

BILL 1211

Mike Gaffney here -- I write in opposition to LD 1211.

If there is a problem with the Frenchman's Bay salmon farm project, I recommend it be addressed surgically, not by killing Maine aquaculture writ large through chemotherapy (LD 1211).

But if proponents have a problem with Maine aquaculture in general and want to put on the brakes – this bill is just what the doctor ordered.

My Experience

Along with my family, I own an oyster farm in Georgetown. We are one of ten small aquaculture startups on the island initiated in 2017.

It has been a long arduous process of acquiring the necessary leases and licenses to operate (4 years and counting; we're not quite there yet) – and this bill would likely make it even more difficult in the short run by drawing resources for this study group from an already strapped DRM, and in the long run by adding another layer of bureaucracy (regional management authorities) to the equation.

LD 1146 Redux

The bill is silent as to what purported deficiencies it is designed to remedy, nor does it explain what emergency demands such fast-track action. The vagueness and misdirection within this bill are reminiscent of the recently defeated LD 1156.

One must read between the lines to surmise that this is about the proposed salmon farm in Frenchman's Bay – a foreign-owned, large scale, corporate, finfish aquaculture venture.

But the bill's thinly veiled proposed solution -- establishment of regional marine policy authorities throughout the state -- would open the door to the same LD 1146 obstacles to the development of locally owned, small scale, family shellfish farms.

It's Not Really a Study

The bill directs the study group where to look (California and Rhode Island) and even lays out the desired conclusion (establishment of regional authorities). Here's a fun fact – California has not granted an aquaculture lease in 30 years. Is this the model we want to emulate?

The Study Group is Hardly Balanced

Despite its stated objective, the content of the bill does not balance development and conservation.

Conservation is well represented on task force, particularly in Frenchman's Bay, but where is Development represented? Where are the several development organizations promoting aquaculture in the state? Not a one of them is invited. And why are there no slots for academic experts in aquaculture and marine policy? The bill specifies representatives from harvesters (wild), but noticeably absent from the composition of this proposed study group are any representatives from the aquaculture sector (farmers) – no oyster farmers, no mussel farmers, no seaweed farmers, no finfish farmers, no hatchery/nursery operators. Given the desired and forgone conclusion of this study, it is clear that these omissions are not unintended, but rather by design.

Also noticeably absent are representatives from municipalities in the bays and rivers in which most of Maine aquaculture is to be found (mid-coast from Casco Bay to Penobscot Bay) -- New Meadows, Sheepscot, Damariscotta. What could be the logic in eliminating representation from the mid-coast municipalities other than the diminishment of the voice of aquaculture?

First Do No Harm

The premise of this bill is that we are facing a systemic emergency in the development of aquaculture in Maine. But it offers no evidence of this other than an indirect reference to opposition to a single project within a single bay.

Certainly, that can't be sufficient to approve of this dramatic fast-track revisiting of the entire governmental infrastructure which regulates aquaculture in Maine.

But if there were to be such a review, it should be done in careful fashion (not rushed); with a truly balanced composition of interest groups, experts, and staff; and without being directed to a specific conclusion.

A Personal Note

What I love about Maine is that it is not gated.

Sure, we are experiencing the same widening of the gap between the have and have-nots that is happening everywhere, including the gentrification of waterfront properties – but thus far, we have been able to preserve our working waterfront and the mixing of our citizens that it affords.

At a minimum, aquaculture is an important addition to that working waterfront. And should there be further decline in the fishing and shipping sectors of our economy, aquaculture may play a much larger role in Maine's maritime future.

I hear complaints that there is no statewide plan for aquaculture. But I think there is. Not a soviet-style bureaucratic-driven 10-year directive, but rather an American-style combination of public and private encouragement with the invisible hand of markets being the final arbiter. You can discern it from our existing marine resource laws and regulations. Excuse my paraphrase, but in very condensed version, here it is:

Don't interfere with existing fisheries and navigation. Don't interfere with public or private access to the water. Don't mess with eagles or eelgrass. Otherwise -- make it happen, and don't worry if the guy in the big house doesn't like the way you look.

We can't prevent gentrification of waterfront real estate; that goes to the highest bidder. But we can prevent gentrification of the water itself – that belongs to all of us. Let's not become California.