

First in a Searchlight series

Seaweed industry threatened by ruling against harvesters

By Jordan Bailey | Jun 10, 2017

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John Grotton unloads a truckload of seaweed at Atlantic Laboratories in Waldoboro.

Photo by: Jordan Bailey

WALDOBORO — At Atlantic Laboratories on a recent morning, workers were funneling a truckload of seaweed harvested at Tenants Harbor into a chute that led to a dehydrator. Billowing clouds of white sea-scented steam poured out of a chimney above them. After three passes through the dehydrator — powered by Maine wood-pellets rather than oil to preserve the seaweed’s color, flavor and texture — the moisture content is low enough that it won’t rot or mold, and it is ground into powder. It is then bagged in a new FDA-approved facility, and sold as fertilizer or organic nutritional supplements for humans and animals.

The seaweed industry is booming now, but it wasn’t always this way.

“When I started in 1971, I couldn’t give it away,” owner Robert Morse said. But when he began liquid extraction two years later, selling the seaweed powder in 55-gallon drums, there was immediate demand: Maine Organic Farmers and Gardeners Association bought all the drums he had and ordered more.

Organic seaweed nutritional supplements are particularly important to organic dairy farmers, because many of the conventional grains and medicines are off limits.

Plant manager Bill Peebles of Palermo explained, “(Organic cows) were having problems with calving, milk fever, their hide, pink eye. This product gives them the trace minerals and the nutrition they need.”

As demand has increased for their organic supplements, the company has expanded. It has invested nearly \$1 million in new buildings, trucks, trailers and processing equipment over the past two years.

For seaweeders, “these are exciting times,” Morse said. Beyond supplements and fertilizers, seaweed is used in more than 50 percent of food products, he said, and it is in demand worldwide.

The Department of Marine Resources lists 130 licensed seaweed harvesters in the state, up from about 60 in 2012, and it estimated Maine’s seaweed production is valued at \$20 million annually. Morse could see that figure rising to \$1 billion in 10 years.

Peebles recalled attending the Maine Seaweed Festival in Portland in 2015 and being “dumbfounded” by how many independent harvesters were there, cashing in on the demand for healthy lifestyle products. They were selling “everything from granola bars to dog biscuits to lotions,” he said.

The sudden explosion in harvesting has some worried. The seaweed festival was cancelled in 2016 because organizers felt the “gold-rush mentality” was threatening the sustainability of the industry before its management and infrastructure had a chance to catch up, as one told the Portland Press Herald.

Why isn't seaweed harvested in coastal Waldo County?

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sided with coastal landowners against a Canadian seaweed company, ruling that seaweed harvesting is not included in the public trust rights of “fishing, fowling, and navigation” allowed in the otherwise privately owned area between the high and low tide lines along the shore. Justice Harold Stewart ruled, in *Ross v. Atlantic Seaplants Ltd.*, that seaweed growing in the intertidal zone “is owned exclusively by the (property) owner and is not owned by the state in trust for the public.” The ruling is currently under appeal at Maine's Supreme Court.

The lawsuit hinges on the question of whether seaweed counts as a fishery.

Until now, and while the case is under appeal, DMR has been managing it as such because Maine law defines fishing as taking or attempting to take a marine organism from the ocean. The department issues licenses, requires landing reports, collects landing fees, and sets cutting height protections.

It also developed a comprehensive seaweed management plan and set guidelines for establishing no-harvest areas for conservation, but the lawsuit has put implementation of those on hold.

DMR spokesman Jeff Nichols said, “It does not make sense for the department to advance legislative or regulatory changes while the appeal is still pending.”

Peebles said if the decision is upheld, “there’s a good chance it would force us to no longer use Maine seaweed,” adding that the company tried using Icelandic seaweed over the winter and found it was workable.

“It would have a huge impact on the economy,” he said. “All these (harvesters) have boats, they live in homes, pay taxes. They all buy their parts, their fuel locally and maintain their boats in local shops. And it would create a huge hole in jobs.”

Atlantic Laboratories employs 30 to 35 people, including harvesters working seasonally or year-round from Casco Bay to Downeast. Peebles estimates that harvesters who work for them year-round gross between \$150,000 and \$200,000 per year.

Though the landing value — the price at the dock — is relatively low, DMR reports that “the majority is processed into wholesale and retail products, creating additional jobs and resulting in a much greater value to the industry and state.”

