

Deer Isle Stonington Shellfish Committee Meeting Minutes 12/11/2024

Committee Members in Attendance:

Crystal Gove - Chair, Prior Commercial Harvester
Phelps Brown - Evergreen Garden Club, Mariner's Park
Emaly Piecuch - Microbiologist
Bill Gove Sr. - Commercial Harvester
Ben Hardie - Vice Chair, Commercial Harvester
Kurt Ciomei - Commercial Harvester
George Powell - Prior Chair and Harvester
Jacob McCarty - Island Heritage Trust

Guest speaker Bailey Bowden - Chair of Penobscot Shellfish Committee & Member of Protect Maine's Fishing Heritage

8 Guests, 3 Selectmen

6:04 PM - Meeting Start Time

Crystal: Minutes from November are not available. Waiting to get them from Lucas.
Move to table meeting minutes until next meeting, all in favor.

Report from Chair:

Budget discussion with Stonington Selectman Evelyn Duncan:

Both Deer Isle and Stonington are in the red again. Stonington was in the red \$8,971 & received \$10,000 from town for 2023. Jim Fisher was not available to speak on Deer Isle's behalf. Evelyn said that in Stonington one of their concerns is that the amount of Commercial diggers are dropping and the same is also true for Deer Isle. The difference between 2020 and 2024 in Stonington dropped by 58% and Deer Isle the difference between 2020 and 2024 is 64%. The big problem with that is if we don't have the residential and non residential commercial people buying the licenses we don't have the income coming in. For 2024 there was \$10,400 for shellfish license sales. Deer Isle had \$12,999 in license sales for 2024 for income coming in. The huge expense that both towns have is the Shellfish Warden. By the time we pay mileage, insurance, supplies, worker's comp, etc, that puts us in the red. Stonington has a deficit of almost \$6,000 that will come out of the Shellfish Reserve account that is currently at around \$12,000. The deficit in Deer Isle is worse. Deer Isle has no Reserve Account left for the Shellfish Committee due to the entire use of it at \$9,300 last year. Deer Isle will need to go to the Tax Payers for help with paying the deficit. Evelyn mentioned by the end of next year the Shellfish Committee will have no Reserve Account left the way things are going. She mentioned that is the Shellfish Committee needed supplies for reseeding or netting or anything in the like there would not be funds to pay for any of that and the Stonington Selectmen didn't know what we were going to do. Crystal mentioned that through the Mini Grant received in the spring of 2024 the Shellfish Committee was able to attain all the supplies needed for all of that along with a storage building to put it all into.

Evelyn had suggestions on how to come up with at least some of the money towards the deficit we will be facing in the current and coming years that the Shellfish Committee might want to think about. We don't want to lose the Shellfish Warden for obvious reasons why we have an ordinance to begin with. George made a point in saying that if we lose the Shellfish Warden, we lose our ordinance. Ken Willette stated that we have one year before we would lose the ordinance without a Shellfish Warden. Ken Willette mentioned that the only thing the Committee is having a problem with has been paying for the Warden and why don't we cut the hours that there is patrol and cut some mileage. He doesn't feel as if we have full support from our towns and back when George was chairman he would ask for funds from the town and the town would make up the difference, cut and dry.

Crystal mentioned that she doesn't see Clam Harvesters offering to pay money, come up with money or hold fundraising events to help come up with this money to help pay for the local Shellfish Warden that they want. We are asking the towns people to ok their property taxes being raised a little so that we can have the funds available to pay the Shellfish Warden. People would like to see the breakdown of how the funds are being spent on the Shellfish Warden like per mile what the reimbursement is. Raelene is an employee of the towns of Deer Isle, Stonington and Brooklin. Crystal mentioned that there is talk of a possibility of cutting some hours and mileage, but that is neither here nor there and would not completely cover the deficit. George mentioned the Shellfish Warden is governed by the Towns and not by the Shellfish Committee. We really don't have any control but the Towns DO listen to what the Shellfish Committee wants / needs.

There is currently 32 commercial harvesters throughout BOTH towns, but that does not account for the very few that go full time. Robert Ray mentioned that \$500.00 was an incredible amount of money to try to come up with for the month of May or June for a commercial license. Crystal concurred and mentioned the Deer Isle Selectmen do not want to raise the license fees at all, but instead they wanted to lower recreational fees that were JUST raised this past year. Evelyn said that towns people state they do not want their taxes to be raised anymore so therefore they are looking at their budget and stating that we are going to need at least \$20,000 from Stonington and at least \$25,000 from Deer Isle. Now we're talking nearly \$50,000 for around 5 full time diggers. Mike Darragh stated that we need to come up with reasonable solutions like donating clams for events, upping licenses only \$25 to \$50, have some fund raisers or raffles. Bill said that we need to have the people (diggers) show up to volunteer for this stuff. Crystal stated that she would love to do fundraisers as long as she wasn't the only one to do them everytime.

