



# Maine Clammers Association

## Questions to DMR about Agency Rulemaking Proposal Chapter 10.05 taking quahogs in the sub-tidal waters of New Meadows Lakes

9/26/17 Brunswick Town Hall

### How do DMR's new harvesting restrictions proposed for the New Meadows Lakes Estuary sustain or enhance the production of shellfish?

The following questions have been asked of Maine DMRs Shellfish Management division and have yet to be answered:

1. DMR says that “recent surveys of the New Meadows Lakes conducted by DMR indicates a decline in the quahog population” but does not give further information about the survey(s) that have been conducted. What sampling method has or continues to be utilized to accomplish this in a manner that provides confidence in data? Cores? Rakes? Vacuums? Sample size? How many samples?

**I think before fishermen or policy makers can take the resource assessment data into account we need to understand how it was collected. Would you agree?**

2. What data is DMR utilizing to determine that closed periods will protect the resource from depletion in the New Meadows? DMR's language in the proposal is, “This rule would establish closed periods for the taking of quahogs in the New Meadows Lakes to protect the resource from depletion.” **Please share with us the data on how this works or data that supports this statement.**

3. With regard to the proposed “winter closure” or assumption that overwinter mortalities are important, does DMR have any data that green crabs are having a negative effect on quahogs of any size throughout the winter in the New Meadows Lake?

4. Is it possible that the work touted as supporting the closure —Dow and Wallace (1951) was published as an internal agency report and not peer-reviewed and published in the scientific literature? As the supervisor of the Shellfish Management Division at DMR, **would you agree that management proposals be based on relatively recent peer reviewed scientific results rather than on observations made close to 70 years ago**?

5. Your concerns about quahogs “freezing on the culling board” don't make a lot of sense to me. That's because:

1) Frozen quahogs have no value. When temperatures are that cold, harvesters must take action to prevent this from happening and in doing so, undersize animals are quickly put back overboard.

2) With the exception of a very small area near the dam, there are very few days where people can rake hogs in sub freezing temperatures because of ice. Unlike the outer bay, the New Meadows Lake is very susceptible to icing during cold temperatures. In fact, would you disagree that if we are to assume anything, it's that water temperatures in the New Meadows Lake are also very different than what's found in the adjacent outer bay? New Meadows is warmer (better growth rates for quahogs) than the surrounding ocean during the summer and colder (reducing impacts on bivalves from invertebrate predators like green crabs) than the outer bay during the winter. Again, I appreciate the 1983 (34 years old) species profile you sent on quahogs, but have serious questions about using it to manage the New Meadows Lake in 2017.

### **Did you know?**

- Quahogs don't spawn until water temperatures reach 70 ° F.
- Large quahogs produce exponentially more offspring than small ones do. This means that the difference is so large it can't be shown linearly on a graph! It also means that the 1" measure is a market measure and has little effect as a conservation tool.

### **Using Assumptions to Interpret Landings Data:**

Many people will point to landings as a way of assessing the health of a commercially valuable species. They assume that if landings drop, the resource is not doing well and if they rise, stocks must be healthy. However, there are many factors that affect the landings data and it's always safe to say that we shouldn't assume anything when it comes to assessing the health of a natural resource.

Using landings data as an assessment tool assumes that effort stays the same through time. It assumes that the same number of harvesters, working the same number of hours per day for the same number of days per weeks throughout the same months from year to year. We all know that is not the case, and shouldn't be forced to accept that landings data alone is a legitimate assessment tool.

### **The Need for Sound Science in Shellfish Management Decisions**

As harvesters, we want to ensure a healthy, sustainable resource. Given that DMR's proposal restricts fishing and therefore has negative economic impacts to Maine's fishermen and seafood businesses it is especially important that the New Meadows closures are backed by sound science. The Maine Clammers Association respectfully requests answers to the above outlined questions so that we can have an open discussion about the merit of DMR's proposed rules.