

Questions from the April 2, 2016 Frenchman Bay Partners Rockweed Meeting

(In no order; transcribed by A. Farrell from handwritten index cards)

1. One common consensus seems to be that rockweed growth is subject to geography. Growth rate seems to be greater in Nova Scotia than parts of Maine. How is this knowledge being incorporated into any future rockweed management plan(s)?
2. For lawyer Jeff Romano: Are you aware of the reciprocity (?) of marine law cases between MA and ME? Are you aware of the 1861 Mass Supreme Court case that made rockweed a fishery and owned by the people under the public trust doctrine?
3. What are the elements of regrowth?
4. What if landowners were shown how to measure rockweed growth so we could get growth information?
5. Regarding monitoring and enforcement: There are ways to remotely monitor harvesting of many marine species, but there has been resistance to the perception of loss of civic freedoms. Communication and engagement of the broader public in the role of monitoring and enforcement would be a first step. Multi-resource management plans are difficult, but likely to be more effective than individual FMPs.
6. Why should we allow any foreign company to harvest seaweed of any kind in Maine waters, what's to stop them from destroying the fishery and moving onto another location?
7. Since ice damage and ice covers damage rockweed and therefore damage habitats to invertebrates, fish, and birds, should we help with destroying habitats some more? Or should we help with letting the habitats recover?
8. Downeast Coastal Conservancy, like land trusts all along the coast, have conserved intertidal and shorefront habitats. Often, this work involves public funding, which entrusts the publicly-owned resources to our care. DCC has repeatedly asked Acadian Seaplants to avoid harvesting these areas to allow us to carry out our mission to no avail. Do you think that all areas along the coast should be open to commercial rockweed harvest despite the public trust that conservation lands will be protected?
9. Is the weed in Canada being harvested same type as ours? Same as Connemara, Ireland? Why difference in regrowth rate?
10. What do we know about relationship between eelgrass and rockweed in estuaries?
11. How does (if at all) the increase in Gulf of Maine water acidity affect seaweed/rockweed growth and development?
12. What are the names of the two main types of rockweed in Maine?
13. Are the male and female parts on the same base hold? Or on separate plants? Do both types have the same gender characteristics.
14. What is being done to control and regulate machine harvesting? Alternatives? Is raking as in Canada safer for rockweed?
15. Robin: Do you advocate for a 36" cutting height or something else? Today, you sound like you want to privatize the resource through regulation and conservation trusts.

16. How will any regulations re: the harvesting and marketing of rockweed be enforced?
17. What have been the long-term trends in our region of rockweed harvesting? How far back do we have data for? Do the trends show that rockweed are increasingly targeted as we “harvest down the food chain” as historic real “fish”eries are depleted?
18. What is the economic value of rockweed to the harvester and to the state/country in which it is harvested and sold?
19. Why not rake in Maine as in Canada vs. machine? More controllable? We used to rake in Maine, but use machines now...why? Quantity vs quality?
20. Due to reproduction cycle, is there a best time of year to harvest? A time best not to harvest?
21. With some sort of regulation we have regarding rockweed harvesting, why are there still parts of rockweed-dominated areas where rockweed holdfasts are cut? Who enforces the regulations? 16 inches above the holdfast doesn't seem to apply.
22. Is harvesting halted during the reproductive period?
23. Why did the rockweed industry fight every single conservation closure being proposed during the rockweed working group process last year?
24. What harvest method is used in New Brunswick (if the cutting rake is not allowed, and why is it restricted in Nova Scotia)?
25. For Jessica: You stated that the whole plant is not being removed. Have you looked at Cobscook Bay (inner bay)? The plants (the whole plant) comes off the rock if you barely pull on it.
26. Regarding rockweed harvesting in Canada and Ireland, how many species were threatened and extinct during that time, because their habitats were destroyed?
27. Any possibility that colonial ordinance of 1647 will be tested again by the Maine Supreme Court? Are there cases pending? Purpose: open the intertidal zone for public access beyond fishing, fowling, and navigation.
28. Law: Are we now in purgatory or limbo...or perhaps sharing hell with the esquires?
29. Law: Did the king ever cede title to the intertidal zone to the upland owners? Or the people as a whole?
30. Law: Are you familiar with the Charter of the Forest?
31. What are the sector biomass limits based upon? Why 17%?
32. How would you determine what an appropriate sector size would be in Maine (would it be area-specific or a standard size)?
33. Dr. Seeley: Have you ever held a DMR research permit to study rockweed in the intertidal on the Coast of Maine? If yes, what research paper did you publish in, and are they peer-reviewed?
34. Dr. Seeley: Are you funded by Cornell University in any of your rockweed work or work with the Rockweed Coalition? If Cornell does not fund you, who does your rockweed work?
35. Dr. Seeley: You recently testified before the USDA National Organic Program Standards Board and requested that the Board ban all seaweed products used on crops, in animals

