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My name is Phil Harrington. I have been a worm dealer since 1990. before that I was a bloodworm digger since 1964. I also did other things between 1964, and 1990, But I made most of my living during those years from digging worms. We are here to address a bill that proposes to give municipalitys with a shellfish ordinance a right to apply to the DMR to prohibit wormdigging.The reason for this bill is they say we are destroying thier seed beds. A bill almost exactly like this one was presented in about 1995, with all the same arguments, and was subsiquentally defeated. A study was done in 1996 to see what the actual effect was that worming had on clamming. I am sure that everyone involved in the writing of this bill is aware of this reasearch, but, so far, no one has mentioned it. I have provided a copy of the abstract to everyone. I will dispense with the latin names, and read the last paragraph.(Both types of commercial harvesting reduced wild clam numbers significantly compared to controls, but effects due to worming were more benign than effects due to clamming probably because wormers excavate less volume of sediments than clammers do, as commercial sized bloodworms are shallow burrowers compared to commercial size clams.Unless clam managers actively take steps to deter predators by using netting, or other means, bloodwormers should continue to harvest commercially from areas closed to shellfishing without reprisal or fear that they are causing damage to populations of juvenile soft shell clams.)

These are not my words. This is from the study done by Brian Beal, who is probably the foremost authority on soft shell clams anywhere. I thought at the time that we had finally put this argument to rest, but here it is again. Enter the green crab. We have a new problem in that our coast is overun by green crabs, an invasive species that eats everything in its path, and is decimating the seed stock of clams. As far as I know, they have not bothered bloodworms, as bloodworms do not leave holes for them to burrow in and

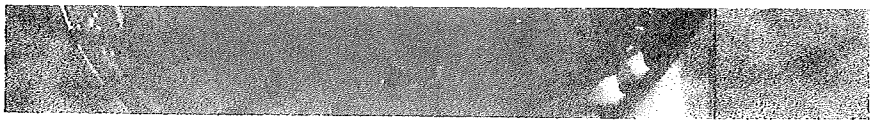
eat them as they do clams, but they do get sandworms which do leave holes.
If the clammers want to protect their seed stock by putting down netting, I had thought there were laws to protect them, but I have just been informed that there are not, although I'm sure there are anti vandalisem laws. I would support a law to keep people, not just wormdiggers off from netted areas, although I cannot picture a wormdigger tangleing himself in a net to try and get worms Also, there should be a limit in the size of an area that could be covered by nets I see no reason for municipalitys to be able to prohibit worming except for the fact that they would be able to collect fine money every time a wormer strays into one of their closed areas. In the first place, I do not beleive that wormers are harming their seed stock. I have heard it said that wormers are turning their seed beds over and over, and maybe in some instances they are, but clams are not turtles. if you turn them on their back they can still right themselves. In most cases turning the seed beds help the clams to grow, at least that has been my observation after 50 years in this buisness. At the beginning of this discussion, there was no mention of green crabs. Only that wormers were destroying thier seed. When it became general knowledge that it was green crabs, and not wormers who were destroying the seed,I would have thought that would have been the end of it, but instead, the clam committees chose to pursue the bill, for no other reason than to gain control over wormdiggers by municipalitys. Why? I can think of no other reason except extra revenue for the towns. I guess wormdiggers, are only a little above green crabs, only because we can pay fines, and green crabs cannot, Reasearch has proven that we are not a threat to the clam industry. What we do has little or nothing to do with the shellfish stock of the decline thereof.
By the way, according to the DMR landings report, between 2008, and 2012 softshell clam landings have increased by3million pounds. We have no accurate reports on worm

landings, as worms are sold by the peice, and the DMR converted it to pounds with a formula that does not reflect the true amount of the landings. This is being worked on as we speak. My personal veiw is that landings for worms have stayed about the same since 2008, and possibly declined a little. I sell between 8 and 10 million bloodworms each year, and approx 2 million sandworms. My gross is very nearly the total of what the DMR landings report has for the whole industry. We all know that this is incorrect, so there is no point in using the figures.
I have heard talk of all the conservation time clammers must put in , and all the money they spend compared to wormdiggers. I have heard no mention of the taxpayers money that is spent on them. Wormdiggers do do conservation work, but it is volantary, not documented,and not government controlled. We ask for no help from the taxpayers, we do no harm to the environment. We only ask that we be left alone to do our job. What we do has little or no effect on clamming, except for one thing. When the wormers turn a flat over, it is a few days before the clams blow their holes out and the clammers can find them again. It appears to me that wormdiggers are the last truly free people on the maine coast, and there are a faction of clammers, amongst others who want more laws imposed on us, simply because we are free. they say we have too much freedom, but what is too much freedom? We harm no one. According to the research we are no threat to the clam industry. We simply provide fishing bait. How many laws are needed for that? It is my opinion that the Brunswick shellfish committee is seeking sweeping control over both industrys, and possibly, they might be able to come up with a managment plan that could work within their own town. I say possibly, because I really doubt they could, but even if they did,what about all the other towns along the coast? A wormdigger may dig in 10 different towns in a week, and many times, when a wormdigger leaves his house to go to work, he

doesn't even know what town he will dig in that day.The bottom line is green crabs are a threat to the softshell clam industry, and possibly a threat to many other things that we don't even know about yet. The worm industry will get behind any plan that will do somthing about green crabs. The worm industry does no harm to shellfish populations, and will not support any bill that gives municipalitys control over them. We had town laws in the 1950's. They didn't work then, and they won't work now.

