

Friends of Penobscot Bay

Caring for Maine's Biggest Bay
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2/9/15 Remarks to the Maine Legislature's Marine Resources Committee,

Friends of Penobscot Bay (FOPB) is an environmental group focused specifically on Maine's biggest bay Penobscot Bay is about 1,000 sq. miles and its tributary rivers drain more than 8,000 square miles including the Bagaduce River, the Passy River of Belfast and the great Penobscot River itself.

FOPB's interest is conserving and bettering the food, shelter and clean water that the fish and shellfish, seaweeds and plankton in Penobscot Bay need. That's the way to improve their chances to become and stay abundant enough and productive enough to sustain solid well conserved commercial fisheries. When it comes to Penobscot Bay habitat, its "reBuild it and they will come."

Our board members are from the commercial and recreational fishing sectors: minnows, clams, worms, urchin, lobsters and the coastal tourism economic sectors. Folks with decades or a lifetime on the bay. They are the ones who understand that fish and shellfish are like other wild animals - they need the right places to live, clean water to breathe, and the right food to eat at the right time.

As Friends of Penobscot Bay our energies and attention are not on how to most fairly cut the economic pie that is the quota or TAC of maine fisheries. **Instead we try to make sure that nature can bake that pie in the first place.** We try to make sure that pollution isn't putting in the wrong ingredients, and development isn't damaging the oven.

For example: sure our saltwater is acidifying. Sure, much of the polluted air contributing to this acidification is coming from the Midwest and we can't do a whole lot about that. BUT what IS local are pollutants left spilled or dumped along our state's shores and in our rivers in the 19th and twentieth centuries. Coal tar, petroleum, lead, mercury, copper, aluminum, biocides and their breakdown products. These contaminants are getting dissolved out of the sediment that binds them by the acid. They are getting loose into the water column and reenter the food chain. Lead, copper mercury, aluminum.

Yes, dissolved aluminum and low pH together can be a deadly combo for baby fish and shellfish, plating ionically onto their gills - instant emphysema! Lots of mortality Quite bad for the adults, too. At least they have the option of swimming away. Of avoidance.

But how sad is a bay that fish *avoid*!

Penobscot Bay has a harbor right where the river arrives. Stockton Harbor has incredible acid and aluminum waste-discharges from multiple shoreline chemical dumps stretching back to world war 2.. So what is being done ? Its taken us about 18 years, but the owner of that waste site is finally coming around. They will dig up and cart away from the coast a sulfur dump on the harbor waterfront that was graveled over around 1970 , and has been leaking multicolored acid plumes into the harbor ever since.

This is where you as Marine Resource Committee comes in. Conserving or restoring habitat and water quality that maximizes survival of the larvae and juveniles of the fish and shellfish of the bay, even of juvenile rockweed, should be a priority of the Department of Marine Resources "Environmental Coordinator". And the staff of DMR's Boothbay lab.

Every shoreline development project, every sewage outfall, and dredging project and soon every shoreline pesticide use comes before the DMR's Environmental Coordinator. But the records that we have been able to locate suggests that the Environmental Coordinator rarely has a problem with any shoreline development plan. They suggest most are effectively rubber stamped with only the briefest of visits. and little testing or study of what fish live there.

While most of these development projects are small, they add up. The laws recognize the challenge of cumulative impacts on a confined area, but it seems like the DMR at times doesn't get it and shoreline after shoreline can turn into rip rap and geotextile cloth and no longer feed the shallow water ecosystem that relies on what erodes from that shore.

We urge the Committee to have DMR give it a presentation on what it does when it reviews a development project or dredging project at the request of Maine DEP. The Department of Environmental Protection is often the lead state agency on these. But it relies on what DMR tells it about what lives in those shores and shallows that will be changed when a coastal development gets approved. If DMR says bad idea, DEP will take a second look. A hard look, before making any final decision..

In addition, the New England Fishery Management Council is designating all of Maine's shallows from New Hampshire to New Brunswick, from the low tide line to twenty meters deep, as inshore juvenile Atlantic cod Habitat Areas of Particular Concern.

This is not an endangered species designation, and in most cases fishing can continue within these places, but the Council DID identify many land based impacts. When requested, the state must check and let the National Marine Fisheries Service know if there are juvenile cod living in the waters offshore of a development project they are looking at. We ask the committee to urge DMR to work with the New England Fishery Management Council, the marine resource agencies of other New England states and enviro groups like ours, to come up with a common description of what habitats matter and what can harm them, and what are the best ways to both protect these fish habitats and still allow for responsible coastal development.

Finally we suggest you support the agency/stakeholder efforts to continued developing the Rockweed management plan. This is the first of the fishery management plans to be created by DMR, under recent legislation. It may seem funny that the first fishery management plan DMR is developing is not for a fish but an algae. But what they learn during this process will be applicable in future development plans for pollock, flounder and other species that we hope will thrive as the bait fish bloom in the rivers thanks to the dam removals. Urge DMR to stay the course, and keep as much of the public involved.

Thank you

Ron Huber, executive director, Friends of Penoscot Bay