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Good afternoon ladies and gentlemen of the marine resources committee. I am here to strongly urge you not to pass L.D. 255. I recently sent out an e mail voicing my concerns to all of the distinguished members of this committee. Because some of you on this committee were not yet elected last year I feel that some of the history and my personal experience should be reviewed. It should be noted that a long standing mistrust still exists due to years of shellfish management personnel trying to impose legislation to gain authority over the marine worm harvesters.

I would like to bring up a few underlying issues in regards to why I am here today. Last year L.D.1452, an act to allow municipalities with a shellfish ordinance to petition the state for a prohibition on marine worm harvesting, was presented by Stanley Gerzofsky. L. D. 1452 was written as one thing, (Anti Worm harvester) presented as another, (Green crab predation without one single word about crabs in it), and passed after a total overhaul of the entire bill (predator protection gear law and short term pilot study). As a lifelong harvester who has held multiple licenses, I personally do not agree with a lot of what has transpired over the last few years. I chair a small shellfish committee program with no funds, other than license fees that are used to employ a municipal warden. We do what we can with what we have, and we have done a lot with a few people with a hands on approach and our willingness to expend our own personal resources. I do not agree that a town like Brunswick, spending \$200,000 in tax payers dollars annually for two full time and two part time shellfish officers is a measure of a successful shellfish program. More likely, it is a well guarded resource with enhancement that comes only from occasional grant funding and the harvesters efforts. Imagine if that \$200,000 was actually spent on the resource itself.

I also do not agree that Brunswick signing an agreement with mussel draggers and watching every intertidal mussel bar in the New Meadows river reduced to a flat white shell bed is a good management practice. But it happened. Every species in the area was effected in a negative way by this decision. I do not agree with the entire Brunswick Marine Resources Committee voting unanimously to uphold a gentlemen s agreement with the worm industry to not harvest a high density seed area only to then shirk their responsibility to the worm industry and harvest clams from a protected area in mid August during peak green crab predation.

I do not agree that a few towns and individuals should have the right to propose state wide laws that affect all who work in the intertidal areas with no regards for other towns or industries who share these resources. I do not agree with constant criticism by shellfish committees of the young people within the worm industry just because they are not present to defend themselves. This is simply a divide and conquer strategy.

Last year I gave testimony against L.D. 1452. It was not my original testimony, because I was told there would be only 3 minutes to speak, so I had to rework what I had written. It became very obvious when the time limit was lifted that it was a manipulation of the process when all of the proponents of the bill had very long testimonies, all of which exceeded 3 minutes by far. Now here we are one short year later to discuss giving even more exclusive rights to a very few shellfish harvesters, at the expense of the rights of many. There can not be equal respect and common ground when exclusive rights are given to some at the expense of others.

Now we come to what I feel is the heart of the matter today: L.D. 255 changing laws to give even more exclusive rights to individuals or municipalities over the resources. Predator protective laws were passed last year. Towns already have the ability and provisions in place to farm as a town without excluding anyone. I guess that is not enough. Will it ever be enough? Will we be here year after year to fight legislation that empowers some at the expense of others?

Here is a suggestion that I am sure will not be very popular: Lets initiate a discussion to end municipal control of the shellfish resource. Start regional programs and fund resource enhancement with a \$25 recreational and \$500 commercial state license fee. Most harvesters already pay in excess of \$500 now and it nearly all goes to enforcement. We could regularly purchase seed from Down East Institute and do regional aquaculture sites with a rotating schedule based on bio mass and peak season harvest. We could schedule reseeding in the off season to replenish stocks. Seed could be distributed to regions based on the amount of harvesters in the region and the harvesters would no longer be pigeon-holed having to dig the same acreage year after year in one or two towns. The aquaculture site would also allow a break in harvest on the other areas during peak season. Required labor in the aquaculture site would have to be mandatory, but why wouldn't people want to get involved? It will be funded by them for them. It could be overseen by DMR and state marine patrol. We could also introduce legislation to give small property tax initiatives to waterfront owners willing to grant access to harvesters.

What I am asking is to initiate inclusive stewardship discussion, as opposed to giving out exclusive rights to a few with the means. It is an idea that would need a lot of refinement to iron out details, but it can work. Or we can go the route of arguing over who gets to play in the inter tidal sandbox. Or in this case, who gets to earn a living and provide for their families on these resources. Please give this discussion proposal some serious thought.

Thank You.

Daniel Harrington