

City of Biddeford
Shellfish Conservation Committee
September 20, 2023 6:30 PM Biddeford Pool Fire Department
2nd Floor Conference Room

Status:

- 1. Roll Call**
- 2. Adjustments to Agenda**
- 3. Approval of Minutes**
 - 3.1. Approval Minutes 8-16-23
[Joint Harbor Shellfish Meeting Minutes 8-16-2023](#)

Harbor Master Summary

- 4. Old Business**
 - 4.1. Marshall Alexander Memorial Plaque update

 - 4.2. Harbor Ordinance Sec 74-35 Wharfs, Piers, Landings update

- 5. New Business**
 - 5.1. Mooring Applications and Records

 - 5.2. Harbor and Shellfish Budgets and Expenses

 - 5.3. Emergency Response Points

- 6. Other Business**
- 7. Adjourn**

Joint Harbor and Shellfish Meeting – Minutes

Date: Wednesday, August 16, 2023

Location: Biddeford Pool Firehouse

Time: 6:30 PM

Attendees: Peter Bouthillier, Andy Brady, Randy Desmarais, Bill Emhiser, Joe Emmons, John Henneidy, Paul Lariviere, Jim Lupien, Bill Mackeil, Tom Milligan, Roland Pelletier, John Schafer, Rob Simmons

Minutes: The minutes of the previous Commission meeting, July 19, 2023, were unanimously approved.

DISCUSSION:

1. Ari Leach, DMR District Contact

Ari was unable to attend our meeting.

2. Reclassification of Biddeford's clam flats

Paul Lariviere reported the successful results of a three-year effort to get Biddeford's clam flats open year-round, removing the September/October conservation closure. Our Shellfish Warden, Rob Simmons, is getting qualified by the State of Maine to conduct water testing, at no cost to the City, and with the full support of Chief JoAnne Fisk. Great work and we certainly appreciate our Chief's support.

3. Harbor Master Summary

The purpose of this discussion is to provide members with a summary of events that required the attention of our Harbor Masters during the period between scheduled Commission meetings.

- A survey of all Biddeford Pool "mud" moorings has been initiated.
- Initial discussion with the developer of the Notre Dame property who was questioning the possibility of a marina on the Saco River.
- Two fin sightings by the Fortunes Rocks lifeguard were reported and investigated.
- No wake enforcement has begun in Biddeford Pool. There has been no written summons, just a reminder that the no wake requirement will be enforced.
- Two kayakers on Ram Island flagged down the Harbor Master who brought them safely ashore.
- The Harbor Master discovered a lost kid in a small boat off Stage Island and escorted him back to the Pool.
- Our Harbor Master tactfully interacted with a (drunk) fisherman who was casting over the heads of kids swimming. The fisherman claimed the right to fish at this beach location regardless of swimmers, but our Harbor Master tactfully got him to move. Nice work Randy.
- Missing persons, not really. Two empty lifejackets were found at the breakwater. Fortunately, there was a vessel name and phone number on the

jackets. Our Harbor Master called the boat owner and confirmed (1) no one was in peril and (2) the jackets had blown out of the vessel.

- Mooring inspections continue. Our Harbor Master has met with Todd Stuart, Graham Ganz, Rummery's Boat Yard, Marston's Marina, and the Saco Yacht Club.
- Mooring applications are under review, calling mooring owners if application information is incomplete or moorings have been abandoned.
- Eleven moorings have been put ashore due to abandonment or owners neglecting to pay the mooring fee.
- Numerous e-mails responded to by our Harbor Master regarding the damaged vessel owned by Patric Coomer. There is a potential insurance claim, possible lawsuit, against the City of Biddeford by the insurance carrier and our Harbor Master is working with Justin Banks to defuse the claim.

4. Marshal Alexander Recognition Plaque

Fund raising for the plaque is strong with \$8,971 raised against the \$9,658 cost. Richardson Monument reports that the bronze plaque has been received and the granite block is expected before month end.

Bill Emhiser has reached out to Alan Casavant explaining that we are exceeding the private sign ordinance limit of \$5,000 and need City Council's approval to accept this memorial. Bill is confident that this approval will be granted.

5. Ordinance Update

Chapter 74, Sec. 74-35 of our Ordinances addressing wharfs, piers and landings has been amended by the Harbor Commission. A review of this Ordinance change was presented and approved by the Policy Committee on July 24, 2023. Two readings of this Ordinance change at City Council are now required to attain final approval.

6. Emergency Response Points

Great work continues for the development of ERP's in response to the May 13 kayak incident. A lot of ground was covered at the 07-13-23 Workshop and efforts continue to get this ERP system developed and implemented.

Action:

- Another **Workshop** is scheduled to complete the ERP proposal.

Date: Monday, September 18, 2023

Location: Biddeford Pool Firehouse

Time: 6:30 PM

7. New Business and Questions

Mooring Applications and Records

Discussion and some committee speaking about the mooring application process and the current state of our mooring records.

Action:

- Bill Emhiser and John Schafer will (1) investigate current mooring records and (2) meet with the City Manager to discuss a possible automated system. (There has been some previous talk by the City to get an automated system.) Findings will be reported at the next Commission meeting.

Harbor and Shellfish Budgets

Bill Emhiser presented an overall review of the current Harbor budget. Some clarification of the Shellfish budget is necessary.

Action:

- Bill Emhiser and John Schafer will meet with the city Manager to discuss (1) how these budgets are established, (2) how these budgets are managed and (3) can there be greater visibility of expenses charged against these budgets. Findings will be reported at the next Commission meeting.

NEXT MEETING:

Date: Wednesday, September 20, 2023
Location: Biddeford Pool Firehouse
Time: 6:30 PM