

LD 1211 Resolve, To Create the Study Group to Research Balancing Development and Conservation in Maine's Coastal Waters and Submerged Lands (Emergency)

To: Members, Joint Standing Committee on Marine Resources

From: Lynne Caswell, Esq., Legislative Analyst

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electronic
filed

<http://legislature.maine.gov/ctl/MAR/05-04-2021?panel=0&time=0&sortdir=0&sortby=2>

SUMMARY

This emergency resolve creates a legislative study group with the following members:

- 2 Senators and 3 representatives who represent coastal legislative districts;
- 3 representatives of marine harvesters (lobster, shellfish, finfish, rockweed and seaweed);
- 5 representatives of municipalities locate on Casco, Penobscot, Blue Hill, Frenchman and Cobscook bays;
- 1 representatives of DMR's costal program;
- 2 representatives of marine industries (shipbuilders, tour boat operators and marinas);
- 5 representatives of coastal waters conservation organizations;
- 2 representatives of coastal research organizations; and
- 1 representatives of Acadia National Park

The duties of the study group include:

1. Review existing shoreland zone and coastal waters laws in other states focusing on the roles and responsibilities of state units and centralized verses decentralized authority;
2. Review current Maine law governing coastal and lake watershed districts, river corridor commissions, mandatory shoreland zoning and the Maine Coastal Program of DMR;
3. Research and review case histories of failures of the current coastal waters and submerged land management system;
4. Review various models for local representation, participation and empowerment in regional planning and watchdog authority in coordination with already established state entities;
5. Suggest/recommend solutions to current coastal waters and submerged land management deficiencies;
6. Consider amending current laws verses enacting new laws; and
7. Consider mandating the creation of regional units in individual bay areas composed of municipally elected representatives and expert advisor consultants

The study group is to report back by December 1, 2021.

TESTIMONY¹

Sponsor: Representative Williams, read by Senator Miramant; comments by Representative Faulkingham

Proponents: Ann Michelson Hirschorn; Carol Chappell; Protect Maine's Fishing Heritage by Crystal Canney; Trey Angera, Maine Seaweed Exchange/Gouldsboro; Holly Faubel; Jerilyn Bowers; Kathleen Rybarz

- Home rule authority
 - Equitable resolution between ecology and development
 - Amend to include aquaculture representative
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Opponents: DMR; Acadia Aqua Farms by Fiona de Koning; Alex de Koning; Cooke Aquaculture USA by Greg Lambert; William Floyd; Jim Balano, Wheelers Bay Oyster Company; Cameron Barner, Love Point Oysters; Maine Family Seafarm Cooperative by Jes Heil; Bar Harbor Oyster Company by Joanna Fogg; Kenneth Sparta; Lori Howell; Matthew Moretti; Eros Oyster by Michael Garnney; Phoebe Walsh; Shey Conover; Sebastian Belle; Maine Ocean Farms LLC by Willy Leathers; Steve Zimmerman; Maine Ocean Farms by Eric Oransky; Nick Battista, Island Institute;

- Add aquaculture representation to group
 - Identify failures 1st – then set up commission to focus
 - Industry has been studied
 - Maine is model for aquaculture
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NFNA: Maine Center for Coastal Fisheries by Paul Anderson

- Engaged citizenry is the best approach
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Written only: Ann Hoffner; Ann Michelson Hirschorn, Friends of Frenchman Bay; Antonia Small; Aphrodite Oysters LLC by Krista Tripp; Atlantic Sea Farms by Briana Warner; Ben Hamilton; Cam Niven; Carol Chappell; Chris Burtis; Chris Davis; Daniel Deveraux, Mere Point Oyster Company; Dave Morang; Derek Devereaux; Douglas Niven; Downeast Lobstermen's Association by Sheila Dassatt; Emily's Oysters by Emily Selinger; Eric Best; Francis Weld; Friends of Penobscot Bay by Ronald Huber; Graham Platner; Hillevi Jaegerman; Hugh Cowperthwaite; Inland Seafood by William Sullivan; James Paterson; Jennifer Robinson; Jesse Devereaux; Joe Porada; John Marsh; Jordi St John; Kathryn Gaianguet; Keith Butterfield; Libby Davis; Maine Oyster Company by John Herrigel; Mere Point Oyster Co. by Tyler Niven; Nicole Niven; Pamela McCullough; Philip Demers; Rachel Bishop; Renata Moise; Ryan McPherson; Samuel Nygren; Sarah Steinhardt, Friends of Frenchman Bay; Shawn Shannon; Shellfish Solutions by Wyllys Terry; Susan Stalburg; Taunton Bay Oyster by Michael Briggs

MATTERS TO CONSIDER

- It is not clear to whom the report is submitted.
- This is a legislative study so the bill will be placed on the Special Study Table and the Legislative council will decide whether to authorize this study group

FISCAL IMPACT - Preliminary (OFPR)

None provided as of this date.

¹ The section is not intended to reflect all comments and may include unintentionally errors.