

11 April, 2021

Testimony in Opposition to LD 1146

My name is Graham Platner. I am a resident of Sullivan, and the owner/operator of Frenchman Bay Oyster Company. Our farm has been functioning since 2011, and in 2019 we began the application process for a 5.85 acre aquaculture lease in order to expand our farm to become commercially viable. In spring of 2021, we are still waiting for a public hearing to get a final lease decision, a situation which has severely impacted our ability to grow the farm to even a minimum of commercial success. The leasing process as we have experienced is thorough and well run, albeit slow due to the lack of resources and personnel allocated to the Aquaculture Leasing office. LD 1146 will further slow this process by sidelining personnel with one more study, which the authors of this bill know full well. I can tell you that we are already on the ragged edge of surviving this wait, and this upcoming season is going to be challenging and labor intensive because of it. Drawing this process out any longer would make it borderline impossible for small farmers to survive.

5.85 acres is a relatively small lease footprint, but LD 1146 would rescind the NRPA exemption (which has been in place for decades with no negative result) for a lease our size. This would allow opponents to require visual impact and alternative site studies, onerous requirements that we would be unable to meet. It would also further complicate and slow the lease application process, which is already long and thorough.

If we are finally approved for our lease, the value of our company will be closely entwined with the lease itself. Our ability to grow shellfish is only possible with the existence of the lease. The inability to transfer it in the future will effectively render the company worthless, as none of our equipment/boats/shellfish stock will be able to be utilized by a new owner in a timely fashion (as noted above, we are now into the second year of waiting on our lease). There already exists a process of transferring a lease in which the DMR looks at the proposal and renders a decision. Additionally on this point, my ability to use the value of my farm for future loans will be thwarted, as the value of the farm won't extend beyond the boats and equipment I have. Imagine a farmer on land trying to sell their farm, but the land itself won't be able to be used until several years in the future. It is an absurd thought, and so is this.

LD 1146 will put onerous regulations on small farmers to the point that it won't be worth entering the aquaculture field. This cannot happen, as aquaculture needs to be part of the future of the Maine economy if we want to continue our tradition of Mainers making a living on the sea. Changes to commercial fisheries are already apparent, and warming water temperatures will only continue to bring challenges. Maine should be encouraging a diverse and expanding aquaculture market, incentivizing farms of many sizes. LD 1146 does exactly the opposite, and is a terrible direction for the legislature to take for the coastal communities.