

Theodore Willis  
Portland

My Name is Theodore Willis. I live in Maine and possess two aquaculture leases in outer Penobscot Bay, off Isle au Haut. I oppose LD1146 as it is written.

“The bill seeks to examine the permitting framework for aquaculture leases in this State and best practices regarding aquaculture leases in other states in order to improve the regulatory system in this State.”

The current system of reviewing aquaculture leases is working in Maine. Other states have unnecessarily onerous processes that have stifled the aquaculture industry. This type of review, which isn't necessary, could shut down all lease review activity in Maine, which is already backed up by months, in some cases years.

“The examination will include a review of statutory caps on the amounts charged for aquaculture lease rents and aquaculture lease application fees.”

Although DMR's aquaculture program is understaffed, increasing lease costs will make aquaculture an industry of haves and have nots, like the lobster fishery. A better system would be to set a threshold that takes advantage of the good fortune of more profitable producers to pay into a pot that maintains the aquaculture program.

“Further, for leases greater than 5 acres in size, the bill removes the current exemption from compliance with Title 38, chapter 3, including the Natural Resources Protection Act and the site location of development laws.”

This threshold for NRPA review is far too low. A 5 acre plot is 500 ft on a side. Mandating NRPA review would push aquaculture leases into the domain of DEP. This will confuse the permitting process, similar to how land-based aquaculture permits were fouled by putting too many agencies in charge of that process.

“Finally, the bill requires the Department of Marine Resources to convene stakeholder meetings to develop a strategic aquaculture plan with input from leaders in the aquaculture, lobster, fishing, tourism and recreation industries, as well as experts from the environmental and water quality regulatory community.”

This wording is incredibly vague. In one breath the bill says DMR Aquaculture is understaffed and underfunded, and in the next it mandates that DMR take on a multi-year stakeholder listening process to write a “plan” for a non-emergency situation. This will take staff away from permitting and inspection duties, where their efforts should be concentrated. There is no binding that comes out of a plan. A considerable body of research already exists on the aquaculture permitting process that should be used to guide DMR's lease process.

Aquaculture is job creating sector in Maine. Despite breathing new life into coastal communities, newcomers to Maine and the fishing industry have gone to great lengths to stop development in this sector. Maine should be cognizant of abuses, but not take steps to stop aquaculture's growth in its tracks.

Sincerely,  
Theodore Willis, PhD  
Kaskolos Sea Vegetables, LLC