

LD 508: Resolve, Directing the DEP to Review its Environmental Permitting Laws

I am here today to testify against LD 508. My current role is Senior Scientist at Atlantic Sea Farms, a mission-driven kelp aquaculture company which partners with ocean farmers to grow kelp and provide an additional income stream for about twenty-seven fishermen and women throughout the State. I have been directly involved in sustainable aquaculture in some form or another for over 15 years.

Maine's existing permitting process is robust, thorough and is effective at keeping out bad actors. Both the Experimental and Standard lease application processes include public notification and an open comment period, a DMR site evaluation and report, and public hearings. Each application thoroughly describes the species involved, the husbandry involved, gear type, how the gear will be deployed, where it will be stored and when it will be removed from the site. Throughout this process, leases can be modified, withdrawn or denied in response to concerns from stakeholders and the DMR. It currently takes roughly 18 months for a three-year experimental lease to go from submission of the application to final decision, and standard leases can take over three years. This thorough process already does a great job protecting Maine's coastal ecosystems, protecting stakeholders, and ensuring the continued vibrancy of Maine's working waterfronts. LD 508 places an additional burden on applicants and state agencies for no tangible benefit to the State or its people and cites problems in our regulatory system where there currently are none. This burden would stifle the otherwise reasonable, responsible growth of a sector that is helping to grow job opportunities for Mainers – including those who are seeing significant changes to their fisheries because of a changing climate.

Land-based aquaculture is fundamentally different from ocean-based aquaculture in every way. It does not make any sense to apply the standards of land-based aquaculture to ocean-based lease sites as LD 508 proposes. Ocean-based aquaculture are inherently open systems influenced by weather, wind and tides. Land based aquaculture are semi-closed systems, sometimes with a single water input and effluent pipe. Unlike land-based sites which often sit on privately owned land, ocean leases sit on a publicly shared resource and are temporary. Broadly speaking, the biggest operating costs of land-based farms are energy, the cost of the land and infrastructure, and labor. In contrast, ocean-based farmers are primarily concerned with storms, their boat, their crew and their gear. These are all marine-based concerns, and the Department of Marine Resources is the proper agency to oversee permitting of ocean-based farms in Maine coastal waters.

Finally, the men and women of Maine's working waterfront need additional support from policy makers, not spurious permitting regulations that create barriers to our coastal communities looking for sustainable diversification opportunities in the face of a changing climate. Maine has over 5,000 experienced commercial fishermen operating out of dozens of harbors throughout the state. In 2022, lobster made up almost 70% of the entire value of Maine's commercial landings and our overdependence on this one species makes our coastal communities vulnerable. Throughout the world, Maine is known for its maritime heritage. Aquaculture is an opportunity to diversify Maine's working waterfronts and allow opportunities for Mainers to continue building a future in meaningful, year-round careers on the water. Ultimately this is about jobs, and LD 508 will prevent and delay our skilled maritime workforce from obtaining the leases they need to continue to make a living on the water with absolutely no benefit to our oceans. This effort by riparian landowners – many of whom are only here seasonally – will stifle one of the key, environmentally sustainable opportunities for our working waterfront communities in the state.

For those reasons I urge you to reject LD 508

Thank you
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Atlantic Sea Farms