



Testimony to the Joint Standing Committee on Marine Resources
in opposition to
LD 711, An Act to Regulate Oyster Seed

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Dear Senator Reny, Representative Hepler, and Distinguished Members of the Committee:

My name is Nick Branchina, and I am the Director of the Fisheries & Aquaculture Program at Coastal Enterprises, Inc. (CEI). I reside in Kennebunk. I am submitting this testimony on behalf of CEI, to express our organization's concerns about LD 711, *An Act to Regulate Oyster Seed*.

Coastal Enterprises, Inc. (CEI) is a private, nonprofit Community Development Corporation (CDC) and Community Development Financial Institution (CDFI) based in Brunswick, Maine. CEI was founded in 1977 to develop job-creating natural resource-based business ventures in Maine's rural and coastal regions. Today we continue to work to build a just, vibrant, and climate-resilient future for people and communities in Maine and other rural regions. We do this by integrating finance, business expertise and policy solutions in ways that make the economy more equitable.

CEI has a 46-year history of investment in Maine's commercial fishing, lobster and aquaculture businesses. We do this by providing business services including free business counseling and technical assistance, and by making loans and investments in those marine businesses wishing to start or expand. Since the 1970's our total portfolio of loans to this sector has grown to over \$18 million and these loans have sustained or created over 2,200 jobs in Maine.

CEI supports all fisheries in our state, wild-catch and aquaculture, and we believe that LD 711 establishes *a barrier to the responsible development of sustainable aquaculture* in Maine waters. We support the concerted efforts of the Maine Aquaculture Association on behalf of the aquaculture industry to find constructive solutions *that address public concerns while allowing Maine aquaculture businesses to grow*.

CEI respectfully asks that this committee consider the negative effects that this bill, as currently written, will have upon our state's oyster growers and our seafood industry. Specifically, our concerns include the following:

- Most Maine oyster farmers are using diploid seed, and this bill would threaten their business.
- Diploid and triploid seeds have distinctive characteristics; there are advantages to using each. Removing an option would put a large and unnecessary strain on Maine oyster farmers, and mak them less competitive in the marketplace.



- Only one hatchery in Maine currently produces triploid seed. As a result, it is not readily available to most farmers and is cost-prohibitive. There will not be enough triploid seed available for all Maine farmers to use.
- Wild shellfish harvesting has been on the decline for years due to climate change and invasive species. Many shellfish harvesters have begun to harvest wild oysters around farm sites to generate additional income. Some members of the wild harvest community have started their own farms and grow oysters, including diploids.
- Multiple studies have shown that Eastern oysters and soft-shell clams have coexisted for millions of years. They have evolved specific life history strategies to reduce or eliminate competition. There is inadequate science to support this bill. Oysters and clams utilize vastly different habitats, spawn at different times of the year, and rely on different food resources.
- Many growers are also licensed seafood dealers that buy wild clams and oysters. It is not in their economic interest to harm the wild populations they depend on to provide a diverse product mix to their customers.
- The bill will be difficult for DMR to enforce. The Department will have to purchase expensive specialized equipment, train staff, and/or subcontract out the testing. Any/all of these options will increase costs and decrease their ability to responsibly process lease applications in addition to the department's other monitoring responsibilities.
- It is our understanding that the process to create triploids is not 100% effective. If a farmer buys "triploid" seed but diploid animals are found during enforcement testing, the farmer could be found in violation of the law.

CEI is steadfast in its support for this sector.. Aquaculture is a significant source of diversification for Maine's marine economy. It has co-existed successfully with other marine activities for decades. If implemented, LD 711 could create insurmountable hurdles to an industry that is already operating in a well-regulated environment. Current resource management is designed to minimize impacts on any and all natural resources that have co-evolved in Maine waters..

This is a fragile time for Maine's natural fisheries resources. The State of Maine should be facilitating the sustainable growth of aquaculture in accordance with the State's official economic development strategy. It is for this reason that we encourage the committee to vote Ought Not to Pass on LD 711. Thank you for considering CEI's testimony.