

Testimony in Opposition of LD 1146. “An Act to Protect Maine’s Ocean Waters and Support Regulatory Oversight and the Long-Term Health of the Aquaculture Industry.” Sponsored by Representative Alley. April 13th, 2021

Senator Miramant, Representative McCreight, Honorable Members of the Joint Standing Committee on Marine Resources, thank you for providing me an opportunity to stand before you this morning, asking you to vote LD 1146 “ought not to pass”.

My name is Fiona de Koning, I live in Bar Harbor and my family and I own Acadia Aqua Farms, LLC.

We are a family owned and operated generational mussel farm with 15 year-round employees and are 4 years into a pioneering sea scallop farming project.

The existing leasing system is NOT broken. It is the result of many years of public and legislative debate, which has resulted in repeated improvements and refinements. The Maine system has been used by other states such as North Carolina and Florida, as it is seen as such a good standard. DMR *does* need more staff and more resources and as the current chair of the DMR Aquaculture advisory council and a board member of the MAA, I joined my colleagues in successfully advocating for those. Have the supporters of LD 1146 ever spent time and effort advocating for more resources for the DMR?

One of the strengths of Maine's Aquaculture sector is its diversity. In size of company, in species grown, in growing technique, in levels of innovation, in age of operators and more. Part of the diversity is that not all species are equally valuable in the market. This means that one farmer may need to grow more of one species to make the *same* reasonable living as another growing a more expensive species. Obviously, that would require different sized farm sites. For the State, diversity is a good thing, as it lends itself to more coastal economic stability and resilience overall.

The bill moves to reduce the maximum size of an individual lease. This would severely impact those of us who use bottom culture techniques, but also those who farm in deep water, thus decreasing the resilience to withstand the challenges of climate and market for a substantial number of the farms and potential farms.

One of the most concerning aspects of this bill is the move to get an esthetic viewscape criteria into the Aquaculture leasing process. This is a huge issue! The exemption that Aquaculture currently has from the Natural Resources Protection Act was granted for excellent and ecologically justifiable reasons. I will leave it to others or for the work session to go into all the detail, out of respect for your time here, but just to say the very title of the act could so easily be used to scare folks into thinking that Aquaculture must be damaging something! But of course, it is not! The current regulations have visual impact and noise impact criteria built in already. This suggested NRPA exemption would require all lease applicants to have all the current lease permits and application process *plus* a NRPA review and possibly a site development plan. This change would add 3 to 4 years to an already long process. One thing is certain; small and medium sized applicants *would not be able to afford it*. This change would effectively shut down aquaculture in Maine for all except large companies who could afford the long wait time, and the legal and environmental consultants.

At some point soon, we may all be happy that in Maine, we have a strong and collaborative base of aquaculture knowledge for others to step across and join. And we would welcome them.

Thank you for your listening and for your consideration and I would be happy to answer any questions.

I serve as the current chair of the DMR Aquaculture Advisory Council,

I am a board member of the Maine Aquaculture Association.

I was one of the founding members of the Frenchman Bay Partners and served on the executive committee for many years. I am a member currently.

I serve as vice chair on the Town of Bar Harbor marine resources committee.

I serve on a stakeholder group exploring developing a FMP for mussel fishery with GMRI

I served for many years on the DMR Shellfish Advisory Council, including 2 terms as chair.

I was a member of the Global Aquaculture Alliance mussel Best Aquaculture Standards development committee.

As a farm we are a student field day destination for: the local high school and elementary school as well as the Eastern Maine Skippers Program. We have a great connection with Frenchman Bay regional shellfish conservation group, students from the College of the Atlantic and various university of Maine groups and projects.

(I was going to leave all this out, but I really want to stress here, that we know, as do most Maine growers, how important it is to connect with communities and try to understand both the smaller and bigger pictures. It is a privilege to work in the public trust domain and we take that responsibility seriously.)