

Senator Miramant, Representative McCreight and distinguished members of the Marine Resources Committee, I am submitting testimony today in support of LD 1146, whose lead sponsor is Rep. Alley.

I represent House District 135, the Towns of Bar Harbor, Lamoine and Mount Desert. I live in downtown Bar Harbor, about 100 feet from Frenchman Bay and am very familiar with our numerous water based businesses, from lobstering and fishing, to kayaking and whale watching and everything in between. I am also Chair of the Harbor Committee of Bar Harbor.

There are very many aquaculture businesses in Frenchman Bay. If asked, I couldn't tell you how many. While occasionally the DEP will ask for input in terms of the Harbor Committee's limited role in making recommendations regarding the “unreasonable interference” standard, such consultation is not frequent. So I know little, if anything at all, about the aquaculture businesses in Frenchman Bay, and that is a good thing. Because it means that no one is complaining about them. They are peacefully co-existing with other in-water uses, such as boating, lobstering, fishing, in water tours and so on.

However, that is not to say that the current DMR process for licensing these businesses will continue to be adequate, as the businesses that apply for licenses are now becoming larger and the processes that they plan to employ become less proven and more experimental.

Since LD 1146, as submitted, is just a Concept Draft, I realize you will be tasked

with providing the substance of the bill. Therefore, what I present are just my suggestions about what aspects of aquaculture should be part of the discussion. First, I believe that as we get more and more applications for projects that involve new, and in many cases experimental, techniques and technologies, the Department will need to have the capacity and expertise to evaluate these applications. I believe that the number, and expertise of staff necessary to evaluate future license applications must increase. As just one example of what we are facing in Frenchman Bay, and what most Maine waters will also face in the near future, is an application for two 60.3 acre sites in Frenchman Bay, to cultivate farmed salmon. There will be a daily waste barge traversing the Bay to pick up the waste emitted by the fish. The permanent equipment in the bay would take up more than twenty acres. But the application is for 1000 acres. So, who knows what this project will eventually morph into.

I ask you to consider the current process for the consideration of aquaculture licenses and ask questions such as: Should additional standards be added to the “unreasonable interference” standard? Should we allow for 1000 acre licenses or is that too large, with the potential for allowing too much expansion in our bays?

And, at this point in time, it is most necessary to answer the following: Does DMR have the resources to evaluate and regulate the projects that are on the horizon? Should we increase resources devoted to this growing industry? The projects are becoming significantly larger, with corporate ownership, often based in other countries. I am not suggesting that DMR personnel have not been doing a good job, because they

have. Rather, I am suggesting that we, the legislative branch, seriously assess what is on the very near horizon in the aquaculture industry and make a clear eyed assessment of whether the current DMR aquaculture licensing process is adequate and appropriate for the nature of the rapidly changing aquaculture industry.

Thank you for your attention and I am happy to take any questions.

Rep. Lynne Williams, House District 135