

Rep. Schatz Bills Add Hurdles To Permitting Process



Written by Stephen Rappaport

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BLUE HILL — State Rep. Jim Schatz (D-Blue Hill) isn't happy with the way Maine regulates aquaculture and he has introduced two pieces of legislation that would, he believes, improve the process.

LD 784 would require a permit from the Maine Department of Environmental Protection (DEP) for all aquaculture activities regulated by the Maine Department of Marine Resources (DMR). LD 399 would be an "impact statement" analyzing, among other impacts, the economic and environmental benefits and effects of the sale of a public utility and of virtually any activity requiring a state-issued lease or permit for the extraction of natural resources from the state's public lands or waters.

"The first bill was a request from Friends of Blue Hill Bay," a nonprofit environmental conservation group, "but that kind of oversight is appropriate," Schatz said Tuesday. The second bill arose from Schatz's concern over Verizon's proposed sale of its Maine telephone service.

"I tried to anticipate Verizon selling off assets," Schatz said. "I'm trying to require an impact statement to protect rural areas. I don't want to see the service get worse, and more expensive."



Jim Schatz—STAFF PHOTO BY
STEPHEN RAPPAPORT

Schatz's legislation would apply to far more than the sale of a public utility. Under its terms, an impact statement — that would also have to analyze the effect of the activity requiring a permit on the state's employment and infrastructure — would be required before DMR could issue any aquaculture lease, no matter what species was to be cultivated or how small the proposed lease area. The language would also appear to require an impact statement before DMR could issue any kind of commercial fishing license.

According to Schatz, a Blue Hill selectman as well as a state representative, in addition to the Verizon sale, aquaculture leases are his principal concern.

"I've sat through a lot of those hearings," Schatz said, referring to DMR aquaculture lease hearings. "I don't think shellfish are much of a problem for the bay."

DMR already requires most applicants for aquaculture leases to meet with the public at informational "scoping sessions" before the application is filed or any public hearing is scheduled. The substantial expansion of a proposed mussel farm in Blue Hill Bay between the scoping session and application phase of the process and the perceived lack of information about the proposal's impacts, gave Schatz the added impetus to file legislation requiring impact statements for aquaculture operations.

"I just think communities should know as much about them as possible," Schatz said. "It's important to subject them to as much scrutiny as possible so everyone can be comfortable."

Currently, aquaculture operations regulated by DMR are exempt from obtaining a DEP resource protection permit under Title 38 of the Maine Revised Statutes.

"This would take away the DEP exemption," Schatz said.