

H E N R Y   S H A R P E   I I I

Feb 27, 2021

Governor Janet Mills  
1 State House Station  
Augusta, ME 04333

Dear Governor Mills,

In anticipation of the upcoming permit application for a 100-acre salmon farm in Frenchman Bay (one that could be extended to 1000 acres) by American Aquafarms, a subsidiary of the Norwegian firm Global AS, I'm writing to encourage a broader scope for planning industrial scale aquaculture, or other developments in coastal waters. That scope should encompass:

- The priorities and criteria of not only the applicant, but all stakeholders,
- The long-term business viability of the proposed applicant,
- The State's ability to adequately regulate, oversee, and continually monitor the proposed installation over the installation lifetime or the proposed lease term (with appropriate, firm funding commitments, actual assigned manpower, and monitoring standards agreed to by all stakeholders),
- Assessment of alternative, potentially more suitable, or lower risk sites that balance not only the criteria of the applicant, but those of all stakeholders,
- The existing conservation values of nearby, affected or abutting land, but also of submerged land and waters and the habitats they support that are held in public trust by the State of Maine in perpetuity.
- The need for comprehensive, scientific environmental baseline data about the site and the other areas in the bay that may be affected.
- low-impact demonstrations certifying that the technology proposed by the applicant is reliable and that's independently proven to do no environmental harm to surrounding land, water, fisheries, habitats, or to jeopardize the criteria of other stakeholders.

I'd suggest that stakeholders should include not only the applicant, and those seeking economic development and jobs, but also (but not limited to) those representing other fisheries (including lobster, shellfish, bi-valve and kelp aquaculture, and wild fish), recreational users of the landscape, the tourism industry, the research community, the surrounding residential communities, and those that depend on ecosystem services (clean water, habitats for existing organisms, etc.). Further, since the State of Maine holds the submerged land and water in public trust, I'd suggest that the land, water, and submerged land have standing themselves not only as stakeholders, but as protected entities with the rights to allow others, acting on their behalf, to bring legal action against parties doing them harm. Their ongoing status as protected, thriving eco-systems should be actively championed and legally defended by the State of Maine under its obligation to uphold the public trust in perpetuity. Finally, the process should be open to widespread public review and comment.

Rest assured, there are templates for exactly this approach. The Rhode Island Ocean Special Area Management Plan exemplifies a nationally recognized multi-stakeholder, coastal management and regulatory plan that balances development and protection of ocean-based resources with broad public input and exceptional science. Please see: [RI Ocean SAMP Home](#), [Executive Summary](#) and [Ocean SAMP Practitioner Guide.pdf](#)

While the current permitting process for the proposed salmon farm requires approval from DMR, DEP and the Army Corps of Engineers, the process fails to address whether the proposed site is the best possible – and lowest risk – location for the activity. Consider that the Gulf of Maine is among the fastest warming bodies of water on Earth. With warming water come algae blooms and red tide. These algae blooms, and their negative impact on local fisheries are exacerbated by the addition of high nutrient loads. While the applicant suggests that 30% of the fish waste and unused fish food pellets will be removed by their new technology, what happens with the remaining 70% of this nutrient material? In pursuit of the mantra of ‘do no harm’, why would Maine consider the proposed discharge and probable transport to surrounding fisheries acceptable? Further, why is it acceptable to have no disclosure of the anticipated antibiotic load or other contents of the ‘proprietary’ fish feed? Surely the impact of the near-certain widespread distribution of this nutrient-rich, antibiotic-laden effluent bears comprehensive study and public review long before the grant of any permit? Call it what it is: pollution! Does data exist that would let researchers, other stakeholders, and the public feel comfortable that the proposed installation would do no harm, or are we just going to wing it, approve an unproven industrial juggernaut, and hope for the best? How might that effluent dispersal affect other fisheries (lobster, shellfish, kelp and bi-valve aquaculture), or the organic status of existing nearby kelp farms, let alone the sure degradation of overall water quality? Are peer-reviewed current circulation models, bolstered by actual, multi-season coastal water current circulation measurements, (moored doppler current profiles and CTD data), or models of nutrient load and their impact on red tides, or studies of antibiotic impact on this ecosystem even available to let us make informed decisions? I doubt it. Lacking those studies, data models, and conclusions from them, and the ground truth from other similar fish farm installations (few of which exist in the world and none of which exist in North America), is it prudent to instead take only the word of the applicant, a felon convicted of fraud (forthright as he may be), that all will be OK?

Further, given this myriad of unanswered questions, why is it that the chemical makeup of a single, or at most several, annual core samples from the bottom sediment under the pens are deemed the sole, appropriate measure of the impact on the local ecology and water quality?

By analogy, no one wants to be downstream of a long-term industrial pig farm with undisclosed ‘proprietary’ feed ingredients, undefined or ‘proprietary’ effluent controls, minimal periodic monitoring requirements, stretched regulatory oversight, with minimal liability coverage, and only minor penalties for violations?

Next, two facts are worth noting: First, unlike kelp and bi-valve aquaculture that improve water quality, fin fish aquaculture, and particularly industrial-scale fin fish aquaculture degrades water quality. It also negatively reduces the fitness and sometimes decimates wild salmon populations because of the inevitable inbreeding with escaped, essentially domesticated fish that cannot survive in the wild. We know this from experience in Norway, Chile and Argentina. Second,

Norway is the world leader in commercial fish farming. They've established guidelines that help maintain water quality and surrounding ecosystem services. And yet, as I understand it, the proposed fishery density in the designated area in Frenchman Bay is six times the permitted fish density allowed in Norway. Since Norway is recognized for establishing best practices, why would we, in the early stages of fin fish aquaculture in Maine accept a proposal based on unproven technology devoid of impact or reliability data, and super high fish density that Norway clearly would not allow because of its negative impact on water quality and the surrounding ecosystem?