Dave Preston of Hope, a biologist with Atlantic Laboratories, said a verdict for the landowners would make harvesting and seaweed management “extremely complicated.” Because intertidal property lines rarely are marked, rarely described on deeds, and often lie at a different angle than the property lines on land, he said, it will be difficult for harvesters to determine where they are and are not allowed to harvest.

“How it would probably go is a harvester would go out and harvest in a spot, and somebody would come running down to the shore and say, ‘You have to leave,’” Preston said. “At that point, the harvester would have a couple of choices. They could say, ‘OK, I’ll move over,’ or they could say, ‘I don’t believe this is your area. Prove it.’ I don’t know how the Marine Patrol is going to handle this very complicated scenario as far as proving these property lines. It’s going to be very difficult to manage.”

“If all coastal landowners choose to allow it, then harvesting could go on as it has been,” he said, “but chances are, that is not going to happen.”

Morse envisions worst-case scenarios where landowners “erect chain link fences in the mudflats” or do not allow other harvesters to cross through patches of their seaweed.

Morse organized a meeting of the Maine Seaweed Council and other groups of harvesters — including the wormers’ and clammers’ associations — concerned about any restrictions to public rights in the intertidal zone. They wrote a letter to Attorney General Janet Mills asking her to join the case to defend the state’s public trust rights. In it they argued that a ruling in favor of the plaintiffs would embolden coastal landowners to restrict public shore access. Clammers and wormers often need permission to cross private property to reach the mudflats where they dig at low tide.

“For centuries Mainers have plied their trade in the intertidal zone: harvesting rockweed, digging for clams, mussels, worms, and fishing for eelers,” the letter reads. “Diminishment of Mainers’ ability to work in the intertidal zone threatens the fabric of who we are as a state and our robust working waterfront community.”

They also pointed out that collectively, intertidal harvesters brought in \$44 million in 2015, and by adding the standard multiplier of three for job creation and downstream economic activity, their collective impact on Maine’s economy in 2015 was \$133 million.

Morse said June 5 that while Mills will not be joining the case, he is pleased that she did authorize DMR to hire outside counsel to represent the state. The case is being briefed in the law court now.

“This is a natural resources state,” he said May 15. “I want to see the young kids have a future here.”

Robert Rego of Prospect harvested seaweed for 35 years, but stopped a few years ago because of a back injury. He said for a long time he was the sole seaweed harvester in Waldo County.

Nearby seaweed company Atlantic Laboratories in Waldoboro sells its dried, ground seaweed as organic fertilizer and nutritional supplements. The beds it harvests from are inspected and certified by MOFGA. Plant Manager Bill Peebles of Palermo said they do not harvest in the Belfast and Searsport area because the beds are not certifiable.

“There’s not a lot of great quality (sea)weed, and it’s not certified because Irving Oil, Sprague Energy, wastewater sewer districts are all dumping into those harbors,” Peebles said. “You walk along the Belfast shoreline, and you can see, there’s really not a lot of (sea)weed and there’s a lot of trash in it.”

Instead of cutting rockweed, the algae that makes up more than 95 percent of seaweed landings in Maine, Rego harvested the fine, threadlike pieces of rockweed that detach, float on the currents and settle in coves among the marsh grass and eelgrass, where he would pick them out by hand. Called wormweed, this seaweed is “like silk,” Rego said, and is used as packing material for bait worms.

“It’s not everywhere, only in certain areas,” he said. “It may be there one day and then be carried away, so you’ve got to chase it.” He said he always had luck at a certain cove in Islesboro.

“From the shore to the mouth of the cove it is so plentiful you can sink a ship in it seven times,” he said.

Rego said he would not pick the wormweed if he thought it would have a negative environmental impact.

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picked for years and years, there is just as much there the following year. I wouldn't do it otherwise."

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He said If he ever found a patch full of fish eggs or horseshoe crab eggs, he would leave and look somewhere else.

"The environment is a funny thing," he said. "It is something everyone should care about."

The wormweed business has been declining in recent years, as worm buyers in the area have passed away or gone out of business.

"The problem is the worm buyers can't sell worms anymore, because there are so many regulations in states where they try to sell them," he said. "If they can't move the worms, you can't move the wormweed."

Wormers are also having trouble finding worms, he said, because mussel harvesters remove their habitat.

"Worms depend on the mussel beds to bury themselves and for the minerals there," he said. "Without mussels there are no worms."

In March, a superior court ruled that seaweed is the property of landowners, not held in trust by the state for the public. The decision is under appeal in Maine Supreme Court.

Rego called the decision "a bunch of s---."

