

Philip Demers
Kittery

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The Honorable David Miramant, Senate Chair
The Honorable Jay McCreight, House Chair
Joint Standing Committee on Marine Resources
Cross Building, Room 206
Augusta, ME. 04333

Senator Miramant, Representative McCreight, Honorable Members of the Joint Standing Committee on Marine Resources:

Thank you for providing me the opportunity to speak with you this morning. My name is Philip Demers. I am the owner of Southern Maine Sea Farms and live in Kittery.

I stand before you today to testify in strong opposition to LD 1211, "A Resolve, To Create the Study Group to Research Balancing Development and Conservation in Maine's Coastal Waters and Submerged Lands."

LD 1211 establishes a 25-member commission to review existing shoreland zones, coastal waters and submerged lands laws in Maine. There is NO representation for aquaculture on the Commission. This is extremely worrying to those of us in the industry as is it another attack on our industry to try to create more rules and regulations without representation.

LD 1211 is a back door way to take another try at pushing through legislation that you just defeated (LD 1146). Proponents of LD 1146 are pushing hard for LD 1211 because it will give them a vehicle to submit legislation in the next session. Legislation that they want to add further restrictions on where and how we go about our leasing process. This could potentially cause the leasing permitting process to take years long, and resources we don't have as small businesses.

LD 1211 will force DMR to use staff and resources on yet another study that will freeze the leasing system and allow the anti-aquaculture campaign and wealthy landowners to raise more money and spread more misinformation over the next year. As of right now, DMR is already extremely short staffed and this will further have them focusing on non productive activities.

LD 1211 will focus on the relative role of statewide authorities versus regional authorities that do not currently exist in Maine. The establishment of regional management authorities will be a dramatic departure from current law and will add significant layers to any permitting or leasing procedure. It is already an intense process in order to obtain an aquaculture lease, and this will further hurt how we can take a logical approach to expanding our businesses over time.

Regionalization will decrease DMR's ability to ensure consistent and fair management of ALL state waters and resources, and place a tremendous strain on DMR staff time as they engage with multiple "bay management" groups. Maine's existing aquaculture leasing system will grind to a halt. If we can't continue to grow our leases, some of us will have no space for our animals to keep growing. We will have no option but to destroy our animals.

The bill is very similar to a prior exercise under the Baldacci administration. The task force created at that time considered all the issues outlined in LD 1211 and concluded that the establishment of "Bay Management" authorities was not warranted and would in fact make it more difficult to effectively manage the state's marine resources.

The existing aquaculture leasing and environmental monitoring system is NOT broken and does not need "improvement," it works. The existing system is the product of over 40 years of legislative and public discussion. It has been repeatedly improved and refined. Maine is seen as the gold standard in aquaculture management systems and has been copied by other states and jurisdictions around the world.

LD 1211 creates yet another round of study commission to study how Maine's Marine resources are managed. With respect to only the aquaculture sector, Maine has conducted 23 studies over the last 35 years, 13 of which have focused on policy issues around aquaculture development and the leasing system. Maine Sea Grant is currently

conducting another statewide study that includes significant stakeholder input. The results of that study will be released later this summer. It is unlikely that another task force created under LD 1211 will develop any new policies or proposed regulations that have not already been thoroughly discussed in Maine. Many of the prior studies came from opponents to a particular lease application wanting to either delay the application or change the leasing criteria to ensure the application was denied. LD 1211 is yet another example of this. As I continue to expand my business in order to become profitable, these opponents are doing everything they can to retain control and stop our growth.

Finally, I want to thank the committee for your patience and willingness to listen closely to those of us who make our living on the water and help preserve Maine's endangered working waterfronts. Please vote Ought NOT to Pass on LD 1211. Thank you for your attention. I would be glad to answer any questions you have.

Respectfully,

Philip Demers