

Frankfort Assisted Living LLC

112 North Searsport Road

Frankfort, Maine 04438

Phone 207-223-4509

Fax 207-223-4510

Fax

To: *Cindy Bertocci* From: *Armindy McFarlane*

Fax: *287-7826* Date: *2/15/20*

Phone: Pages: *10 including this 1*

Re:

Urgent For Review Please Comment Please Reply Please Recycle

•Comments:

Regarding concerns about Nordic Aquafarms from Armindy + Joe Larrabee owners of PenBB aquaculture site located in Northport, Me directly in flow of possible discharge

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Armindy McFadden

[REDACTED]

[REDACTED]
Feb 18 2020
[REDACTED]

Should the permit process continue for Nordic Aquafarms?

Looking at Nordic Aquafarms Inc.'s "Belfast Project", a plan in which they propose construct a 30-acre land-based salmon farm, as well as erect three pipes extending one kilometer, (0.62 miles), into the Penobscot Bay and crossing U.S. Route 1 as well as much intertidal land, is of huge importance to numerous people from diverse backgrounds, and for countless reasons. The issue is whether Nordic Aquafarms has the title, right, or interest, "TRI", in order to continue in the permitting process within the Department of Environmental Protections Bureau of Water Quality, in order to in turn, move the project forward. Nordic Aquafarms contends they do have "TRI", yet I believe they have not shown proper legal evidence, and in fact have no legal right to cross the land in question, located at the southern most coastal region of Belfast, Maine, and into a portion of the northern most coastal region of Northport, Maine, therefore directly affecting many property owners in both towns.

With 90% of consumed salmon in the United States being imported these days, it is no wonder that the Belfast Project has grown a lot of support considering they plan to invest 500 million over five years, according to Eric Heine (owner), into the project, with an ultimate goal

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of eventually producing an estimated 7% of consumed salmon in the U.S. In October of 2018, the Gulf of Maine Research Institute wrote a letter to the Department of Environmental Protections Wastewater Licensing Division, specifically Mr. Gregg Wood whom is in charge, stating that, "given the substance and spirit with which Nordic Aquafarms has designed their proposed facility, secured the resources to build it, and addressed the environmental considerations, we believe they offer Maine an extraordinary opportunity of a significant investment and leadership role in the evolution of a responsible 21st century seafood economy." Clearly they say the environmental considerations are addressed, yet the Submerged Land Lease Application that must be approved by the Maine Department of Agriculture, Conservation, and Forestry, has raised more questions and concerns than answers, rendering the letter to the Department of Environmental Protections inaccurate since the environmental considerations have not been addressed to date.

Another supporter of the Belfast Project is the Conservation Law Foundation, "CLF", based out of Portland, Maine, wrote in November of 2018, also to Mr. Gregg Wood, stating, "they met with the project team," and, "believes the discharges of nutrients from the proposed facility should be permitted." This is an entity whom has not the background investigations needed with the Waldo County Registry of Deeds to confirm that Nordic has the "TRI" required, it is my opinion that as a Conservation Law Foundation, verification would be one of the first things determined before lending a recommendation of support in proceeding with an application for a National Pollutant Discharge Elimination System Permit.

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Attorney at Law and Northport resident, Kim Ervin Tucker, wrote a letter, in May of 2019, on behalf of Upstream Watch and the Maine Lobstering Union, in order to submit additional evidence to Amanda Beal, the Commissioner of Maine Department of Agriculture, Conservation, and Forestry, and to Carol DiBello, Submerged Lands Coordinator of Maine Department of Agriculture, Conservation and Forestry's Bureau of Parks and Lands Submerged Land Program. In this letter she lays out damning admissions from posts made by Nordic Aquafarms on its Facebook page May 8, 2019. An excerpt as follows:

"...As far as the intertidal challenge is concerned, we are comfortable. What we find most interesting is that Amy Grant and one resident have attempted to claim a Conservational Easement in the intertidal across two other shoreline properties without speaking to the involved shoreline property owners. They have also in their crusade revealed that some shoreline owners do not own their intertidal, which may be an unpleasant surprise to some owners. **We withheld our surveys when we became aware of this situation some months back.** It was not our role to reveal sensitive information to the community and owners.

Some of these shoreline owners might have wanted to acquire rights to their intertidal, while Upstream Watch is now trying to take control of them. Is this how fellow citizens treat each other in this town? We think the majority would not."