Next, Ransom Consulting was hired by American Aquafarms to recommend proposed sites that met American Aquafarms' criteria. But exactly what are those criteria, and do they reflect the priorities of other stakeholders? Could other sites, (perhaps offshore sites) meet the applicant's needs albeit with some compromise without putting other stakeholders at risk or jeopardy?

**Asked another way, is the best use for the two proposed sites an industrial-scale fish farm, or are there better uses more in keeping with the interests of other stake holders? The permit process fails to formally identify other stakeholders, give credence to their priorities, or to optimizing the lowest risk/highest benefit use of our finite, shared resources. In doing so, it confers all advantage to the applicant, and all liability to other (at this point, largely unnamed) stakeholders.**

My extended family has been coming to Sorrento to various properties we've owned for over 100 years. My parents own the north end of Stave Island. Our property is just 1.4 miles from one of the proposed fish pens and 3.2 miles from the other. We're here because we enjoy the rural setting and an economy that hinges on and sustains a natural, nearly wilderness landscape. Many years ago, we placed a conservation easement on our Stave Island property to ensure that the island stayed wild, and that its conservation values were maintained for perpetuity. Since then, MCHT has protected the remainder of the island. We believe this permanently conserved status benefits nearly everyone in the region, to say nothing of the environment itself. And, much as we enjoy that wildness personally, the plants and creatures that live there, and that have lived there for eons (human and otherwise) depend on the landscape remaining commercially undeveloped. That's a legacy we all collectively owe to the future since, when those resources are gone, they will be gone forever. If you look around the bay, the landscape surrounding the permit area -- from Acadia National Park to all of the many Porcupine Islands, to Jordan, Stave, Preble, Dram and Bean Islands -- all of them are conserved for perpetuity so they will always remain undeveloped as wilderness. Similarly, the State of Maine holds the surrounding waters and underwater land in public trust. Since the State acts on behalf of the people, it follows that the public resources and ecosystem services embodied on these lands, submerged lands, and public waters should not be damaged or squandered. However, because these islands and the Park are beyond a 1000' perimeter from the proposed installations, the current permitting process denies our standing to express concern. And yet who can deny that an industrial-scale farming operation replete with the permanent, noisy, visual eye sore of several huge commercial barges, continually operating pumps, hoists, generators, crew accommodations, security lights, clanging fish pens, blinking navigation lights, and near constant

24-hour boat traffic degrade the environment for all but the permit recipients. All that while the current use of the surrounding area is, at most, and often far less than light commercial use.

Frenchman Bay is renowned worldwide for its one-of-a-kind, and, as described above, up to now, largely permanently protected, pristine beauty. By any definition, if the permit is approved, the aforementioned persistent environmental damage and squander will haunt all of us – residents, property owners, visitors, and local, independent fishermen – long into the future. And yet the current permit process denies all of these concerns and offers their advocates no voice.

If the permit is approved, American Aquafarms (the out-of-state permit applicant) will suffer none of the downsides that tax-paying Maine residents, property holders, visitors, and local fishermen will face as the applicant extracts our resources, from our once-pristine landscape, all while continually degrading our environmental quality. Ironically, if the application is granted, the company alone will reap most of the upsides: financial profit along with extremely limited liability for any consequences, predicted or unforeseen. To put icing on this, as a Wyoming business, all those profits will flow out of Maine while providing scant tax revenue to benefit the State, perhaps not generating enough to pay for even the minimal, currently required regulatory oversight for the whole operation. Shame on all of us if we allow the wholesale give-away of so many of our irreplaceable resources to so few on our watch! It would give the slogan 'It's a free country' a whole new meaning: one for the taking – right from under our noses!

In summary, the methodology used to assess this application is a big deal. Maine has championed aquaculture to promote economic development. But at what cost to other long-established livelihoods, cultural mainstays, industries, and ecosystems? Aquaculture, and particularly fin-fish aquaculture is a developing industry that we need to get right. The science, the sustainability, the public decisions about how or whether to develop finite resources, and the public recruitment of stakeholders into a transparent process around our collective priorities all matter. Until those steps are in place, I recommend a moratorium on any fin fish aquaculture projects of this scale. More broadly, we should initiate a statewide planning process like the RI Ocean SAMP plan that balances coastal development against protection of ocean-based resources and the surrounding environment with public input informed by objective, peer-reviewed scientific data.

Respectfully,

Henry Sharpe III



Environmentalist, former adjunct ocean-engineering professor at University of RI, and design engineer for oceanographic instrumentation and robotic devices used to map coastal ocean water currents.

RI Ocean SAMP Home:

<https://seagrant.gso.uri.edu/oceansamp/>

Executive Summary:

[https://seagrant.gso.uri.edu/oceansamp/pdf/samp\\_approved/000\\_ExecSum\\_APPROVED\\_5.4\\_Clean.pdf](https://seagrant.gso.uri.edu/oceansamp/pdf/samp_approved/000_ExecSum_APPROVED_5.4_Clean.pdf)

Ocean SAMP Practitioner Guide.pdf:

[https://seagrant.gso.uri.edu/oceansamp/pdf/Practitioner\\_Guide.pdf](https://seagrant.gso.uri.edu/oceansamp/pdf/Practitioner_Guide.pdf)