



March 20, 2019

Mr. Patrick Keliher, Commissioner
Maine Department of Marine Resources
21 State House Station
Augusta, ME 04333-0021

Re: Use of Land Based Atlantic Salmon for Lobster Bait

Dear Commissioner Keliher,

Last week on March 13, 2019, Nordic Aquafarms' Commercial Director Marianne Naess met with Deputy Commissioner Meredith Mendelson to discuss the Department's process for approving the potential use of Atlantic salmon heads, racks and other by-products from Nordic Aquafarms' land-based salmon production facility in Belfast for use as lobster bait.

Based on our discussion and your public statements at the Maine Fishermen's Forum and at other meetings, we understand that the Department generally supports revising the current prohibition of the use of Atlantic salmon as applies to land-based salmon recirculating aquaculture systems (RAS). The requested regulatory language revisions that need to be addressed are detailed in Chapter 24.23, which prohibits the introduction "into the coastal waters of Maine of any dead salmonid fish species or salmon remains, parts or viscera."

We understand that the Department would consider revising Chapter 24 regulations for finfish on comprehensive basis to address the use of RAS salmon as lobster bait, among other issues, in a process similar to that used by the Department last year to revise Chapter 24 shellfish regulations. We understand this process took about 100 days to complete and primarily involved DMR staff and fish health experts.

Nordic Aquafarms therefore respectfully requests that the Chapter 24 review and revision process begin no later than October 2019 in order to have regulatory certainty for final design of the fish processing facility in Belfast. Following the approval of revisions to Chapter 24, including provisions for the introduction of RAS salmon "remains, parts or viscera" into coastal waters of Maine for use as lobster bait, Nordic Aquafarms understands that the company would then submit an application for approving a new source of bait for marine waters is described in DMR regulations Ch. 25. Sec. 11.

Nordic Aquafarms has reviewed Ch. 25.11, which specifies "the Commissioner shall evaluate the level of risk associated with the proposed introduction of a bait source into the marine environment by considering the potential impacts to the marine ecosystem and consumers. Each evaluation shall consider the probable effects of the introduction of the bait into the recipient area, including, but not limited to:



1. The effects of any previous introduction of the same or a similar species in Maine or other areas;
2. The relationship of the species of aquatic organism to be introduced with other members of the recipient area ecosystem; and
3. The potential effects of infectious or contagious pathogens, pests, parasites, or invasive species that might be associated with the species of aquatic organism to be introduced upon other members of the ecosystem of the recipient area.”

Nordic Aquafarms further understands that the Commissioner may establish “conditions necessary to prevent the spread of infectious or contagious pathogens, pests, parasites, or invasive species to aquatic or human populations (and) ... could impose additional requirements including a testing regime, proof of chain of custody, and/or other information as requested by the Commissioner.”

Nordic Aquafarms is preparing a comprehensive application under the Site Law of Development Act, which requires a description of plans to re-use and recycle ancillary products and waste from our production facility to the maximum extent possible.

Nordic Aquafarms respectfully requests that you as Commissioner confirm that DMR will support the process outlined above. Your approval in writing will be an important part of Nordic Aquafarms’ permitting applications to DEP, as well as part of the BEP review process.

Sincerely,

Erik Heim
President, Nordic Aquafarms Inc.