

Antonia Small
PORT CLYDE
LD 508

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April 17, 2023

Dear Distinguished Members of the Environment and Natural Resources Committee,
We are writing today in OPPOSITION to LD 508.

We own a small, relatively new, oyster farm in Port Clyde, Maine. We would like to add our voices to the rejection that the current environmental permitting system is somehow insufficient or broken, or that yet another “working group” needs to look at reforming the way leases for aquaculture are approved - with too little representation from the aquaculture industry. We have found the current leasing system to be thorough, rigorous, yet supportive of folks looking to earn a living on the coast of Maine.

Over the last 30 years we have had 24 studies on aquaculture in the state, most of those have focused on aquaculture development and regulation. Many of these studies have come as a result of political pressure from groups opposed to aquaculture and working waterfronts. Often, they have been driven by controversial lease applications and the fact that opponents do not believe the existing leasing system guarantees a denial of that specific lease in their “backyard.” This proposal is no different and is driven by the American Aquafarms proposal in Frenchman Bay. The existing regulatory system would have ensured that proposal got a fair hearing and would likely have not been approved because the Maine system and criteria are some of the strictest in the world. We do not need to “adjust” the existing system to ensure “bad” proposals don’t make it through the existing system, they won’t. That’s why the Maine regulatory system is viewed as a gold standard and why regulators come from all over the world to learn more about how Maine manages aquaculture.

Currently aquaculture operations on land and in marine waters are held to the same high regulatory standards with respect to discharges into aquatic environments. In addition, aquaculture operations in marine waters are held to higher standards than those on land with respect to conflicts with other users, impacts on navigation, ability to finance a project, and impacts on surrounding wildlife habitat and recreational uses. Imposing land use standards on marine leases may actually decrease the stringency of regulatory oversight and force agencies to use standards not designed for or effective in aquatic ecosystems.

The bill directs the DEP to consider whether on-water aquaculture should be subject to the same or similar regulatory regime as land-based aquaculture. Marine and terrestrial ecosystems are different. Current land use and marine resource management methods acknowledge those differences and use tools that are designed to be effective in fundamentally different types of ecosystems. Trying to impose land management methods on aquatic ecosystems makes no sense and may result in serious unintended ecological and social impacts.

The bill will require that three state agencies commit significant resources and staff time to produce yet another study. Study commissions take tax dollars and divert agency resources away from their regulatory responsibilities. We are concerned that the agencies will not be able to enforce existing regulations while diverting resources to staff a study that is politically motivated but will not result in substantive improvements to existing regulatory systems.

We support the current efforts of the Department of Marine Resources (add resources here!), the Maine Aquaculture Association (and here!), and all of those who have gone before us developing the aquaculture industry here in Maine. The constructive

solutions are inherent in the current process as it stands today. Please take care in creating more barriers to an industry we'll need to feed our people, and protect our planet, in the 21st century.

Sincerely,
Antonia Small + John E. Cotton
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