



Testimony of Manomet Conservation Sciences Neither For Nor Against

LD 1368, An Act to Provide a Property Tax Exemption for Allowing Shellfish Harvester Access to the Intertidal Zone

Senator Grohoski, Representative Cloutier, and distinguished members of the Joint Standing Committee on Taxation, my name is Emily Farr, and I am submitting testimony on behalf of Manomet Conservation Sciences neither for nor against LD 1368.

Manomet Conservation Sciences is a non-profit organization focused on applying science and collaboration to address challenges along the coast. Our fisheries work aims to support resilient coastal ecosystems and communities across the Gulf of Maine. Much of this work focuses on the wild shellfish fishery, including efforts to document and improve harvester access to the intertidal zone.

Shellfish harvesters have faced an increasing loss of access to the intertidal zone on both public and private land in recent years. This trend is driven by changing coastal property ownership, aging infrastructure, and gentrification pressure. In 2023, we worked with six towns in Casco Bay to inventory sites shellfish harvesters use to access the mudflats. We found that **two thirds of the sites used to access the intertidal zone are across private property**, and nearly all of those are through informal, or “handshake”, agreements with private landowners.¹ This puts access in a precarious position, as it can be revoked at any time for any reason.

Tax incentives are one strategy to encourage private property owners to continue to allow shellfish harvesters access to the intertidal. As the second most valuable fishery in the state, preserving and improving access is vital.

There are a few important nuances to keep in mind when considering this bill. First, it is important that municipalities have the discretion to determine whether or not a property would provide useful, usable access to the intertidal before issuing the property tax exemption. For example, if a property is along the coast but is not adjacent to mudflat habitat where shellfish can be harvested, or if the property is adjacent to an existing public access point, the town may choose not to grant this exemption. This discretion is important to ensure that this tool is used appropriately, and it may be valuable to add language to the bill that makes it clear who would and would not be eligible.

¹ <https://www.manomet.org/wp-content/uploads/2023/12/MappingAccessstoIntertidal-122023.pdf>

Secondly, while it may seem counterintuitive, a provision that allows for confidentiality is also important. Publicizing access points may jeopardize existing relationships between landowners and shellfish harvesters where access is permitted, particularly at sites where access is only granted for shellfish harvesters and not the general public.

We hope that this testimony provides the committee with more context about this issue when considering this bill, and we are available to answer any questions.

Thank you,

Emily Farr

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