

Senate Sinks Blue Hill Bay Aquaculture Moratorium

By Anne Porter

BLUE HILL—A proposed moratorium on new finfish aquaculture leases in Blue Hill Bay was shot down by the state Senate May 18 after a roller coaster ride through the Legislature.

The bill, sponsored by Rep. Royce Perkins, R-Penobscot, at the request of the Friends of Blue Hill Bay, would originally have put a freeze on new applications for four years and ordered a study of the bay's capacity.

Friends of Blue Hill Bay, a citizen group formed to oppose a pair of large aquaculture leases proposed for the bay, maintains that the currents in the bay are not strong enough to make it an appropriate place for aquaculture and warns that the state does not know enough about proposed lease sites before a lease is granted.

The bill was backed at first by a slim majority of members of the Legislature's Marine Resources Committee, but faced a dim future because none of the committee's three senators supported it.

After a flurry of negotiations, though, the committee voted to support an amended version on April 24, 10-1. That amendment cut the length of the moratorium from four to two years and removed the requirement for a study. As part of the compromise, Friends of Blue Hill Bay offered to pay for the study and carry it out in cooperation with the Department of Marine Resources, which had said a study was beyond its budget.

That change was criticized by industry members, who said Friends of Blue Hill Bay, which has vocally opposed aquaculture for two years, would be unlikely to undertake an impartial study.

"To suggest that Friends of Blue Hill Bay is an impartial funding source is pretty insulting to the intellect," said Sebastian Belle, director of the Maine Aquaculture Association, "and it is clearly inappropriate for a vested interest to be funding and consulting in the study."

Friends of Blue Hill Bay members countered that the scientists selected for the study were above reproach.

"I think it's going to be an even and unbiased study," said member Don Eley.

Two days later, however, the amended version was itself reconsidered, at the request of Senator Jill Goldthwait, I-Hancock County. Goldthwait, a former chair of the committee, told members she had heard from constituents concerned that the Friends of Blue Hill Bay study would carry undue weight from the involvement

of DMR and that the other side of the issue could not afford to fund a competing study.

"She turned it around," said Representative Bill Pinkham, R-Lamoine, a committee member who voted for the bill. "It went from black to white."

In a telephone interview Monday, May 28, Goldthwait said, "I don't really see any reason for a moratorium."

She said a study of Blue Hill Bay's capacity "can be done with or without a moratorium."

Goldthwait said the aquaculture industry is "struggling" and would likely be hard hit by a moratorium. She said aquaculture in Hancock County and Washington County "has potential for year-round employment" in areas where unemployment is high. A moratorium, she said, "really could put some of these companies out of business."

She said there are "legitimate concerns" about the impact of aquaculture but that the lease application process "is very extensive" and the state's monitoring after a lease is issued is extensive.

The bill was defeated in the committee, 7-6, with all three senators once more opposing it.

Perkins said he had no warning of the change.

"It had a 10-1 report in the committee," he said, "and the next thing I knew it had been reconsidered and all the senators were against it. It's hard to get anything through the Senate if the senators on the committee don't support it."

Despite the negative committee report, the bill sailed through the House, but it was defeated in the Senate, where committee member Senator Betheda Edmonds, D-Freeport, made the motion to reject it.

Goldthwait's opposition drew the ire of Friends of Blue Hill Bay's members.

"It was pretty upsetting that our own local senator would be against it when she didn't even attend any of the committee hearings," Eley said. "I didn't hear her coming up with any reasons we haven't heard from industry."

Supporters of the bill are now regrouping and trying to decide their next move. Perkins said Friends of Blue Hill Bay had hired a lobbyist to try to revive the issue in the Legislature, and Eley said he would not rule out a court challenge.

"We may look at getting an injunction to stop any further aquaculture" in the bay, he said. "Put it in front of a judge."

In the meantime, Eley said the Friends will carry out their study without the DMR.

He said he is also turning his hopes toward the Maine Coast Plan issued recently by the State Planning Office.

"I think we're much more interested now in working with the State Planning Office," he said. "They seem much more cooperative" than the Department of Marine Resources.