

Joseph Porada
Hancock

From: Joe Porada, Shellfish Harvester, Chair Frenchman Bay Regional Shellfish Committee and Planning Aquaculturist

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Re: LD 1146, An Act To Protect Maine's Ocean Waters and Support Regulatory Oversight and the Long-term Health of the Aquaculture Industry

Dear Marine Resources Committee Members,

I'm writing here in deep concern as a harvester and planned small scale oyster grower. I'm also Chair of the Frenchman Bay Regional Shellfish Committee (FBRSC). I'm not writing in that capacity here. FBRSC will be discussing this at our next meeting. Anyway, as I look more into the legislation being put forth, I find myself more and more concerned for those of us that work and live Maine's Working Waterfront. Who are it's major funders? I don't see that anywhere. Many of us want to do small scale commercial aquaculture. Some of this small scale work can involve more than 5 – 15 acres especially bottom culture mussels, for example, which afford small profit for the effort per marketable product pound. This fact necessitates more acreage to support a business a family or families' income along with needed employees. Larger tracts are also needed in other shellfish aquaculture ventures for similar reasons and successive seeding toward annual harvests. Larger acreage can employ many and contribute substantially to Maine's economic well being. I understand finfish aquaculture has it's own issues and requires different sets of criteria.

This legislative LD1146 effort will likely gigantically increase money and time spent and waited for approval of a lease. It certainly has great potential to do so. There are already significant controls, rule and regulation in place. We working waterfolk aren't a bunch of lawyers or financially well endowed. Time and tide are essential to our lives and way of living.

Truly, in regards to shellfish, there are generally large tracts of Maine subtidal and intertidal areas between traditional harvest areas, herring fishery potential and lobster gear that are appropriate and best for growing shellfish. I can name several hundreds of acres just off hand that exist in our Frenchman Bay region. area. NO GEAR conflicts. NO undo or unreasonable interference. I wonder here, as was the case in a lease application I submitted for Morgan Bay and latley apparent in the Mere Point Oyster application, hearing and decision, if this is serving monied groups and individuals that simply don't want people working in their view shed. I know this exists and is pervasive. One monied person from away passed and actually left money in his will to fight aquaculture in Morgan Bay. It certainly has NOTHING to do with environmental impact, as Former Aquaculture Director John Lewis and University of Rhode Island aquaculture expert Dr. Joseph Dealteris made clear and testified to during the hearing in which I was involved. I get the issues with fin fish can create other issues. Mostly, this looks glaringly a rabid Trojan Horse that will slit the throat of many a Maine working waterfront opportunity. We don't have years to get something like this going. Would you prefer we go work at Walmart or Home Depot?

I do see the possibility some small number of lobster gear may be displaced by a few feet or yards. Having said this, I see lots of usable and appropriate bottom area that will have no such affect. Current Aquaculture rules and regulation are already in place to avoid such incursion. Personally I see no undo or unreasonable issue with some small number of lobster gear shifting slightly to accommodate the livings and financial well being of other waterfolk, some of whom may have no other place to go but some box store. I KNOW we aquaculture folk have no wish or intent to interfere with other traditional uses. In fact, we search and research areas specifically to avoid

such issue.

Of further and very serious concern is the idea municipal gain say over state waters and lease proposes beyond fair participation in hearing processes. This and the idea, entrenched here, of property tax values and gentrified property owners in reality only concerned solely with their view-scape will close off the naturally and most ecology and safe areas for aquaculture in our state. This opens the door to significant manipulation of the process.

As case(s) in point:

First, I can say I have some respect for people that actually believe approved shellfish leases would create environmental disasters, loss and death of species....whatever. The are mistaken.

At a hearing I was the applicant in, some rich folks there lied and manipulated facts that were easily recognized by DMR and most at the manyhours of hearing. A monied riparian owner and lawyer even went so far as to set 6large moorings near the site and said he was going to use them as a business for traveling large vessel boaters. The moorings were never used, but for a float for cormorant and gull roost and one small skiff owned by one of his relatives. It almost sank but for a friendof mine bailing it out. Later that friend, who afford me access to thebay, had his partner pass away and decided to sell. Another rich neighbor immediately purchased said property for \$650K with the onlystipulation being I have no right of access. Then this person passed and lefta substantial amount of \$ in his will to fight aquaculture in that Morgan Bay

and maybe support this proposed legislation in a longer range plan.... Apparently the funding major funding sources for the group(s) supporting are not disclosed.

This whole effort seems to be a conscious and covert extension of antics like those in Morgan Bay and Maquoit Bay/Mere Point, by those that don't want to see people working in their view shed. Gear profile can be negotiated as it always is, between participants under current procedure. It's certainlyNOT about environment, interference with navigation or gear conflicts. These issues are already adequately addressed in current protocol, rule and law.

Any changes in Aquaculture Laws and Rules would better serve The People and State of Maine through making the process easier, less time consuming and less a legal issue given the accumulated and available scientific and historical data and experience available.

Thank you all for your time and serious consideration of this bill and the effects it could have on the lives of those of us that depend on the tide for our lives and livelihood!

Sincerely,
Joe Porada