

Keith Kennedy
Freeport

Testimony of Keith Kennedy on LD 1146
April 13, 2021

Senator Miramant, Representative McCreight, and distinguished members of the Marine Resources Committee:

I am submitting testimony today in support of LD 1146. My name is Keith Kennedy and I am a resident of Freeport. I am also a Director of Protect Maine's Fishing Heritage Foundation. I believe that it is critical that the State take the steps outlined in LD 1146 to reevaluate the aquaculture industry in Maine and to establish a new permitting framework for aquaculture leases. The current aquaculture lease evaluation and approval process in Maine is unacceptable. It may have worked in the past when there were few leases under evaluation but with the increased interest in aquaculture over the past 5 to 10 years, this inadequate and outdated process clearly is not serving the State well at present. The fact that the lease approval rate is over 95% if all applications demonstrate to me that the current process is broken. My recent personal experience includes an aquaculture lease proposed near where I live. The hearing was attended by lobstermen, striped bass fishermen, and others who enjoy the water in that area.

While in that case the lease was ultimately denied by the Department of Marine Resources (DMR), the process wasted an incredible amount of time and resources over a multi-year period for the commercial and recreational fishing and tourism industries and the hundreds of shorefront residents adversely affected by the project as well as the DMR in evaluating it. The DMR is not adequately staffed to handle the immense number of aquaculture leases being applied for. I am a recently retired environmental consultant who consulted to both private industry and state and local government agencies on a wide variety of commercial and industrial projects over a 40 year period. In that period of time, I cannot recall another instance in which a state agency was both tasked with promoting an industry while also evaluating the applications for that industry, an obvious inherent conflict of interest. It is no wonder that the approval rate of lease applications is so outrageously high in Maine.

The basic limitations suggested in LD 1146 are simply common sense recommendations to the most adverse portions of the current lease evaluation and approval process. The bill also requires a process led by the DMR to convene stakeholder meetings to develop a strategic aquaculture plan with input from leaders in the aquaculture, lobster, fishing, tourism, and recreation industries including experts from the environmental community. This common-sense approach has been successfully taken for decades for other types of land-based and marine-based projects and for aquaculture industries in other states. Such a plan will be vital to turn around a broken process such that the marine environment will be protected while advancing the interests of the residents and critical tourism visitors of the State all the while supporting the long-term health of the State's important aquaculture industry.