

Testimony of Ted O'Meara
L.D. 508 public hearing
April 20, 2023

Sen. Brenner, Rep. Gramlich, and members of the committee, I am Ted O'Meara, a founding member of Frenchman Bay United. I am testifying in support of L.D. 508, Bill "Resolve, Directing the Department of Environmental Protection to Review Its Environmental Permitting Laws."

Our coalition has led the fight against Americans Aquafarms' ill-conceived and destructive proposal to put a massive industrial fish in the waters of Frenchman's Bay, just off Acadia National Park. Our coalition is broad and deep, representing lobstermen and women, small-scale aquaculture, tourism-related businesses, year-round residents, seasonal residents, and organizations as diverse as the Bar Harbor Chamber of Commerce and the Natural Resources Council of Maine.

We learned a lot in taking on this fight. While the American Aquafarms project is dead for now, its backers, led by a man convicted of financial fraud, have promised to return. And from what we know about the state of large-scale finfish aquaculture around the world, American Aquafarms won't be the last foreign company seeking to exploit the cold, clean waters of the Maine coast for the bargain-basement price of just \$100 an acre per year.

We also learned that massive projects on or in the water are treated differently and with far less scrutiny than similar projects on land. This legislation seeks to address that issue. With places like Washington state and British Columbia

shutting down finfish farming in pens and countries like Norway imposing massive new taxes on aquaculture, we should be prepared for an onslaught of new projects along the Maine coast, and we should make sure that our environmental laws and regulations and permitting processes protect this unique and precious resource.

In August of 2021, in response to numerous requests for the Board of Environmental Protection to assume jurisdiction of the American Aquafarms applications, the DEP commissioner wrote in a letter denying those requests that the department had “determined that the proposed project boundaries and environmental impact are limited to within the Gouldsboro town lines” and that “the Department has received no compelling evidence to support a finding that the proposed project will have economic impact in more than one municipality...”

To the extent that these statements reflect the current attitudes and thinking within the department, it is indeed time for a broad group of stakeholders to review our environmental permitting laws. As anyone who has ever spent any time on or near our coastal waters knows, water pollution, air pollution, noise pollution, and light pollution, do not respect municipal boundaries drawn generations ago.

Like many bays along Maine’s coast, Frenchman’s Bay is shared by the multiple communities – seven in this case. Tides, currents, winds do not follow municipal lines. The impacts of industrial development in these bays are felt by all communities around the bay, and our environmental laws need to reflect that.

Finally, I urge you to think about the future. 150 years ago, the pulp and paper industry was welcomed to Maine, with promises of good-paying jobs, new tax revenue and a major boost to the Maine economy. While generations of Maine families and communities prospered, the ultimate cost was high: the destruction of our rivers and lakes, massive air pollution, toxic landfills and a host of other environmental issues that have cost us billions of dollars to mitigate and that we still live with today, even as the pulp and paper industry has largely disappeared.

Let us not make the same mistake with our coastal waters. Owner-operated, small-scale aquaculture is an important and growing addition to the Maine economy, but as we see more and more investor-backed, industrial-scale projects like American Aquafarms, backed by foreign interests with no regard for our history or our values, let's make sure they come here on our terms, not theirs. We cannot let them do to our coast what pulp and paper did to our inland waters.

This legislation can be an important step in protecting our coastal waters for future generations, and we are grateful to Sen. Grohoski for introducing it.

Thank you.