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LD 1596

I am Nellie Brylewski, General Manager at Muscongus Bay Aquaculture and Dodge Cove Marine Farm. I support bill LD 1596 - An Act to Support Maine's Sea Farmers. Bill LD 1596 aims to reestablish room for lease holders to innovate while still maintaining public trust and the environment. It would create clearer thresholds for what would trigger a lease amendment, and aims to reduce the administrative burden on the Department of Marine Resources (DMR).

Aquaculture is a relatively new activity on our waterways, and our methods are still in need of innovation and experimentation. In the past, DMR has recognized this and allowed slight changes to a farm's gear or operations. More recently though, DMR has significantly changed what it interprets as a 'significant and substantive' change, with many lease holders being asked to submit amendments for pretty small changes to their gear/operations.

Additionally, in the application process DMR is now asking for far more initial detail on gear and operations than it previously has (this change was not discussed with the sector). When coupled with the point above, this results in lease holders frequently submitting amendments (which will likely increase due to the additional details required on initial application), or they are forced to reapply for a lease, essentially starting from the beginning. With the amendment/application process taking up to 3+ years, and the outcome being ever more uncertain, this is a huge hindrance to aquaculture development, and by far the biggest concern to many within the sector. LD 1596 proposes to divide aquaculture into three types of operations;

- 1.Surface
- 2.Submerged
- 3.Bottom

Amendments would only be required if a lease holder wants to move between these operational types, or if the Commissioner of Marine Resources determines that the change being proposed would increase the navigational or environmental risk.

LD 1596 also seeks to help the department with one of its major concerns, which is having enough staff to conduct site reviews and write site reports in a timely fashion. LD 1596 proposes allowance for the use of contract divers to conduct site reviews and deliver site assessments directly to DMR. This provision would free up department staff to write site reports in a timely fashion, reducing the existing 6-12+ month delay from site review to issued site report.