted by the Regional Shellfish Conservation Committee. ~~Unanimous recommendations of the Regional Shellfish Conservation Committee regarding the management of the shellfish resources (i.e., those issues related to the sustainable harvest of the resource and not related to personnel, fiscal expenditures or legal matters) shall be approved by the Municipal Joint Board unless a unanimous vote of the Municipal Joint Board decides otherwise.~~

5. Licensing Requirements: All license sales shall be conducted as described in the Annual Shellfish License Allocation Procedure Plan developed each year by the Frenchman Bay Regional Shellfish Conservation Committee *and approved by the Municipal Joint Board*

5.0 ...Any and all fees and license sales information for recreational licenses shall be collected by the participating municipalities and sent to the Administrative Municipality quarterly, except for a \$1.00 agent fee per license that will be retained by the issuing municipality. *Consider raising this to \$2 or \$3*

6.0 Opening and Closing of Flats: ~~The Shellfish Conservation Committee in conjunction with the Municipal Joint Board, upon approval of the Commissioner of Marine Resources, may open and close areas for shellfish harvest.~~

Change to:

6.0 Opening and Closing of Flats: *The Municipal Joint Board in conjunction with the Shellfish Conservation Committee, upon approval of the Commissioner of Marine Resources, may open and close areas for shellfish harvest.*

13.3 Harvesting Clams in any Closed Area: ~~It is unlawful for any person to harvest clams in a closed area. It shall be unlawful for any person to harvest, take or possess shellfish from any areas closed by those 7 municipalities included in the Frenchman Bay Regional Shellfish Conservation Ordinance, namely the municipalities of Ellsworth, Lamoine, Trenton, Hancock, Franklin, Sullivan, and Sorrento, in accordance with DMR Regulation, Chapter 7. Harvesting shellfish in a closed area is a violation of the regional ordinance of these municipalities and is punishable under MRSA Title 12 §6671.~~