



April 13th, 2021

To Chairs McCreight, Miramont, and the members of the Joint Standing Committee on Marine Resources:

My name is Matt Nixon. I'm a small business owner in Topsham. Prior to my private sector employment, I worked for the State of Maine for over a decade with the Maine Coastal Program (MCP) serving until the day I resigned in July of 2019 as Deputy Director. The Coastal Program, as some on this committee may know, went on a tour-de-agency during the LePage years after the State Planning Office's dissolution. DMR is MCP's latest stop (though hopefully not it's last). I had the opportunity to literally sit next to and get to know staff in DMR's aquaculture program in my office in the Marquardt Building. I also dabble in aquaculture (but I don't use the ocean for it). As such, I'm approaching this bill, LD 1146, with a couple of different perspectives.

After having read this draft several times over, I can't say as I disagree with a lot of what it says on the surface. However, there is not a lot to this bill aside from a surface. Lines 9 – 17 could practically be a major piece of legislation in and of themselves. Who's going to do the "examining" of other state's work (of which Maine is a leader and a nationally known brand, by the way) or of the resources available to DMR? If the bill seeks to hire a consulting firm to do this analysis, that would be at least a \$200K contract. Alternatively, I can assure you that DMR will tell you DMR does not have the capacity to conduct a study to study its own capacity nor would it be a great use of DMR's resources, in my opinion.

Lines 27-36 discuss the creation of a new outreach and spatial planning process. This is another huge undertaking and one that is duplicative of a very similar Task Force that was stood up in 2007 for this very same reason.

The part that is beyond riveting to me, however, are lines 18-21. The bill suggests that upon expiration of a lease, the rights of use transfer back to the State. As many of you are small business owners yourselves, I don't have to remind the Committee that uncertainty is the mother of revenue loss. Would this also mean that "lobster territories" would be "up for grabs" at the end of the fishing season as well? What happens if, as the lobsters move up our coast due to warming waters, away from Zones G and F, this same "reversion" occurs to the lobster industry and we begin redrawing lobster zones every year based on the advice of members of the aquaculture, fishing, tourism and recreation sectors? I'm not sure that would fly with industry.

I of course try not to criticize something (constructively I hope) without offering solutions. The issues this bill raises are real. There are serious use conflicts going on in Maine's waters right now. Like anything, too much of something can develop into a real issue. Maine had been on a trajectory as a State at one point to begin a thoughtful and data-rich decision-making and conflict-minimization process for our coastal zone, but that time has come and gone. We now find ourselves lurching from one crisis to the next whether it's green crabs, the price (or more contemporaneously, the scarcity) of bait, acidification, shell disease, whales, the loss of almost



all species diversity in our annual landings (really missing shrimp, personally), the loss of our entire mobile fleet to Massachusetts, “fighting” the army corps over needed dredging projects, and of course hand-wringing over offshore wind. I encourage the Committee to look at the Bay Management Study. It was a report to the legislature made by the former State Planning Office and DMR. It had some pretty amazing suggestions in it that are still very relevant today. I hadn’t been hired yet during the actual study – but I was brought on to help with implementation. In particular, my job was to support the work and decisions of an inclusive advisory group that governed most of the coastal affairs of a small embayment, downeast. Quite literally, “bay management”. It was an amazing experience with a lot of promise, which ended far too soon.

Maine certainly needs a plan that will “...be designed to support robust regulatory oversight, protect the marine environment, [and] reduce conflicts between public trust users of the marine and coastal waters...”, though the same standard, weight, and consideration should be applied to each industry that derives its livelihood from the ocean.

Thank you in advance for your time and consideration of this testimony.

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