Fighting at meetings needs to stop and people just need to work together. Ken mentioned coming up with a letter to the towns people and land owners stating what their money would be going towards as this is an investment and what their money would be going for. Bill doesn't think it would be right to "beg" somebody for money, but rather he would want to do his part and ask for a hand with it.

Mike mentioned a clam bake, seafood bake to get the public involved. Crystal mentioned that trying to get diggers to show up to any event is like pulling teeth without novocaine, it's painful and they don't want to do it because they are not getting paid. Conservation time is not enough for them and they don't want to give up a clam tide making money. We don't want the same "3 people" showing up to the fund raising events and all the diggers get a free ride. There needs to

be more people hands on helping.

The kids growing up in these towns are not staying anymore and they are not interested in clamming. This island doesn't have much to offer and the kids that grow up and graduate are moving away. The average digger is aging out and eventually they will all just be senior licenses that are free.

George suggested to reduce our budget by 10% from last years budget. Evelyn said that would be good, except the issue still would be taxes being raised and there were many people screaming that they did not want their taxes raised. It's not that they didn't want to support the diggers, its that the Selectmen would like somehow instead of coming up with \$20,000 how about only coming up with \$10,000 because of efforts put in by the diggers and the Shellfish Committee to raise more funds then what the license sales are bringing in.

Evelyn suggested that the amount of Non-Resident Commercial Licenses could go from 10% to 20%. So instead of only selling 2 non-resident licenses per town it would be 4 non-resident licenses per town and that would be an extra \$1,500 per town. The majority concern with that is the flats would be dug up faster with the more out of town diggers that come in.

Concern with kids wanting to grow up and be diggers leaves them at a stand still because everything in each town has gone up in price and apartments are non existent. So if a young adult wants to dig clams, but needs to live in Brooklin, they will not be able to dig in Deer Isle and Stonington even though they were born and raised here.

Robert Ray said that even if someone wanted to grow up to be a digger what's so say there will even be product left available at that time to dig. Over the past 4 years with the price dealers have paid for clams because of the pandemic assistance, our flats have been so overharvested there is not much product left in the flats today.

Some ideas on how to raise funds:

4th of July table to sell steamers

T-shirt sales

Raffle tickets to raffle off donated items

Money collection cans at the stores

Sell clams at Farmer's Market?

Motion to reduce the Shellfish Committee budget by 10%, all in favor - passed

Motion to have table at 4th of July, all in favor - passed

Motion to have collection cans in stores, 7 in favor - 1 negative – passed

Jake offered to sell steamers at his lobster bakes down Fifield Point during the summer and give the proceeds back to the Shellfish Committee minus the cost of steaming supplies.

Evelyn stated that any of this doesn't work and we have a crash we will have to ponder the idea that we may need to do away with the Shellfish Ordinance.

Report from Warden:

Raelene was not available.

Guest Speaker Bailey Bowden, Chair of Penobscot Shellfish Committee and from Protect Maine's Fishing Heritage:

Bailey spoke of the importance of an Aquaculture Ordinance and gave an example ordinance written up by Protect Maine's Fishing Heritage lawyers, that if adopted, as is, it would represent

Deer Isle or Stonington right to the Supreme Court if it were ever to be brought that far. He wanted to make aware the public, diggers, Selectmen and Shellfish Committee of what they've most recently found in Surry from the oysters farm there. They have now found 30 oysters per square foot that have settled on the shores from the oyster farm set there years prior. These are Feral Oysters are not allowed to be harvested by shellfish harvesters. There are ZERO clams on these flats now because they have been "snuffed out" by the oysters and Surry has closed it's flats completely. The DMR will tell you that oysters and aquaculture is not a threat to local existing shellfish. There are ordinances in place in Waldoboro, Penobscot, Gouldsboro, and two other towns.