(emphasis supplied)¹

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Kim Tucker is correct in stating, "Contrary to Nordic's assertion in their post, it was in fact their "role to reveal such information"." By their own admission they, "concealed information from the public, the city, and state agencies to secure permits for its planned land-based salmon aquaculture facility." This proved Nordic had knowledge of their improper and illegal documentation which directly effects the allowance of the permits. The landowners involved have all expressed concern along with countless others from the area.

Village Soups' Ethan Andrews has reported on its website www.village.soup.com, that Brian Kavanah, acting co-director of the Department of Environmental Protections Bureau of Water Quality, told Nordic Aquafarms, "to submit supporting materials for its claim of rights to use land that would be crossed by the salmon farms two intake pipes, and one discharge pipe." This indicated that efforts to unmask the truth regarding "TRI" are taking shape and could really make a difference.

I personally have worked with, and seen Kim Tucker in action, she takes on the cases, most generally, that she feels are morally on the right side of the argument. Most of the evidence she has gathered to support her argument, come from the Waldo County Registry of Deeds, and should have been reviewed and considered by Nordic before submitting false documents, she is correct in saying, "Nordic's claim of "TRI" is wholly fabricated and demonstrably false." Her persistent investigations and attention to detail have been paying off for parties opposed to the over al project.

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After an extensive review from multiple sources, Brian Kavanah concluded, as reported by Ethan Andrews, "the Department of Environmental Protections has determined that here is evidence that at least some of the portions of the proposed project, including parts of the outfall pipes and ultimate outfall location are located within the boundaries of Northport, and are not entirely in Belfast as asserted in the application," (for the Submerged Land Lease Permit). Therefore, I find in conclusion that Nordic Aquafarms did not show proper legal evidence of "TRI" of the lands in question. Kim was able to prove, through Nordic's own words, that they in fact have no legal right to cross the lands in question. Although some organizations are in support of the proposed permits, many have not done due diligence with investigations even though still lending support to the project. Harsh implications can be made about Nordic Aquafarms' honesty, they have been laid out for all to see, and the State of Maine has decided against proceeding further until further information can be supplied. Essentially, the Belfast Project is at a stand-still for now, and fortunately permits were not issued using false documents as a basis for approval. These permits are paramount to Nordic Aquafarms entire plan here in Maine, if these issues are not resolved this may be the end of the road for the Belfast Project, which thus far has drawn local opposition, and out-of-town support. This could be the nail in the coffin o to speak for local support from residents and could result in halting the project indefinitely.

For these reasons, and the fact that PennBB Aquaculture site is in Northport, I believe we have a valid stake in concerns over discharge as our site would be very much so affected.

Armendy McFadden + Joe Larrabee

Armindy McFadden

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Feb 18 2020
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To Salmon, or not to Salmon? : To Dump, or not to Dump?

Down in the quaint town of Belfast, Maine on the south side next to the town line of NorthPort, Maine, there is a 50 acre property that Nordic Aquafarms, a Norwegian based company, proposes to build a large scale salmon-farming operation with the largest pens in the world. My problem is not with the company building the salmon pens, it is with the 36-inch pipe they propose to install and extend one kilometer off-shore in order to discharge a constant flow of effluent at a rate of 7.7 million gallons per day into the Penobscot Bay, according to Eric Heine the CEO, and, "owner" of Nordic Aquafarms, at a December 2018 Public Information Forum, held at the Hutchinson Center In Belfast, Maine.

Eric Heine proposed to spend an enormous amount of money on the Belfast Project, as he calls it; \$500 million spread out over five years in fact, yet he states, "There are only 100 jobs expected for the duration of the Belfast Project, with roughly 20% coming from the local employment pool." Though this sounds a small number to hire locally, in my opinion, it isn't of great importance like the other issues at hand.

While Nordic Aquafarms has presented what seems to be a "great plan" to farm these fish, it lacks a "great plan" for the effluent discharge. Let's be clear about something, dumping is discharging, and discharging is dumping. The company has not taken into consideration the adjacent landowners and their quality of water, as well as the health of the ecosystem where they propose to dump. So why does all of this matter in the first place?

