

Alewife Harvesters of Maine



"Conserving to preserve Maine's heritage"

Testimony in opposition to LD 553

Greetings Senator Tepler, Representative Hepler, and honorable members of the Joint Standing Committee on Marine Resources. On behalf of the Alewife Harvesters of Maine I would like to voice our opposition to LD 553 *An Act to Assert State Sovereignty over Ocean Waters and Marine Resources up to 12 Nautical Miles off the State's Coast*.

The Alewife Harvesters of Maine is a non-profit organization that advocates for the sustainable commercial harvest of river herring through conservation, restoration, education, and public outreach activities, as well as submitting testimony to regulatory bodies.

Section 1-A will place the intertidal zone under State ownership which would qualify as a taking under the 5th Amendment of the US Constitution "...*nor shall private property be taken for public use, without just compensation.*"

Unintended consequences of this legislation include:

- Municipalities will no longer have the right to co-manage shellfish and alewives.
 - soft shell clam industry was Maine's second most valuable fishery in 2024
 - Examples of alewife harvest sites that are below the head of tide include Dresden, Orland, Ellsworth, and Franklin.
- Allow harvesting of rockweed within the current intertidal zone
 - Rockweed was determined to be the personal property of the upland owner in *Ross v Acadian Seaplants Ltd*.
- What is the financial impact for the state to compensate private landowners?
- Federal funding will be withheld if Maine attempts to annex Federal waters.

The Alewife Harvesters of Maine respectfully requests that you vote ought not to pass on LD 553.

Respectfully submitted on behalf of the membership,

Bailey Bowden
Executive Director
Alewife Harvesters of Maine