and human foods in the USDA organic program. What is your scientific reason/basis for your request to the Standards Board to ban all seaweed?

36. Will the court settlement cover the whole coast? Or just Downeast? Does the Fisheries Management Plan only cover Cobscook?
37. In Washington County, shoreline property owners who did not want their intra-tidal zone harvested developed a “no-cut registry”. Was that effective? Is a similar registry planned for Hancock County?
38. What further research is needed?
39. What would be needed to build consensus towards developing management policy?
40. Research touted on both sides. Can industry, regulators, and conservationists come to consensus on the science?
41. Does the panel advocate for a 36” cutting height or something else?
42. What are, if any, the alternatives to mechanical harvesting?
43. Is rake harvesting in Canada “safer” for rockweed?
44. Have Common Eider populations been monitored in areas where harvesting takes place?
45. Does legislation passed in 2007 protecting shorebird habitat play a role here?
46. What role (if any) does *Ascophyllum* play in the nutrient cycling in coastal water? Do nutrient inputs impact growth of rockweed?
47. Who is enforcing the current regulations (16”, etc), and how effectively are they accomplishing this? Does DMR have the people to enforce?
48. Does DMR have the people and resources to manage rockweed harvesting? How do they regulate it to ensure sustainability?
49. Why are the two regulations crafted as they are for Maine? Who enforces and is there monitoring? How to decide between rake and mechanical harvest?
50. What is the economic value in Maine of the rockweed industry? What was it historically? What are the current trends (i.e. size of companies; Maine Seaweed Council)?
51. In current management practice negotiations, is harvesting halted during the reproductive cycle? Why did industry fight the conservation closures?
52. Are there any figures about the amount of bycatch associated with either mechanized or hand harvest of rockweed?
53. Huge difference between 1.5”/year in Downeast Maine regrowth and the 10”/year regrowth found in Nova Scotia. Why the dramatic difference? This has dramatically different implications for conservation.
54. Looks like Nova Scotia rockweed recovers faster than Maine’s. Why? Is it a different rockweed? Why is a Connecticut company (Source) coming to Maine for rockweed? Is Source Maine a subsidiary of Source Connecticut?
55. What research on *Ascophyllum* has been conducted in Frenchman Bay? Growth, ecosystem impact, etc.
56. Please clarify MCHT’s position regarding alluvial vs. non-alluvial in relation to low/high water areas in the intertidal zone. Who owns marine life in these two areas?

57. Lawyer Jeff Romano: Please define alluvial seaweed vs. non-alluvial in legal terms definition.
58. The state of Maine has a long history of doing nothing until any particular fishery is decimated. What is the rockweed industry's objection to licensing in the same way the lobster fishery licenses newcomers to the industry?
59. Fisheries are regulated in order to preserve species and to maximize, over time, landings. If rockweed is a fishery, why not regulate its harvesting based on the best science available?
60. Raul: Why would I ever want Acadia Seaplants to privatize the resource that belongs to Steuben's residents?
61. Raul: Where is the "control" plot for your "total recovery" photos? "Total recovery" means nothing without a control plot for comparison.
62. Raul: How do you avoid prostituting science to money and industry when industry hires you?
63. When the DMR grants seaweed harvesting permits, they also inform those permit holders that it is unclear whether or not intratidal harvesting is legal. The DMR takes no position. Wouldn't it make more sense to err on the side of caution (i.e. presume it's illegal until/unless it's determined it's not)?
64. What control do landowners have before court decision is made?
65. Will we just keep litigating this in the courts?