

Smokey McKeen
Pemaquid Oyster Company, Bristol
LD 64

I'm writing to express my strong objections to LD 64- An Act to Eliminate the Cultchless American Oyster Growers License. I'm an owner and operator of the Pemaquid Oyster Company and we've been farming American Oysters on lease sites in the Damariscotta River for over 35 years. In the early years, we had problems with poaching on our bottom leases, enforcement relied on observing and contacting a marine warden, who was often many miles away. The burgeoning oyster industry worked with the Department of Resources and the Maine legislature to enact the Cultchless Oyster law many years ago. We also helped train the warden service to be learn to differentiate between wild and cultivated shell stock. While wild populations along the coast have expanded with warmer ocean waters in recent years allowing wild harvesters a new opportunity, it has also caused some recent confusion.

The warden service appears to believe it's become too difficult to identify wild and cultchless oysters in the field. I disagree with this conclusion- and the growers would be happy to work with the wardens (again) to build confidence in their ability to judge wild and cultchless (farm-raised) oysters.

Two other objections to the law raised by the DMR could both be addressed without repealing the cultchless law. One is the (uncommon) practice of growers to plant oysters outside their leases while awaiting new lease sites, this could be prohibited to alleviate confusion. The other issue is allowing harvesters to harvest from municipal oyster beds planted as resource enhancement. As all harvested shellfish is tagged with harvest location- municipal harvest areas can be identified and therefore allowing harvesters to be exempt from the cultchless regulation in these instances.

I think repealing the current statute could also be seen as a public health issue- oyster poachers are unlikely to follow vibrio protocols.

I urge the Marine Resources Committee to reject the repeal of the cultchless oyster law- help protect the growing oyster industry, made up largely of family farms and small owner-operators, and protect the public health.

respectfully, Smokey McKeen