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We are all directly affected by the ecosystems that surround us, specifically in the Mid-Coast of Maine, the marine ecosystem of Penobscot Bay is responsible for sustaining the life of numerous aqueous species. It is home to lobsters, of course, crabs, flounder, scallops, seals, and many types of fishes, clams, mussels, eels, porpoises, urchins, shrimp, sea birds, and many others. Each of them living here depends on the suitability of the marine environment in the Penobscot Bay, and therefore depend on us, as Penobscot Bay Area residents, to speak for them and protect them from harm as they cannot speak for themselves.

These waters have also been a way of life for many generations of people, and it supports a diverse collection of businesses that are directly, and or indirectly affected. Whether the focus is on one species or another, it boils down to the ecosystems' importance to itself as a whole, and to us, being the people that live in the Penobscot Bay Area. The case can be easily made that Penobscot Bay is virtually the center of the coast of Maine, making it an epicenter for the lobster and tourism industries, not to mention when your shown a picture of Maine, it is what your eye usually focuses on, therefore, making this bay indispensable to the economy of the State of Maine ergo, "taint the water, taint the economy."

Let's take a step back now that we know why it matters. How does this affect the people whom are in the immediate area surrounding the proposed dumping site? I, Armindy McFadden, am certainly one of those people. Currently, I lease the six-acre Pen BB aquaculture site, located in Northport, Maine, along with my boyfriend Joseph Larrabee. Our site is approximately 3 kilometers directly downstream of the proposed dumping site.

There are now six rafts bearing mussels at varying stages of growth. Penn BB has been in operation since June 2, 2004, and has yielded some of the finest mussels from Maine waters compared to the other three sites used by Joseph over the course of fifteen years. The importance of each mussel

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in respect to the bay, equates like this: mussels are filter-feeders and are considered to be "ecosystem engineers", one of our rafts filters on average one million gallons of water per hour. Since the mussels filter so much water, it makes them highly vulnerable to any pollutants that enter the water columns of the bay.

This is where my difference of opinion is with Nordic Aquafarms. I do not want a 36-inch pipe discharging 7.7 million gallons of effluent per day directly upstream from my mussel site. People have eaten our mussels for fifteen years without issue. The rafts have been accredited to significantly helping the general recovery of the Penobscot Bay after years of chicken guts being dumped from the many plants present in the 1940's, and on through until February of 1988 when the last of the poultry processing plants closed in Belfast. That is a lot of years of dumping for sure!

Should we, as a community, allow the continuation of this cycle of dumping on large scale for many years to come? I have personally seen the effect of tourism that clean water brings. Countless times I have listened to customers in restaurants admire the bay while spending their money. As always, tourism is very effected by the cleanliness of the water. People would not stop here for very long if our waters were tainted by dumping. There are tons of businesses that depend on these tourists ranging anywhere from antique shops and flea markets, to gas stations and convenience stores, to restaurants and hotels, even the post offices and everything in between, and of course yes, the seafood businesses. The health and well-being of this ecosystem directly effects the livelihoods as individuals, and as a community together, especially for this argument, me personally. Someday I hope to pass the site on to my children, in order for this to happen the site must remain healthy, viable, and open.

I guess I have what some people call, "Skin in the game." Is there a viable solution to this complex problem involving so many? I believe there could be if Nordic Aquafarms was willing to comply

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with the idea of "best practices" concerning their effluent. Since commercial distillation is the only way to safely remove the nitrate, I think this is the way to go. The plan proposes to build a water treatment facility, so why not build a distillation plant within the facility proposed. The landowners would be appeased, as would most of us affected, knowing that the discharge would not contain harmful pollutants that could impact the ecosystem negatively.

Basically, I'm saying I think they should do a better job with their water treatment facility. I'm not opposed completely to the project, I think it could bring opportunity to Belfast, and I am all for utilizing any sustainable marine resource, so long as it doesn't cause detriment to another. To dump, or not to dump? If they use a distillation process in combination with a super water treatment process, in my opinion, they would not be harming the environment. I say this is the only sound solution that allows the project to move forward, while taking the environment into full consideration. The process would cost substantially more money, but it would calm most community concerns, and benefit the company over time by solidifying the relationship with all Penobscot Bay Area residents by showing its dedication to the protection of their environment. Anything short of this will, in my opinion, have dire consequences to myself and countless others whom would be affected. Please contact

us with any questions, or if there are any opportunities to speak as I feel we have been purposefully avoided in being contacted about hearings, and the Channel 5 news said two weeks ago there would not be any more, as I understand this past week there were some in Belfast. Thank you,
Joe Larrabee + Armindy McFadden