Crystal added that DMR's response to cultured feral oysters will be to abolish the law that prohibits harvesters from taking them. They are currently working on changing it so that harvesters will be able to harvest them off of the flats because they do see them overtaking the flats in other areas like Surry, but they will not admit to oysters being invasive or killing off clam populations. She also added that if oysters take over and create an oyster reef people can no longer walk the shores because the amount of Vibrio in the water and on the flat from oysters will cause a person to "catch" vibrio fluvialis just from a tiny cut or scrape. Ken mentioned as well that oysters filter feed the same food clams and mussels feed on before they can reach the clams or mussels which "starves" those other shellfish. Bill stated that he's witnessed an oyster farmer hucking dead oysters overboard just outside their farm and within a year the clams in that area, when there was a low drainer, the clams had all died off.

Bailey said that the DMR does not test the aquaculture sites themselves, but once a year they will test the water quality by sampling only unless there is a conflict that comes up.

Do we want these oyster farms to be out deeper away from our clams flats?

Travis Fifield, Stonington Selectmen, asked if the towns that have passed this already, have there been any legal challenges so far. Bailey stated that there have not been. DMR sent a letter to all the town stating that what they say goes and they rule over even what the towns want because "they rule the ocean and we all can go pound sand". But that is not they way it is because Maine is a "Home Rule" state since 1969 and Maine municipalities have the authority to pass an ordinance that is more restrictive then state law, it just can't be less. So limiting the size of sites, there is nothing wrong with that. Emaly said that Deer Isle Stonington should seriously take this into consideration because we have so much of the "prime real estate" considered as warm much flats near all these oyster farms. People feel like DMR doesn't care about the flats and clams, but instead more about the eel grass, birds, navigation and mass amounts of lobster fishing. Aquaculture lease sites last for 20 years. This example ordinance goes to 5 acres per site. Each person that puts an application into the state for an aquaculture site it costs them \$1,500 to the state. Some towns also require another \$1,500 for an aquaculture application through their town to help pay for lawyers and independent analysis of the sites as well because they do not want to take the aquaculturist word for it.

John Robbins asked what about mussels, would oysters have the same effect on them? Yes, mussels have been effected and its' been documented, but oysters have not been researched at all yet in the state of Maine, but they have in Virginia where they've become a problem.

Mussels are no where to be found nowadays. John said there has been oyster farms up in Holt Pond, Mariner's Park, Crystal added Pickering Cove had mussel beds too, but Abby was just approved for a new oyster farm there as well and Allison Melvin and Jesse Klein over by

Campbell Island in Deer Isle. Each of these oyster farms start out as less than 5 acres, BUT they have the ability to expand and not have to pass it by the town to do so. No one thinks that any aquaculturist is a bad person, it is agreed upon that oyster farmers specifically COULD go deeper than up in the coves near harvester flats. Yes it would take longer for the oyster to grow, BUT everyone would be happier in the long run.

Bailey stated that the DMR does not do enforcement on aquaculture. For example, all of them own and use skiffs and they get them registered every year, but for a lot of them, they don't even bother putting registration stickers on their boats, because there's is no one to actually coming along and checking them and DMR thinks they are exempt. In truth DMR doesn't have the staff to go around and check them and they are taken in good faith.

John and Travis didn't know anything about any of this. I had mentioned that last summer I had tried making an appointment with Kathleen and even emailed her the model ordinance along with the ordinances adopted by other towns. I had met with Jim Fisher and had spoken at a Deer Isle Selectmen's Meeting as well. I was told by Kathleen through email that Stonington already had a planning board that surveyed the coastal areas and surrounding islands that showed what areas were approved for aquaculture sites and what areas would be off limits to aquaculture sites. In order for a person, organization or business to be approved for an aquaculture site in Stonington they would have to go through the Harbor Master, the Harbor Committee and then the Selectmen, so she saw no need for an ordinance for Stonington and she never got back to me. In Deer Isle it was dropped off and kind of forgotten about. Bailey and Crystal are trying to make more people aware of what is going on and what can be done about it for protection of the people and the industry.

Robert stated that we should be looking to put back what was naturally here to begin with instead of bringing in foreign species that have never been here to begin with.

Bailey stated that one thing an aquaculture ordinance can do is require oyster farmers to use steril oysters or triploid oysters in their farms that are "cloned". They are sterilized genetic duplicates and they are rarely able to spat, like 1%. John Robbins asked to get more information on this for Stonington.

Last Call: Conservation Event Scheduled for April 18th from 7-11 am Surveying Fish Creek and Greenlaws to finish up with our Seeding Initiative Project.

Next Meeting: January 8th, 2025

Meeting Adjourned: 7:47 pm

Tom Powell
Crystal Gove
Phyllis Brown
Ann M...

Elizabeth
Billy Mc
Kurt Gomer

Brad Miller