

Frenchman Bay Regional Shellfish Municipal Joint Board

Public Hearing Agenda

Thursday 17 November 2016

Location: Gordon's Wharf - Sullivan

Time: 7:00 PM

1. Chairman Fennelly Convened the Public hearing at 7:02 pm.
2. 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 following this meeting. Copies of proposed changes were distributed and discussed by the seven MJB members present. Note: there were no participants from the public in attendance. The board agreed to enact the changes at its regular meeting. See below for copies of the proposed changes.
3. The hearing was adjourned at 7:25 pm.

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, MJB) ~~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.~~

Respectfully submitted,
Gary Edwards, Secretary pro temps