

James Balano  
Wheeler's Bay Oyster Company  
PO BOX 139  
Spruce Head, ME 04859

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Senator Miramant, Representative McCreight , distinguished members of the  
Marine Resources Committee

My name is James Balano. My wife Robin McCoy and I are owners of the Wheeler's Bay Oyster Company in St. George. We oppose LD 1211.

Just three weeks ago, this committee voted unanimously against LD1146 with the recommendation that it ought not to pass. The same deep pockets have pivoted to this new proposal with the same intent. They intend to stop aquaculture by making the application process so cumbersome that everyone gives up and goes away. My testimony three weeks ago against LD 1146 applies equally to 1211. 1211 has nothing to do with conservation, preserving a working waterfront, protecting Maine's fishing heritage or helping Maine people. It's about a bonanza in real estate investment in many beautiful parts of the nation – not just Maine. It's about gated communities, McMansions, golf courses and gentrification – the premium people are willing to pay for exclusivity.

What you see here is the usual fear mongering, disinformation and distortion of the facts used by those seeking wealth and power to get ordinary people to act against their own interests. Examples of bunkum trotted out three weeks ago were assertions that leases are up to a thousand acres, that 95% of all DMR lease applications are approved and that leases take up productive lobster bottom. These false assertions were eloquently exposed in testimony.

They say they're not opposed to aquaculture on a small scale. How very sweet of them. LPA's and experimental leases are the toy department. They are a way to find out on a small scale if an idea works. For serious projects - anything other than hobbies or mom-and-pop ventures - most people would want to move on to a standard lease.

The DMR website reads, ***“Standard leases are bigger (up to 100 acres) and longer in duration (up to 20 years). Standard leases are issued for both bottom and suspended culture of shellfish, finfish, and/or marine algae. Standard leases can be renewed, transferred, or expanded.”***

It is the standard lease that opponents seek to stifle. For obvious reasons, anyone serious about creating a real business with year-round jobs and benefits requires more space. The option to transfer a lease is crucial– why would anyone create a business they can’t sell or pass on to their children? Nor would a bank loan you money without this option.

The application process for a standard lease is truly daunting. There is already exhaustive community input. LD1211 would add an insurmountable extra layer. Go to the aquaculture section of DMR’s website and find the diagram for the standard lease application process. There are 15 separate steps involving extensive community input, considerable expense and several years of work. DMR in conjunction with individual townships has already devised the best means to examine the merits of aquaculture projects. No state has a better system than Maine’s.

For these reasons I urge this committee to reject LD1211.