



SIERRA CLUB

MAINE CHAPTER

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To: Committee on Marine Resources
From: Andrew Blunt, Aquaculture Organizer, Sierra Club Maine
Date: February 1, 2024
Re: Testimony Neither for Nor Against **LD 2065: An Act to Amend Maine's Aquaculture Leasing Laws**

Senator Reny, Representative Hepler, and members of the Marine Resources Committee,

I am submitting the following testimony on behalf of Sierra Club Maine, representing over 22,000 supporters and members statewide. Founded in 1892, Sierra Club is one of our nation's oldest and largest environmental organizations. We work diligently to amplify the power of our 3.8 million members nationwide as we work towards combating climate change and promoting a just and sustainable economy. We are here today to testify "Neither For, Nor Against" on LD 2065 "An Act to Amend Maine's Aquaculture Leasing Laws."

Shellfish and seaweed aquaculture provide critical ecosystem services in coastal areas. These types of aquaculture are well documented to improve water quality by filtering nutrients and pollutants, provide habitat and food for wild aquatic species, and reduce wave energy and erosion by stabilizing the shoreline.¹ Small scale, sustainable cultivation of shellfish and seaweed, often referred to as restorative aquaculture, is the vast majority of Maine's aquaculture sector today and it holds a key role in the long-term economic and environmental resilience of our coastline.

For those reasons, the Sierra Club Maine Chapter supports current and prospective small business owners practicing restorative aquaculture. Of the challenges facing these folks, most often, small business owners cite the leasing process as particularly onerous and challenging to navigate. LD 2065 seeks adjustments to that process that strive to balance the needs of the Department of Marine Resources, growers, and the public alike in limited cases. However, there are other changes needed to ensure a sustainable, transparent industry while protecting our coastal resources (more below), most notably increasing staff capacity at the Department to provide adequate oversight.

While challenges with the leasing process are acute and must be addressed, they must be looked at in context. In Maine, **community perspectives on aquaculture as an accepted use of our coastal waters have been an ongoing challenge for the sector.** As an emerging industry, the Department of Marine Resources has been working hard to structure a leasing process that is inclusive, participatory, and democratic. LD 2065 readjusts some aspects of the process to attempt to better

¹<https://media.fisheries.noaa.gov/2022-03/Fact-Sheet-Aquaculture-Provides-Beneficial-Ecosystem-Services.pdf>

serve new and existing business owners and encourage public participation at the appropriate places in the leasing process.

Beyond the scope of LD 2065 as proposed, **the Department and the public require the Committee's continuing support for increased capacity and staffing by every measure, and should not substitute reducing public participation for empowering full, democratic regulatory proceedings.** Today, the general public does not view the leasing process as democratic nor transparent and public outcry related to aquaculture activity requires significant action from the Committee and the Department. LD 2065 is quite limited in scope and fails to recognize the source of the issue at hand—lack of public faith and education.

We at the Sierra Club encourage the Committee and the Department to pursue more substantial changes to the leasing process than those offered before us to provide the public the productive outlet to participate that they are clearly seeking. Retooling the aquaculture leasing process to restore public confidence is a significant task. As a step towards that end, we support Department efforts to empower scoping sessions as a vehicle for substantive public participation, a goal that has not yet been fully realized. And we encourage the Department and this Committee to continue working to clarify how and when the public is consulted throughout the lease application process. These regulatory proceedings are generally complex and misunderstood by the public, confusion that does not serve either the Department nor the public interest.

As we see increased interest in aquaculture, we also need to consider empowering the Department to perform analyses of carry capacity and the impacts of aquaculture activity on water quality in Maine's waterways writ large. To do so adequately will require more staff, so we hope the committee recommends increased staffing in the supplemental budget. We hope to continue to coordinate with Maine's Climate Council, the Legislature and Sea Grant's Aquaculture roadmap to ensure Maine has a long term vision for competing uses in our common waters. Studying cumulative impacts of all types of marine activity is essential to ensuring long term viability of our aquaculture and wild harvest sectors, as well as other recreational and habitat values in Maine.

Thank you for your time and consideration.

Sincerely,

Andrew Blunt
Aquaculture Organizer
Sierra Club Maine Chapter