If I have any time left, I would like to address the portion of this bill that takes away the right of a citizen to dig any worms for his own use. You would think that I would be all for this, as they will have to buy there worms from me, or somone like me. Wrong. I am, after all an American. There is not such a shortage of worms that we cannot allow a private citizen to dig a few worms for his own use, and furthermore, I don't see what the Brunswick clam committee should have to do with it. It always was that one could dig 125 worms for thier own use. That number was dropped to 50 a short while ago on an elver bill. Again, I don't know what elvers had to do with it. As far as I know, no one in the worm industry was approached about these numbers. At least I know I wasn't. For that matter, no one in the worm industry was approached about any of this legislation. We had to find it out for ourselves. I have read all the hype about how senator Gerzofsky has worked with the clammers and wormers. I submit the I am a pretty important part of the worm industry, and sen Gerzofsky has never contacted me in any way, or run any of these ideas by me. It has been a pretty much one sided discussion

In the end it is your decision. We are asking you, please do not put us at the mercy of the municipalitys.



Approximately 65% of cultured lobsters survived in the Petrie dishes over the 10-month field experiment. Lobster survival was signficantly higher in the dishes because animals could not escape since the dish cover and base were well-secured. The same was not the case for lobsters in the extruded mesh containers that allowed approximately 10-15% to escape.

Beal, B.F., Vencile, K.W.

2001. Short-term effects of commercial clam (*Mya arenaria* L.) and worm (*Glycera dibranchiata* Ehlers) harvesting on survival and growth of juveniles of the soft-shell clam. Journal of Shellfish Research 20(1), 1145-1157.

Abstract

In Maine, USA, commercial fisheries for soft-shell clams, *Mya arenaria* L., and blood worms, *Glycera dibranchiata* Ehlers, occur simultaneously on muddy intertidal flats. Local and state clam managers frequently close flats to shellfishing for conservation purposes, but have no jurisdiction over wormers who are legally permitted to harvest *G. dibranchiata* on any intertidal flat. This sometimes causes conflicts, especially when wormers dig in clam conservation areas where clammers have enhanced stocks with wild or cultured "seed" clams (<1 cm shell length, SL). Clammers believe wormers kill or injure small clams directly or indirectly while commercially harvesting *G. dibranchiata*. To help resolve these long-standing conflicts, we worked collaboratively with clammers and wormers and used an experimental approach to test the short-term interactive effects of clam and worm harvesting, harvesting intensity, time of harvest after seeding, and predator exclusion on the fate of small wild and cultured *M. arenaria* at an intertidal mud flat in Brunswick, ME. We added 50 cultured juveniles of *M. arenaria* (SL = 12.5 mm) to 120 1-m^2 plots, 40 of which were undisturbed controls (20 protected with plastic netting--6.4 mm aperture; 20 unprotected) from May to August 1996. The remaining 80 plots were assigned to one of 16 treatments. One half of the plots were protected from predators with the same plastic netting used in the undisturbed control plots. One half of the plots were harvested by a professional wormer or clammer who searched each plot for commercial size blood worms and soft-shell clams,

in protected plots was any effect detected and this depended on clam origin. Compared to the fate of cultured clams in protected controls, worming had no effect, but clamming contributed an additional 15% loss. Both types of commercial harvesting reduced wild clam numbers significantly compared to controls, but effects due to worming were more benign than effects due to clamming probably because wormers excavate less volume of sediments than clammers do as commercial size *G. dibranchiata* are shallow burrowers compared to commercial size *M. arenaria*. Unless clam managers actively take steps to deter predators by using netting or other means, blood wormers should continue to harvest commercially from areas closed to shellfishing without reprisal or fear that they are causing damage to populations of juvenile soft-shell clams.

	2008	2009	2010	2011	2012
Value	$1,014,667	$592,386	$1,547,293	$1,747,931	3,240,484
seaweed					
Pounds	12,224,349	11,621,922	12,941,956	15,164,508	15,093,477
Value	$373,005	$379,355	$323,480	$437,991	421,326
shrimp					
Pounds	8,491,782	4,792,021	12,272,114	10,132,077	4,817,110
Value	$4,166,412	$1,926,048	$6,660,005	$7,627,447	$4,597,633
soft clams					
Pounds	9,764,154	9,306,958	10,210,953	11,588,098	11,051,707
Value	$12,825,057	$11,686,086	$13,044,689	$15,853,767	15,643,700
spiny dogfish					
Pounds	49,342	593,980	228,646	349,166	226,770
Value	$20,098	$114,897	$62,899	$74,849	$42,555
tuna					
Pounds	42,059	101,647	166,685	197,298	218,891
Value	263,839	610,604	1,282,894	1,782,108	2,173,734
urchins					
Pounds	3,058,114	3,486,741	2,591,516	2,407,074	1,903,781
Value	$5,645,829	$5,866,376	$5,489,826	$5,113,355	5,024,133
yellow eel					
Pounds	12,496	2,525	3,038	4,065	11,113
Value	$41,862	$7,575	$9,113	$15,244	32,006
Total Pounds	237,706,603	230,974,122	255,697,192	286,604,660	318,000,582
Total Value	$365,111,562	$327,954,522	$456,845,679	$433,855,660	$527,689,114

*2012 data are preliminary; updated 7/1/13

*Pounds are live (whole) pounds; values are ex-vessel values