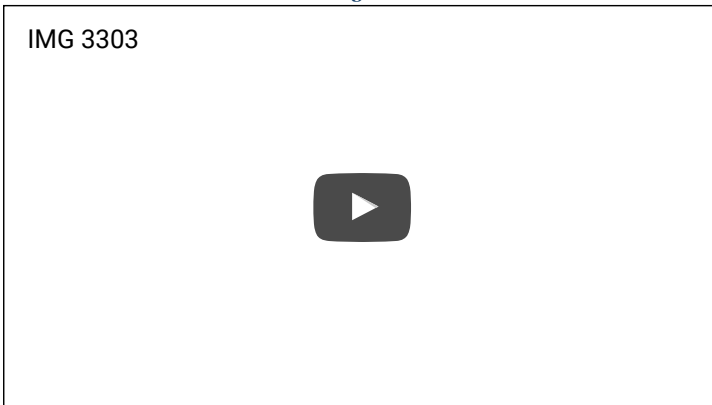
"People come up from Connecticut and say no one's allowed to dig on their beach," he said. "I understand where they're coming from if the fishermen are drunk and throwing beer cans. Some do that, so of course there's a conflict, but landowners telling people they can't harvest on their beaches is totally wrong. It is a piece of nature. Everybody is entitled to it."

Preston on seaweed management plan



(Video by: Jordan Bailey)

Unloading seaweed



(Video by: Jordan Bailey)

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Green gold: Atlantic Laboratories sells dried seaweed powder for nutritional supplements and fertilizer. (Photos by: Jordan Bailey)



Plant manager Bill Peebles of Palermo gives a tour of the control room. (Photo by: Jordan Bailey)



This truckload of rockweed, the type of algae that makes up more than 95 percent of seaweed landings in Maine, was collected by Atlantic Laboratories harvesters in Tenant's Harbor May 15. (Photo by: Jordan Bailey)

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Ground seaweed powder is bagged according to particle size.



An end product of harvested seaweed.

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Steam from the seaweed dehydrator pours from the Waldoboro plant chimney.



Atlantic Laboratories biologist David Preston of Hope pauses in his rounds of the plant.

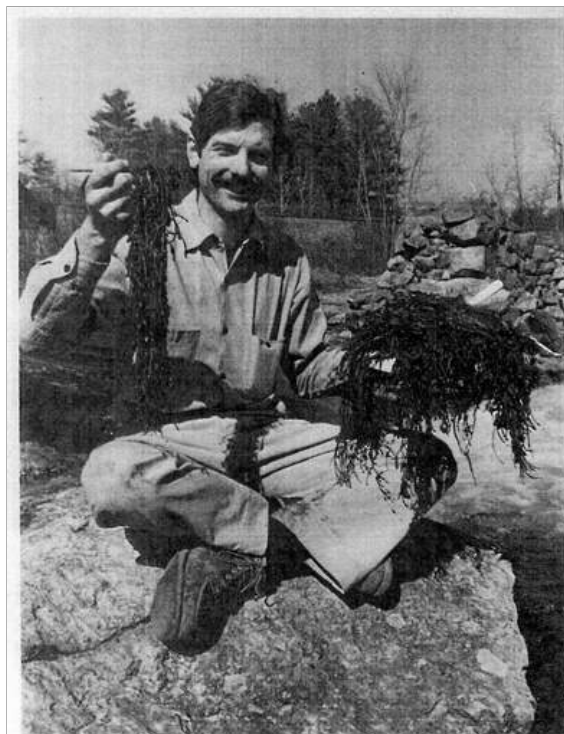


Dried seaweed powder is bagged at Atlantic Laboratories' new FDA-approved packaging room. The seaweed must be kept clean every step of the way because it is sold as food-grade nutritional supplements.

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In this 1977 Downeast Magazine photo, Robert Morse, front, stands in a boat piled high with rockweed. (Courtesy of: Robert Morse)



Rockweed entrepreneur Robert Morse foresees the day when humans will turn to seaweed for food, although not necessarily in the raw form he brandishes above. Opposite: Morse and employee Hen Townsend bring in a freshly harvested three-ton load of rockweed.

This photo of Robert Morse, owner of Atlantic Laboratories, ran in Downeast Magazine in 1977. (Courtesy of: Robert Morse)

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STAFF PROFILE

Jordan Bailey has been working for The Republican Journal since 2013. She studied philosophy at Boston College and has experience in marine science education and journalism. She lives in Belfast.

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Jordan M Bailey
Reporter
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